



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

NOV 08 2012

Notice of (Non-Gaming) Land Acquisition Application

Due to the lapse of time, we are reissuing this notice to again seek comments regarding the within-subject application submitted by the Ewiiapaayp Band of Kumeyaay Indians, California. The previous notice was dated February 14, 2002.

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10, notice is given of the application filed by the Ewiiapaayp Band of Kumeyaay Indians, California (Tribe) to have real property accepted "into trust" for said applicant by the United States of America. The determination whether to acquire this property "in trust" will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of the Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information:

- (1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- (2) Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization;
- (3) Any government services that are currently provided to the property by your organization; and
- (4) If subject to zoning, how the intended use is consistent, or inconsistent, with current zoning.

We are providing the following information regarding this application:

Applicant:

Ewiiapaayp Band of Kumeyaay Indians, California

Legal Land Description/Site Location:

The land referred to herein is situated in the State of California, County of San Diego, being more particularly described as follows:

All that portion of the southeast quarter of the southeast quarter of Section 25, Township 15 South, Range 2 East, San Bernardino Meridian, in the County of San Diego, State of California, according to Official Plat thereof, described as follows:

Beginning at the southeast corner of said southeast quarter of the southeast quarter; thence south 88°58'35" west along the southerly line thereof 60.00 feet more or less to a line which is parallel with

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IN AMERICA 

and 60.00 feet westerly of, measured at right angles to the easterly line of said southeast quarter of the southeast quarter and its southerly prolongation, being the true point of beginning; thence continuing south 88°58'35" west along said southerly line 815.00 feet; thence north 1°29'32" west parallel with the easterly line of said southeast quarter of the southeast quarter 940 feet, more or less, to the southerly line of land described in deed to the State of California, recorded May 11, 1966 as Instrument No. 78689 of Official Records of County Recorder of said San Diego County; thence easterly along said southerly line to the aforesaid parallel line; thence south 1°29'32" east along said parallel line to the true point of beginning.

The above-described parcel contains 18.95 acres, more or less, and is referred to in the San Diego County records as Assessor's Parcel Number 404-090-07, also known as the Salerno site. The property is located approximately 40 miles west of the Tribe's reservation and approximately 1.5 miles from existing lands held in trust by the United States of America for the Band.

Project Description/Proposed Land Use:

The Salerno Site continues to be undeveloped. Other undeveloped properties and Alpine Boulevard border the parcel. The Tribe does not anticipate any significant impacts upon the surrounding private residences because the Tribe has no development, physical alternation or change in land use planned for the parcel after the acquisition.

The Tribes does not have any planned change in use for the Salerno Site at this time. However, the primary goal in acquiring the subject property is to provide long-term socio-economic security and to benefit the Band's efforts of enhancing tribal self-determination. The property is currently vacant and unimproved.

See attached map

Current Use/Taxes and Zoning:

Assessed property taxes for 2009-2010 were as follows:

404-090-07-00: \$4,116.44

Existing Easements/Encumbrances:

See attached Schedule B

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government, which may result from the removal of the subject property from the tax roll and local jurisdiction.

This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act of 1969.

Your written comments should be addressed to the Bureau of Indian Affairs at the address at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted an extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. An extension of ten to thirty days may be granted. Copies of all comments will additionally be provided to the applicant. You will be notified of the decision to approve or deny the application.

If any party receiving this notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy of this notice to said party or timely provide our office with the name and address of said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act, is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, may be directed to Lorrae Russell, Realty Specialist, at (916) 978-6071.

Sincerely,



Regional Director

Enclosures

cc: Distribution List

cc: BY CERTIFIED MAIL – RETURN RECIEPTS REQUESTED TO:

California State Clearinghouse (10 copies) – 7012 1010 0000 9237 3721
Office Planning and Research
P.O. Box 3044
Sacramento, CA 95814

Mr. Jacob Appelsmith – 7012 1010 0000 9237 3738
Legal Affairs Secretary
Office of the Governor
State Capitol Building
Sacramento, CA 95814

Sara Drake, Deputy Attorney General – 7012 1010 0000 9237 3745
State of California
Department of Justice
P.O. Box 944255
Sacramento, CA 94244-2550

Mr. James Peterson, District Director – 7012 1010 0000 9237 3752
Office of the Honorable Dianne Feinstein
750 "B" Street, Suite 1030
San Diego, CA 92101

U.S. House of Representatives – 7012 1010 0000 9237 3769
52nd District
1870 Cordell Court, Suite 206
El Cajon, CA 92020

San Diego County Assessor – 7012 1010 0000 9237 3776
1600 Pacific Highway, Suite 103
San Diego, CA 92101

