

Indians of Enterprise No.1

Robert Edwards, Chairman
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March 12, 2009

Certified Mail #7006 2150 0001 1100 2215

Dale Morris, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

Dear Regional Director Morris:

I have been provided a copy of your letter of January 16, 2009 in which you requested input related to the Enterprise Rancheria tribe's application to conduct off-reservation gaming activities on property four miles southeast of the community of Olivehurst in Yuba County.

My tribe and I are on previous Bureau records with your office as an Interested Party in this matter. We continue our opposition to this project for many reasons beginning with the fact that it fails to meet established criteria. The land at the project site has not been taken into trust as settlement of a land claim, nor is the land a restoration of lands for a tribe which has been restored to federal recognition as required.

In their application to the Secretary of the Department of the Interior, Enterprise Rancheria provides a distance of 36 miles to their proposed casino site in Yuba County. The distance reflected by the tribe is from their tribal office on Olive Highway in Oroville rather than the distance from their reservation. Your letter states the subject property in Yuba County is approximately 45 miles from the Enterprise Rancheria boundaries in Butte County. The boundaries of the Enterprise Rancheria No.1, (Enterprise Rancheria), the aboriginal land of my Great-grandmother Emma Parker Walters, in Butte County are 53.32 miles from Enterprise Rancheria's 40 acre casino site in Yuba County.

Emma's forty-acres of land is designated by the Enterprise Rancheria's tribal leaders as their alternate casino Site #2 on the tribe's previous environmental report as noted in the DEIS Scoping comments. This designation by the Tribe of their forty acres of land in Butte County

clearly shows that the tribe has failed to demonstrate its need for additional land as required. Enterprise Rancheria is not a landless tribe. (25 CFR Sec. 151.10 (b) and 151.11(a)).

The Enterprise Rancheria reservation is not inaccessible as the tribe has reflected in their application. Emma Parker Walters, at the age of 78, stated, "This is my life long home," to the Indian Agent John Terrell as he walked with her on the forty acres at Enterprise Rancheria No.1 in 1915. Butte County continued to be the home of Emma and her descendants, my family, for years to come. Only a handful of family members still reside on the land at Enterprise Rancheria No.1. But, those who do regularly commute into Oroville as they have for many, many years. The land at Enterprise No.1 has always been accessible to those who have called it home.

Yuba County is not the aboriginal land of the Enterprise Rancheria tribe and considering the commuting distance from Enterprise Rancheria No.1 in Butte County to the casino site in Yuba County, it appears the Secretary of the Interior will be directed as per 25 C.F.R., Section 151.11 (b) to give greater scrutiny to the tribe's justification of the benefits of this acquisition. Continuing in Section 151.11 (b), the Secretary is required to provide greater weight to the concerns raised by state and local governments as to the potential impacts of the acquisition on regulatory jurisdiction, real property taxes as well as special assessments.

Contrary to the statements made by Enterprise's tribal leaders in promoting their casino project and attempting to show ties to Yuba County, our family did not travel up and down the Feather River over 50 miles south into Yuba County. It was a major event if our family went 20 miles down into town (Oroville) or 15 miles into the woods for logging. Our family had all the fishing, hunting and logging we needed close to home. We were not hindered by the snow or other elements that many Indians in other states faced during the dead of winter. We are California Indians who have lived in relatively mild conditions.

As told to us over the years by our family, our people would not consider going out of their way to enter another Indian's territory. Yuba County has strong historical ties for Indians such as the United Auburn Indian Community and the Strawberry Valley Band of Maidu Indians. Statements by these tribes against the Enterprise Rancheria casino project are within the CD of the Draft Environmental Impact Statement (February 2008) scoping comments, previously provided to

interested parties by your predecessor Regional Director, Clay Gregory of the Bureau's Pacific Regional Office in Sacramento.

As an interested party in this matter, I have followed the issues raised as to the environmental impact of this project. The commentary has been substantial as to whether the project will comply with NEPA. I have yet to see a resolution of these issues presented demonstrating the appropriate compliance.

There is a major concern as to the substantial increase in traffic in the area of this Yuba County project. On Friday, February 13, 2009 at 3:00 p.m. I visited a patient at Ride Out Hospital in downtown Marysville just a few miles north of the proposed location of Enterprise Rancheria's casino project. This area is immediately off State Route 70, the main route from the north, headed due south directly to where the Enterprise Rancheria casino could be built. Exiting the hospital and entering Hwy 70 there was literally bumper to bumper congestion with cars remaining in the intersection long after the traffic light had turned green for opposing traffic. The congestion was outrageous.

I can only imagine the impact on the traffic situation if Enterprise Rancheria were to open a hotel-casino project just down the road. The traffic congestion in the area has been a problem for many years. Any potential solution would be extremely costly. I'm not an engineer, but nothing short of a major overpass or bypass above or around the town of Marysville would appear plausible. However, how many Marysville businesses could close as a result of completely bypassing their businesses?

It is of utmost importance to remind the Secretary that in November of 2005; fifty-two percent of the citizens of Yuba County opposed the Enterprise Rancheria casino project when Measure G was placed on the ballot. The casino did not receive the support of the local community as is required. The citizens spoke with their ballots and local political representatives should carry the message of their constituents.

Enterprise Rancheria has been at the forefront among the tribes in California who violate the civil rights and human rights of their members. These offenses have been well documented by the media since 2003. Further, the Bureau has an extensive record of complaints and appeals in their files at the office of the Superintendent of the Central California Agency of the BIA, also at your Regional Director's office at Pacific Regional in Sacramento as well as at the Interior Board of Indian Appeals.

In spite of the egregious offenses that have involved the Enterprise Rancheria tribal government, they continue to slide by without so much as a hand slapping from the Bureau of Indian Affairs. The time has long passed when it is acceptable to reward corruption. You certainly don't reward them with land they are not entitled to, or casino monies, when their tribal officials have already established themselves as having mishandled the funds in their tribe's Human Services Fund for the needy. That is a fact I can and will personally attest to as I witnessed them first hand while serving as their Vice Chairman. Documentation on those events is also with the Bureau.

I am the former Vice Chairman of Enterprise Rancheria. Over five years ago I was elected Chairman of the Indians of Enterprise No.1. During that time I served on the Board of AIRRO; followed by an appointment as Delegate on Native American Affairs for the 21st Congressional District by Steve Haze of that district's Democratic Central Committee. I am speaking on behalf of myself and our tribe when I say our people have a vested interest in the Secretary's decision related to the Enterprise Rancheria off-reservation casino project.

The civil rights of all Americans, but particularly Native Americans, is of utmost importance to my tribe. We witnessed first-hand as the civil rights of Enterprise Rancheria's tribal members were denied or trampled upon as they were victimized by their own tribal government. Governing by threat and intimidation is something that occurs in other countries. There is no place for those policies in our United States.

My tribe cannot and will not stand silently by when we are fully aware the same problems still exist within the Enterprise Rancheria tribe with the same offenders in positions of leadership. Nothing has been done to correct the problems or assist the innocent victims who have paid the ultimate price. Therefore the Indians of Enterprise No.1 continue on record as opposing the Enterprise Rancheria Casino project for all of the afore-mentioned reasons.

Sincerely,

Robert L. Edwards, Chairman,
Indians of Enterprise No.1

Cc: See Attached List

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