

Stand Up For California!
"Citizens making a difference"
www.standupca.org

P. O. Box 355
Penryn, CA. 95663

November 15, 2011

Ms. Laura Cloud
Office of the Assistant Secretary
Bureau of Indian Affairs
U. S. Department of the Interior
MS-3071, MIB
1849 C Street, NW
Washington, D.C. 20240

VIA FACSIMILE
202-208-6597

Dear Ms. Cloud:

This is a request under the Freedom of Information Act, 5 U.S.C. § 552. By this letter I request that the U.S. Department of the Interior produce all records¹ in its possession, custody, or control—including records within the possession, custody, or control of the Bureau of Indian Affairs (BIA) and its Pacific Regional Office in Sacramento, California—involving the following materials:

1. Any records from, to, between, internal to, or mentioning the Bureau of Indian Affairs, the Enterprise Rancheria of Maidu Indians (hereinafter "Tribe"), its business partner Yuba County Entertainment, and its third-party contractor Analytical Environmental Services, including counsel and representatives, regarding the National Environmental Policy Act review and evaluation process, for the Tribe's fee-to-trust application and proposed casino project in Yuba County, California.

2. Any records relating to the third-party contractor selection process, the role of the Tribe in the review process, and the selection of the third-party contractor to prepare a Scoping Report, Draft Environmental Impact Statement, and Final Environmental Impact Statement for the Tribe's fee-to-trust application and proposed casino project in Yuba County, California, including any memoranda of understanding between the Bureau of Indian Affairs, Analytical Environmental Services, and/or the Tribe, and other relevant documents and communications.

¹ The term "records" is used herein to mean anything denoted by the use of that word (or in its singular form) in the text of the Freedom of Information Act. The term includes correspondence, minutes of meetings, memoranda, notes, emails, notices, facsimiles, charts, tables, presentations, orders, filings, and other writings (handwritten, typed, electronic, or otherwise reproduced or stored). This request seeks responsive records in the custody of any Department of the Interior of Bureau of Indian Affairs Office, including, but not limited to, Main Interior in Washington and the BIA Regional Office in Sacramento, California.

FOIA U. S. Department of the Interior

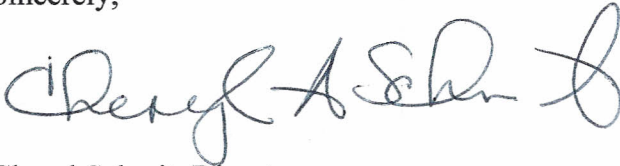
3. Any records from, to, between, internal to, or mentioning the Bureau of Indian Affairs, the Tribe, Yuba County Entertainment, and Analytical Environmental Services, including counsel and representatives, relating to the preparation, review, revision, or any other action taken with respect to the Scoping Report, Draft Environmental Impact Statement, or Final Environmental Impact Statement, for the Tribe's fee-to-trust application and proposed casino project in Yuba County, California.

This FOIA request is intended to include the production of responsive documents in the possession of Analytical Environmental Services, which has been contracted by the Bureau of Indian Affairs to work on the project that is the subject of this request. The issue of producing responsive documents in the possession of a third-party contractor working under the direction of the Bureau of Indian Affairs on this type of fee-to-trust application and casino project was litigated and resolved in Dragonslayer, Inc. v. Salazar, No. 09-135 (D. Or. 2010).

I am willing to pay fees for this request up to a maximum of \$5,000. If you estimate that the fees will exceed this limit, please inform me first.

If you have any questions about this request, please contact me at (916) 663-3207 or at cherylschmit@att.net. Many thanks in advance.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Schmit". The signature is written in a cursive style with a large, stylized initial "C".

Cheryl Schmit, Director
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cherylschmit@att.net
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