San Diego Treasurer & Tax Collector – 7012 1010 0000 9237 3783
1600 Pacific Highway, Suite 162
San Diego, CA 92101-2480

County of San Diego – 7012 1010 0000 9237 3790
Office of the Chief Administrative Officer
1600 Pacific Highway
San Diego, CA 92101-2480

San Diego County Sheriff's Department – 7012 1010 0000 9237 3806
9621 Ridge Haven Court
San Diego, CA 92120

San Diego County Department of Public Works – 7012 1010 0000 9237 3813
5555 Overland, Suite 6101, MS O-340
San Diego, CA 92123

Department of Planning and Land Use – 7012 1010 0000 9237 3820
5201 Ruffin Road, Suite B, MS O-650
San Diego, CA 92123

Chairperson – 7012 1010 0000 9237 3837
Barona Reservation
1095 Barona Road
Lakeside, CA 92040

Chairperson – 7012 1010 0000 9237 3844
Campo Band of Mission Indians
36190 Church Rd., Suite 1
Campo, CA 91906

Chairperson – 7012 1010 0000 9237 3851
Jamul Indian Village
P.O. Box 612
Jamul, CA 91935

Chairperson – 7012 1010 0000 9237 3868
La Jolla Band of Luiseno Indians
22000 Highway 76
Pauma Valley, CA 92061

Chairperson – 7012 1010 0000 9237 3875
La Posta Band of Mission Indians
P.O. Box 1120
Boulevard, CA 91905

Chairperson – 7012 1010 0000 9237 3882
Los Coyotes Band of Chauilla & Cupeno Indians
P.O. Box 189
Warner Springs, CA 92086

Chairperson – 7012 1010 0000 9758 2082
Manzanita Band of Mission Indians
P.O. Box 1302
Boulevard, CA 91905

Chairperson - 7010 1670 0001 7402 7779
Mesa Grande Band of Mission Indians
P.O. Box 270
Santa Ysabel, CA 92070

Chairperson – 7012 1010 0000 9758 2099
Pala Reservation
35008 Pala Temecula Rd. PMB 50
Pala, CA 92059

Chairperson – 7012 0470 0000 9758 2105
Pauma Band of Mission Indians
P. O. Box 369
Pauma Valley, CA 92061

Chairperson – 7012 0470 0000 9758 2112
Rincon Band of Mission Indians
P.O. Box 68
Valley Center, CA 92082

Chairperson – 7012 0470 0000 9758 2129
Santa Ysabel Band of Mission Indians
P.O. Box 130
Santa Ysabel, CA 92070

Chairperson – 7012 0470 0000 9758 2136
Sycuan Band of Mission Indians
5459 Sycuan Road
El Cajon, CA 92021

Chairperson – 7012 0470 0000 9758 2143
Viejas (Baron Long) Band of Mission Indians
P.O. Box 908
Alpine, CA 91903

Chairperson- 7012 0470 0000 9758 2150
Pechanga Indian Reservation
P.O. Box 1477
Temecula, CA 92593

Chairperson- 7012 0470 0000 9758 2167
Ewiiapaayp Band
4054 Willows Road
Alpine, California 91901

Regular Mail:

Chairperson
Inaja-Cosmit Band of Mission Indians
309 S. Maple Street
Escondido, CA 92025

Superintendent, Southern California Agency, BIA
1451 Research Park Drive, Ste 100
Riverside, California 92507-2154

SCHEDULE B

SECTION TWO

EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction. The printed exceptions and exclusions from the coverage of the policy or policies are set forth in Exhibit A attached. Copies of the policy forms should be read. They are available from the office which issued this Commitment.

1. General and special taxes and assessments for the fiscal year 2010-2011, a lien not yet due or payable.
 2. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
 3. Water rights, claims or title to water, whether or not shown by the public records.
 4. An easement for public utilities and incidental purposes, recorded May 18, 1949 as Book 2644, Page 207 of Official Records.
In Favor of: San Diego Gas and Electric Company, a corporation
Affects: As described therein
 5. An easement for establishing, constructing, reconstructing, maintaining, operating, repairing and renewing a trail or roadway, together with all appurtenances, structures and equipment deemed necessary or convenient by the grantee in connection therewith, for public use as a riding and hiking trail and incidental purposes, recorded March 15, 1950 as Book 3540, Page 344 of Official Records.
In Favor of: The State of California
Affects: As described therein
- The location of the easement cannot be determined from record information.
6. An easement shown or dedicated on the map filed or recorded March 24, 1952 as No. 2799 of Record of Surveys
For: Ingress and egress permitted and incidental purposes.
 7. Abutter's rights of ingress and egress to or from Interstate 8 have been relinquished in the document recorded May 11, 1966 as Instrument No. 78689 of Official Records.

