

September 30, 2011

Honorable Governor Jerry Brown
State Capitol, Suite 1173
Sacramento, California 95814

Dear Governor Brown:

We are writing to express our opposition to the Department of Interior's ("DOI") recent decision approving two off-reservation gaming projects in California and to ask that you not concur with the DOI's determination.

On September 2, 2011, the DOI published its approval of two off-reservation gaming facilities proposed by the Enterprise Rancheria of Maidu Indians in Yuba County and the North Fork Rancheria of Mono Indians in Madera County. Both proposed gaming projects are more than thirty-five miles away from their proponents' existing tribal lands, which are currently eligible for gaming, and both proposed gaming projects seek to move into territories to which the tribes have no modern, historical, or aboriginal nexus.

As you are aware, the two-part determination exception these projects are seeking requires gubernatorial concurrence with the DOI determination (See 25 U.S.C. 2719(b)(1)(A)). We are united in asking you to "non-concur" in both of these pending decisions.

These two decisions by the Department of Interior, if upheld, will harm the foundation of Indian gaming in California and the premise of Proposition 1A in 2000, which assured the voters of California that Indian gaming would remain on tribal lands. A gubernatorial concurrence with these pending decisions would create a negative precedent and open up the state for investors to persuade tribes to petition the federal government to take land into trust for gaming purposes away from their existing and historical tribal lands in search of the most lucrative gaming market. These proposed off-reservation projects seriously weaken the public support for Indian gaming and are incompatible with the promises made to the voters when they listened to the California tribes and overwhelmingly approved Proposition 1A in 2000.

A tribe should not be permitted to acquire land for gaming anywhere it chooses within the State. Substantial weight should be given to a tribe's historic connection to the land because to ignore a lack of connection would seriously undermine tribal sovereignty.

To protect the integrity of tribal sovereignty and the future of California Indian gaming, we ask with one voice that you "non-concur" in these misguided decisions by the Department of Interior approving the applications for both the Enterprise Rancheria of Maidu Indians in Yuba County and the North Fork Rancheria of Mono Indians in Madera County.

Reggie Lewis, Chairperson
Picayune Rancheria of the Chukchansi Indians

Mark A. Macarro, Chairperson
Pechanga Band of Luiseno Indians

Daniel Gomez, Chairperson
Colusa Indian Community

David Keyser, Chairperson
United Auburn Indian Community

Gary Archuleta, Chairperson
Mooretown Rancheria

Robert Smith, Chairperson
Pala Band of Mission Indians

Leanne Walker-Grant, Chairperson
Table Mountain Rancheria

Andy Freeman, Chairperson
Paskenta Band of Nomlaki Indians