



OFFICE OF THE GOVERNOR

March 24, 2009

Via Facsimile (916) 978-6099 & U.S. Mail

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

Re: Bureau of Indian Affairs' January 23, 2009 Request for Input on Whether the North Fork Rancheria of Mono Indians' Proposed Off-Reservation Gaming Facility Would be Detrimental to the Surrounding Community

Dear Mr. Morris:

I write in response to your January 23, 2009 letter requesting input to assist the Secretary of the Department of the Interior (Secretary) in completing a two-part determination pursuant to Section 20(b)(1)(A) of the Indian Gaming Regulatory Act (25 U.S.C. § 2719(b)(1)(A)). Specifically, you invited comments on whether the North Fork Rancheria of Mono Indians' (Tribe) proposed development of an off-reservation casino and resort hotel on 305 acres of recently-acquired land in Madera County, California, would or would not be detrimental to the surrounding community.

The Tribe proposes to construct its casino and hotel on approximately 305 acres of newly-acquired land situated approximately 35 miles from the Tribe's reservation. The proposed site is located north of the City of Madera, California, in an unincorporated area of Madera County. The gaming facility will not be located in an urbanized area. We are informed that the project has the support of the local government and of the surrounding community.

In May, 2005, Governor Schwarzenegger issued a Proclamation on Tribal Gaming, in which he stated his policies with respect to Indian gaming on newly-acquired trust land. The proclamation sets forth criteria which must be met before the Governor will support a proposal

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for gaming on off-reservation land or enter into negotiations with an Indian tribe for a tribal-state gaming compact. The North Fork Tribe's casino and hotel project meets the criteria set forth in the Governor's proclamation.

In April, 2008, being satisfied that the North Fork Tribe's casino and hotel project would meet the criteria set forth in his 2005 proclamation, the Governor negotiated a class III gaming compact with the Tribe. The compact affirmatively contemplates and authorizes placement of the gaming facility on the newly-acquired land in Madera County, in large part because the Tribe's Indian lands are located near environmentally sensitive Yosemite National Park and Sierra National Forest. The compact acknowledges that the Secretary must first make his determination under 25 U.S.C. section 2719(b)(1)(A) and, should that occur, the Governor anticipates concurring in that determination as long as both of the following have occurred:

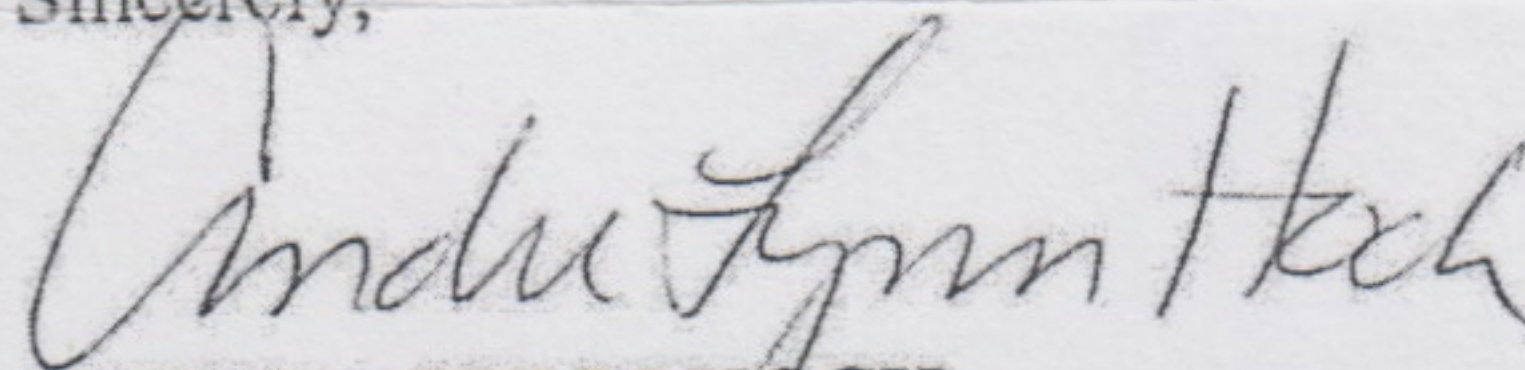
(i) The Board of Supervisors of Madera County has approved the gaming facility's location on the 305 acre parcel in the form of a resolution or other appropriate instrument, and;

(ii) The affected local community's support for a gaming facility on the 305 acre parcel has been demonstrated to the satisfaction of the Governor pursuant to a fair and scientific telephone survey, which meets standards specified in an exhibit to the compact.

(Compact §4.2(a).) Assuming that the compact's prescribed conditions are met, the project will have the benefit of the Governor's continued support.

In light of the foregoing circumstances, it is the Governor's view that the Tribe's proposal to locate a gaming facility on the 305 acre parcel of newly-acquired land will not be detrimental to the surrounding community. We thank you again for the opportunity to comment.

Sincerely,



ANDREA LYNN HOCH
Legal Affairs Secretary