Said instrument further provides that said land shall abut upon and have access to a Frontage Road, which will be connected to said freeway at such points as may be established by public authority.

8. Easements, Covenants and Conditions contained in the deed from William Douglas Walker, a widower, and J. Robert Bostwick and Barbara J. Bostwick, who acquired title as Barbara J.

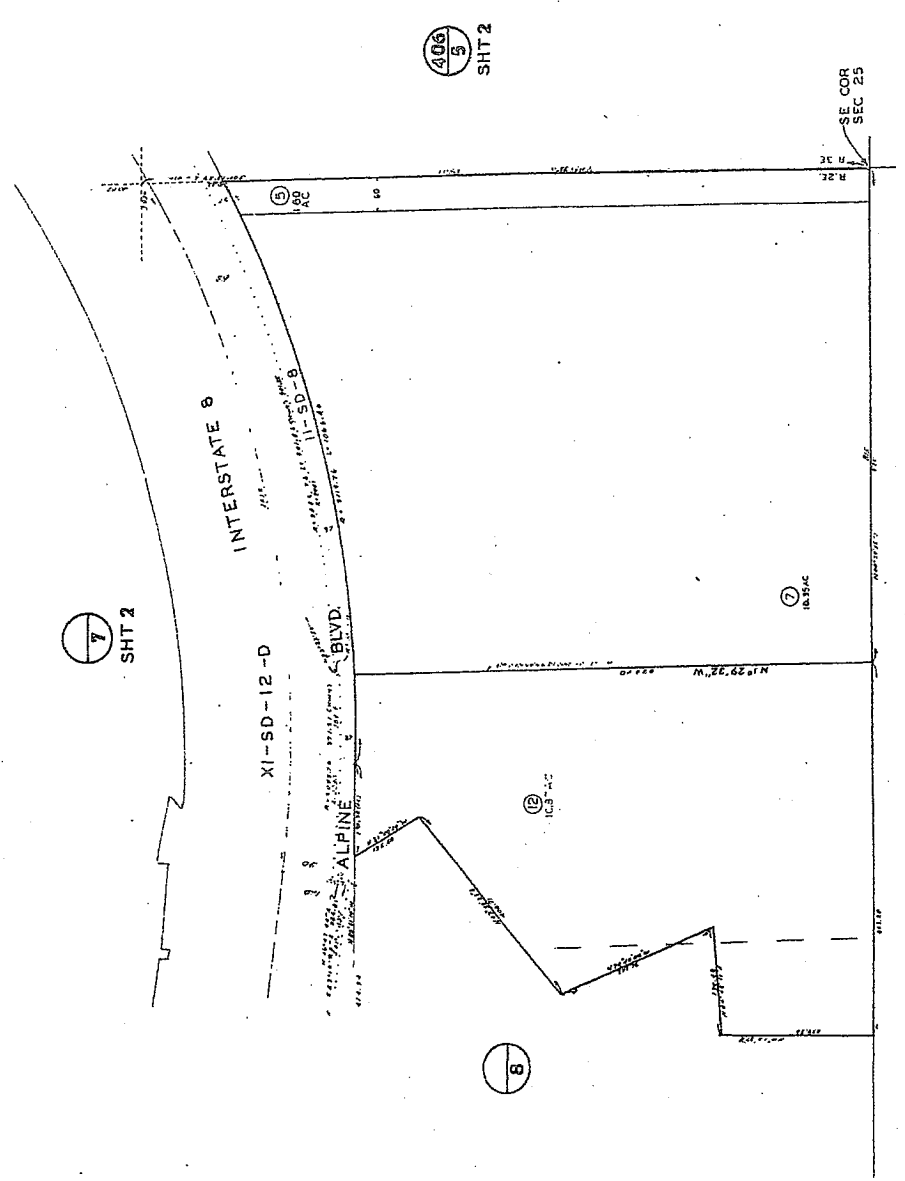
Booklidge, husband and wife, as Grantor, to State of California, as Grantee, recorded May 11, 1966 as Instrument No. 78689 of Official Records. Reference being made to the document for full particulars.

9. A waiver of any claims for damages by reason of the location, construction, landscaping or maintenance of a contiguous freeway, highway, roadway or transit facility as contained in the document recorded May 11, 1966 as Instrument No. 78689 of Official Records.
10. The effect of a map purporting to show the land and other property, filed no. 12603 of Record of Surveys.
11. Rights of parties in possession.

