

# COUNTY COUNSEL COUNTY OF MADERA

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October 12, 2000

Dixie Jackson, Tribal Chairperson  
Picayune Rancheria of the Chukchansi Indians  
46575 Road 417  
Coarsegold, CA 93614

RE: Demand to cease and desist any further construction of casino or related facilities

To whom it may concern:

For some time now the Board of Supervisors of the County of Madera has been aware that the Chukchansi tribe of the Picayune Rancheria hopes to develop a 160,000 square foot casino in Coarsegold. More recently we are told that the project as proposed will be on land which is neither in trust nor within the boundaries of the Picayune Rancheria. Representatives of Cascade Entertainment have told us that the project includes a casino, a five story hotel, 4-5 restaurants which will include a 24 hour restaurant, a buffet that will accommodate 500 people, an entertainment lounge/fast food area that will seat another 150, a parking area with 1600 spaces, and a 100 space RV park. This casino and related facilities will serve alcohol.

The land in question has been purchased by and is held in unrestricted (non-trust) status in the name of Cascade Entertainment. The land is located next to Rancheria land but is not within its bounds. Some of the property is contiguous to land which is in trust in the name of an individual Chukchansi Indian, who was disenrolled from the tribe. None of the land is contiguous to land owned by the tribe in trust status.

Post-It® Fax Note	7671	Date	# of pages
To	NANCY FLYNN	From	DOUG NELSON
Co./Dept.		On	
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Dixie Jackson, Tribal Chairman  
Picayune Rancheria of the Chukchansi Indians  
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The County of Madera is aware that the Bureau of Indian Affairs has indicated in an opinion letter dated March 2, 2000 that land within the re-established boundaries of the Rancheria is "Indian Land" which may be used for gambling without being conveyed into trust. We do not necessarily accept the validity of that opinion. However, whether or not the opinion is correct, the current proposal is not on Indian Land and therefore remains subject to State and County regulation.

The County's issues extend beyond its grading ordinance. This project was commenced over two years ago. Since that time your Tribal representatives have declined to keep the community of Coarsegold or the Board of Supervisors of Madera County informed of your activities. Cascade Entertainment is now involved, and the project as envisioned will be a major commercial center in a rural area. Twenty-seven acres have been bulldozed without regulatory approvals, without any public environmental review and without any community input. Cascade Entertainment has said the project needs to be completed by July 2001. The land status issue is not resolved, much less review of an environmental study. Resolution of the traffic problems on Highway 41 and County Roads, water needs of the project and the surrounding area, law enforcement problems, the growth inducing impact of a commercial project of this magnitude on the surrounding area, and the problems which will arise from the inconsistency of this use with the surrounding land uses have basically been ignored.

To summarize:


- The grading activities which are currently being conducted are not permitted and are in violation of the Madera County Code.
- This project violates the National Indian Gaming Act, and Section 4.2 of the State Tribal Compact which limit casino facilities to Indian lands on which gaming may lawfully be conducted under the Indian Gaming Regulatory Act.
- This proposed project violates Section 10.8 of the State-Tribal Compact, NEPA and CEQA in that there has been no effort to inform the public about the project, to determine the environmental impacts of the project, to submit environmental reports to the State Clearinghouse for its review, to consult with the Board of Supervisors to discuss mitigation of the impacts which will result from this project, nor to provide any meaningful opportunity for public comment concerning those impacts.

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Unless and until these concerns are addressed, we demand, on behalf of the Board of Supervisors of Madera County, that you cease any further activities on this project.

Very truly yours,

JEFFREY L. KUHN  
County Counsel

  
DOUGLAS W. NELSON  
Assistant County Counsel

DWN:cg

cc: John Anderson, Sheriff  
George Radanovich, U.S. Representative  
Dick Monteith, State Senator  
George R. House, State Assembly Representative  
Bill Lockyer, Attorney General  
National Indian Gaming Commission  
Bureau of Indian Affairs

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