



BOARD OF SUPERVISORS COUNTY OF MADERA

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TANNA G. BOYD, Clerk of the Board

January 10, 2012

Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Bldg.
Washington, D.C. 20510

Re: Local Response to the North Fork Casino Project

Dear Senator Feinstein:

On behalf of Madera County, I write in response to your directive made in the Conference Report for H.R. 2055 that the Department of Interior “verify” whether there is strong local support of the North Fork Rancheria’s proposed Casino Project. Although we have great respect for the work you do on behalf of the State of California, we must disagree with you on your stance regarding the Casino Project. There is significant support for the project in our community as can be attested by the numerous support letters as well as the positive testimony taken at the many public hearings held over the last seven years.

The Conference Report cites the small number of affirmative responses from elected officials as the sole basis of concern that the Project lacks local support. However, the problem here is that the Report is referring only to responses received from elected officials during the 60-day, two-part consultation initiated by the Bureau of Indian Affairs (“BIA”) by letter dated January 23, 2009. By that date, many local elected officials were already on record as supporting the Casino Project, and thus did not consider it necessary to respond to the BIA’s consultation letter. Their position is easily confirmed by a cursory examination of the evidentiary record compiled since the Tribe first announced the Project in March 2004. The following are several examples which confirm clear local support for the Project:

- In August 2004, following two public hearings, the County voted 5-0 to approve an MOU with the Tribe to mitigate Project impacts and to provide for charitable giving.
- On May 5, 2005, the City of Chowchilla, one of only two cities in Madera County, voted 5-0 in support of the Project. (A subsequent City Council has decided to remain neutral until the fee to trust process is completed.)
- In August 2005, following three additional public hearings, the County voted 4-1 to approve the Project location. The vote was consistent with our fundamental responsibility to manage local land use and economic development decisions. The public hearings included one conducted for the

Scoping Report by the BIA in November 2004; one conducted for the Project by the State Governmental Operations Committee in May 2005; and a third conducted by the County in August 2005.

- In October 2006, following a public hearing, the City of Madera voted 5-0 to approve an MOU with the Tribe to mitigate Project impacts and to provide for charitable giving.
- In December 2006, the Madera Irrigation District approved an MOU with the Tribe to mitigate Project impacts on local water resources.
- On October 4, 2007, Supervisor Bigelow testified before the U.S. Senate Committee on Indian Affairs as authorized by the County, detailing the cost of delay to the community and urging the Department to publish the Draft EIS for the Project. Follow-up testimony was provided six months later by Madera City Council member Gary Svanda.
- As of December 2007, all the major business chambers of Madera County (eight total) as well as the Madera NAACP Chapter, Latinas Unidas, Yosemite Sierra Visitors' Bureau, Madera Economic Development Commission (EDC) and Madera County Workforce Investment Board, had submitted letters endorsing the Madera project. (Several Boards have since decided to remain neutral until the fee to trust process is completed.)
- On March 12, 2008, according to the event transcript, eight local public officials from the three local jurisdictions (County and City of Madera, City of Chowchilla) spoke in favor of the project, and none against, at the public hearing held on the Draft EIS.

In the past six months, four of the five Madera County Supervisors and three of the five members of the Madera City Council have sent letters of support for the Casino Project. In addition, the Humboldt County Board of Supervisors submitted a letter of support for the Casino Project. Humboldt County is the home of the Wiyot Tribe, which is an express beneficiary of the Project under the tribal-state compacts entered into with the Wiyots and the North Fork Mono in April 2008.

The federal process to take land into trust for the purpose of tribal government gaming is a rigorous one. The Department of Interior, who is tasked with reviewing each casino project on a case-by-case basis to determine if it meets federal law and standards, resolved that the Casino Project met the strong standards under the law and was supported by the local community. This favorable two-part decision did not come about without vigilant review and analysis. Thus, the directive to the Department during budget conferences to verify local support seems inappropriate and potentially undermines the already extensive process of placing land into trust for gaming. Out of the many tribes proposing gaming projects, the North Fork Tribe was one of only two that met the federal requirements and was accordingly rewarded with a favorable decision. It seems unnecessary to require the Tribe to jump through additional hurdles.

Furthermore, the County has already determined that the Casino Project concurs with local land use planning and would be a benefit to our community. The County's Memorandum of Understanding with the Tribe offers financial concessions to the County that universally have been termed as among the most generous in favor of any local government in the country. Madera County desperately needs this economic stimulus, which will create nearly 5,000 total jobs, including 2,441 during the construction phase and 2,319 during the operations

phase. Additionally, it will create 1,500 permanent facility jobs; nearly 2,000 non-casino jobs in the community; and \$45-50 million in goods and services purchased annually, with much of that locally. As our County suffers from increased foreclosures, poverty, and an unemployment rate of 14.4 percent – well above the State's rate of 11.9 percent – the benefits of this project far outweigh any potential disadvantages.

In summary, we believe there is more than ample evidence to support that there is in fact strong local support for the Casino Project. Madera County needs new development and this project offers financial rewards for both the county and the state. Any further delay of the process would only expend additional taxpayer dollars and incur significant interest expenses to the Tribe. We hope the information provided above will be useful to you and can address any concerns you may have with the Casino Project. We look forward to the jobs and economic development this Project will bring to both the Tribe and our County.

Respectfully,

A handwritten signature in black ink, appearing to read "Ronn Dominici". The signature is fluid and cursive, written over a light blue horizontal line.

Ronn Dominici
Chairman

Cc: Governor Brown
Honorable Tom Berryhill
Honorable Kristin Olsen
Honorable Anthony Cannella
Honorable Linda Halderman
Honorable Larry Echo Hawk
Honorable Jeff Denham
North Fork Rancheria