404-09
 1"=200'
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11-7-14-ES

CHANGES			
BLK	OLD	NEW	CUT
8-104	11121		
900-18	280-2	94	4156
11		98-52	60 1521



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404-09

SE COR
SEC 25

7
SHT 2

8

9
SHT 2

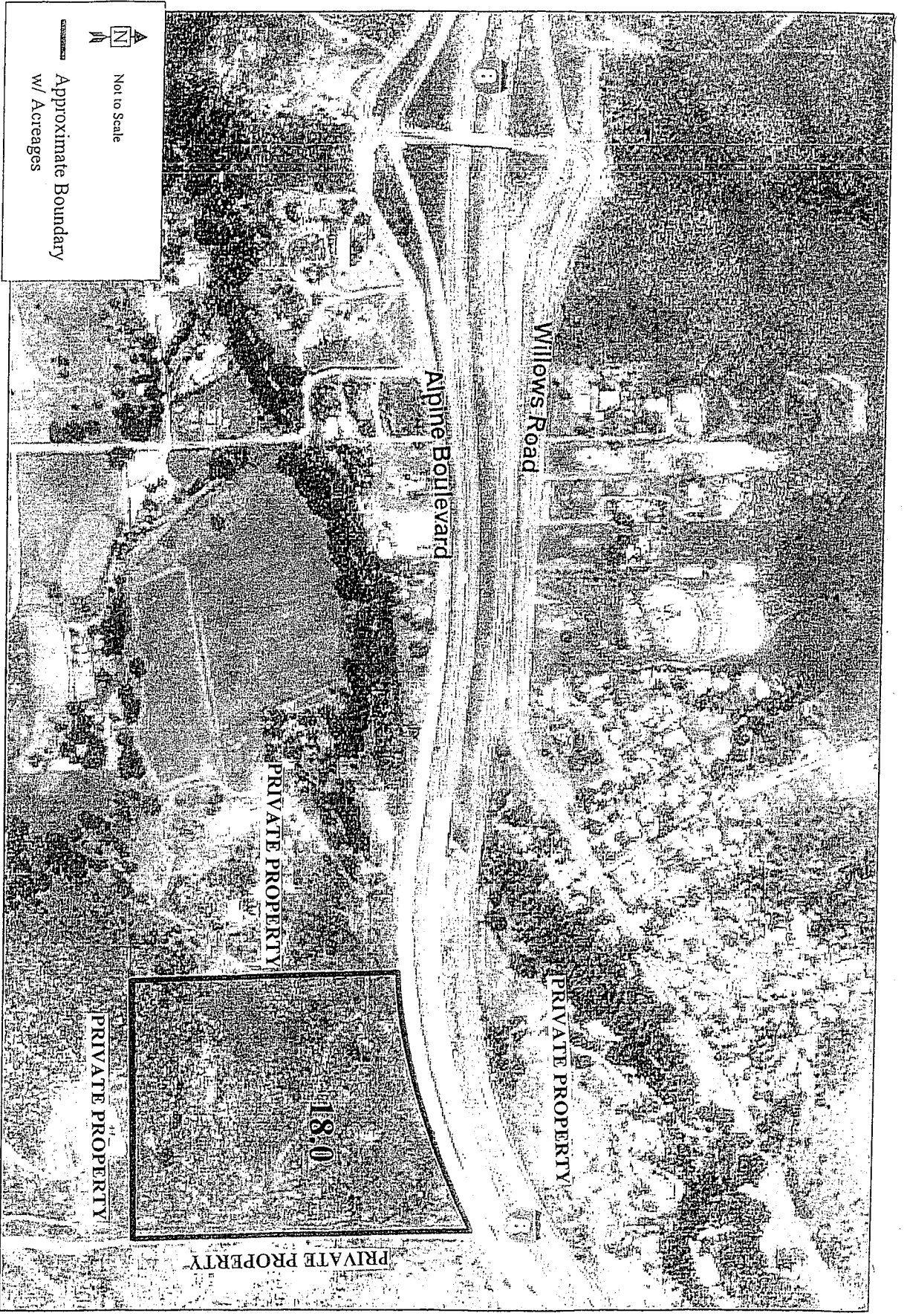
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10.8 AC

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24
SHT 1

SAN DIEGO COUNTY
ASSESSOR'S MAP
BOOK 404 PAGE 09

SEC 25 - T15S-R2E - POR SE 1/4
 ROS 2799



SOURCE: TerraServer, 1995; AES, 2001

Willapa Bay Reservation / 201507

Figure 3
Aerial Photo of Salerno Proposed Trust Parcel