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# MARSHALL KELSAY

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March 21, 2009

Honorable Dianne Feinstein  
United States Senator  
Attn: Dan Wessel  
331 Hart Senate Office Bldg.  
Washington, DC 20510

**Re: Support S. 338**

Dear Senator Feinstein:

I represent approximately 275 homeowners within Division IV of the community of San Diego Country Estates in Ramona, California who are in support of S. 338. We applaud your effort to put in place meaningful public policy restoring community control and the ability of the State to manage the location and scope of tribal gaming in California. In our view, it is essential to preserve the two-part determination process "throughout the State of California" for ALL fee to trust transfers. Public policy on Indian gaming must be developed with consideration for the impact on the local communities. Local residents must retain a voice in determining the long-term character of our neighborhoods. Barona Racetrack Committee heartily endorses your efforts to require the Lytton Band of Pomo to adhere to the two part determination before any expansion may take place.

In recent days the U. S. Supreme Court Ruling on *Carcieri v. Salazar* has spurred discussions of possible expanded reform of federal Indian policy. Our community will support any effort that reforms current federal Indian policy particularly with an emphasis on environmental standards. The environment does not stop at a reservation boundary. There needs to be a cooperative process for oversight of land use and developments on reservations monitoring the impacts that on reservation developments create off reservation in the surrounding communities. Such a reform will restore community cohesiveness.

In California and particularly in San Diego County our communities are closely interwoven. It does not make sense that differing laws are written for various plots of land that so negatively affect the greater community and regional area.

**Honorable Dianne Feinstein**

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Thank-you for stepping up to address the complex issues surrounding tribal gaming and federal Indian policy.

Sincerely,

Marshall K. Kelsay

**Honorable Dianne Feinstein**

**Re: S.338**

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