

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, meeting of May 6, 1997 .

RESOLUTION NO.

97-57

A RESOLUTION REQUESTING THE SECRETARY OF THE INTERIOR
TO ENFORCE FEDERAL STATUTES THAT GOVERN THE CONSTRUCTION
AND OPERATION OF GAMBLING FACILITIES ON CERTAIN TRUST
LANDS IN HUMBOLDT COUNTY

WHEREAS, the Congress of the United States has granted governments of federally recognized tribes sovereign status and the right to organize as a tribal government subject to the plenipotentiary powers of Congress; and

WHEREAS, Congress has passed certain laws such as the National Environmental Policy Act, Clean Water Act, Coastal Zone Management Act, National Historic Preservation Act and Archaeological Resources Protection Act to protect the health, safety, welfare and cultural resources of the general public; and

WHEREAS, Congress has required all federal agencies and tribal governments to follow these federal statutes in order to protect the health, safety and welfare of the general public; and

WHEREAS, Congress has delegated the enforcement of these federal statutes to the tribal governments and the Secretary of the Interior through the Bureau of Indian Affairs; and

WHEREAS, these federal statutes require tribal governments and the Bureau of Indian Affairs to follow a specific public review process as required under the National Environmental Policy Act, Clean Water Act, Coastal Zone Management Act, National Historic preservation Act and Archaeological Resources Protection Act, for any proposed development on trust lands that would impact the environment, including water quality, and adopted local coastal plans; and

WHEREAS, the Humboldt County Board of Supervisors has observed and documented that certain tribal governments have begun construction of new gambling facilities on their trust lands in violation of one or more of the aforementioned federal statutes; and

WHEREAS, construction of these gambling facilities will attract a large number of people thereby exceeding the design capacity of certain existing County roads and other types of infrastructure such as available water supply and sewage treatment, and could therefore create a potential hazard to public health and safety through the discharge of sewage and related pollutants to nearby groundwater, creeks or water bodies used by the general public;

