

FACT SHEET: ENTERPRISE RANCHERIA POSITIVE SECRETARIAL DETERMINATION

Decision

- The Assistant Secretary – Indian Affairs has reviewed the Enterprise Rancheria’s off-reservation gaming application under the Indian Gaming Regulatory Act (IGRA) and determined that:
 - Gaming on the proposed site would be in the best interest of the Tribe and its members; and,
 - Gaming on the proposed site would not be detrimental to the surrounding community.
- The application now goes to the Governor of the State of California for concurrence in this determination. The Governor has one year to concur. Upon concurrence, the Tribe will be able to conduct gaming on the lands when they are acquired in trust.

Background

- The Tribe is located in Butte County, California (north of Sacramento), and has approximately 800 members. It currently has only 40 acres of land in trust, located in the Sierra Nevada foothills 21 miles east of the town of Oroville, CA. Those lands have been in trust since 1915 and are currently used for residential purposes. The Tribe also had an additional 40 acres of land in trust that were flooded for construction of a dam in the 1960’s.
- The Tribe is proposing to operate a gaming facility on 40 acres of land in Yuba County, California – 36 miles south of the Tribe’s headquarters in Oroville, and 54 miles from its existing trust lands (driving distance). The proposed gaming site is approximately 40 miles north of Sacramento, CA.
- The Tribe originally submitted its application in 2002. The proposed scope of the facility would include 1,700 machines, and an 8-story/170 room hotel.

Overview of Analysis – Best Interest Determination

- The gaming facility would result in annual net revenues of \$46.2 million by year 7, with \$19.3 million in cash available to the Tribe’s government in year 7.
- Revenues would allow Tribe to provide jobs to its members, increase its service-delivery to tribal members, and allow the Tribe to develop a land-base.
- The gaming facility would only be 36 miles from its government headquarters, allowing the Tribe’s government to exercise governmental power over the gaming site.

- The Tribe has a historical connection to the area around the Site, which has been recognized by the State of California and the Army Corps of Engineers (for purposes of repatriation of human remains and funerary objects).
- Development of gaming at the proposed site is an appropriate alternative to gaming on existing trust lands, which are limited (40 acres), difficult to access (narrow, dirt roads), difficult to develop (steep, uneven terrain), and currently used for tribal member housing.

Overview of Analysis – Not Detrimental to the Surrounding Community

- The Tribe has entered into a Memorandum of Understanding with Yuba County, which will require payments to the county to mitigate impact of gaming. Under this MOU, the County will receive \$83 million over 20 years for various services.
- The Tribe has entered into a Memorandum of Understanding with the City of Marysville, which is the closest municipal government to the proposed gaming facility. Under this MOU, the City will receive \$4.8 million over 15 years.
- The gaming facility would be located in a 900-acre area zoned for “Sports and Entertainment.” The original purpose of the property was for the construction of a NASCAR track and outdoor amphitheatre.
- The United Auburn Indian Community is also a “surrounding community” under IGRA, meaning that the Department must determine that the Enterprise Rancheria’s proposed gaming facility is not detrimental to the United Auburn Indian Community (Auburn). Auburn operates its own gaming facility in Lincoln, California – approximately 21 miles southeast. Any claimed historical connection to the area around the site is not exclusive of other tribes, and does not lead to a detriment.
- Auburn did not submit sufficient evidence showing that gaming on the site would be detrimental to its own community.