

SHINGLE SPRINGS RANCHERIA

P.O. Box 1340
Shingle Springs CA. 95682-1340
(530) 676-8010 Fax: (530) 676-8033

April 9, 2002

Mr. Dale Risling, Sr.
Superintendent
Bureau of Indian Affairs
Central California Agency
1824 Tribute Road, Suite J
Sacramento, CA 95815

Dear Mr. Risling:

RE: Part 151 Trust Acquisition

On behalf of the Shingle Springs Band of Miwok Indians (Tribe), the Tribal Council and I are pleased to present the attached fee-to-trust application requesting that the United States take into trust for the Tribe approximately 104.14 acres adjacent to the Tribe's existing lands in El Dorado County, California. The Tribe intends to use the new trust land for the construction of 1) a much-needed clinic facility for the Shingle Springs Tribal Health Program; and 2) single family tribal housing.

In March of 2000, the Tribe submitted a fee-to-trust application that included 7 of the 9 parcels that are the subject of this application. Since that time, two additional parcels have been added. Because the Tribe has determined that its economic development activities will occur on existing Rancheria lands, the present application, which supersedes the March 2000 application, eliminates any consideration of gaming uses on the subject property.

We have provided along with this application the information required under 25 C.F.R. Part 151 and the environmental analysis required by NEPA. We stand ready to assist the BIA and to provide any additional information necessary to complete this process.

If you have any questions, please do not hesitate to contact me, or our Tribal Attorney, Tony Cohen.

Sincerely,

Nick Fonseca
Chairperson

enclosures

cc: Tony Cohen, Tribal Attorney

THE SHINGLE SPRINGS BAND OF MIWOK INDIANS'
APPLICATION TO TAKE 104.14 ± ACRES OF LAND INTO TRUST
IN EL DORADO COUNTY, CALIFORNIA

I. Introduction

Pursuant to 25 CFR Sec. 151.9, the Shingle Springs Band of Miwok Indians (the "Tribe") requests that the Secretary of the Interior (the "Secretary") exercise his authority, pursuant to 25 CFR Sec. 151.3, to take into trust for the benefit of the Tribe approximately 104.14± acres of land in El Dorado County, California. The Tribe owns an interest in the requested land, 25 CFR Sec. 151.3(a)(2), it is adjacent to the Shingle Springs Rancheria, 25 CFR Sec. 151.3(a)(1), and acceptance of the land in trust is necessary to facilitate tribal self-determination and Indian housing, 25 CFR Sec. 151.3 (a)(3).

This Application, together with its attachments, provides the supporting documentation for the Tribe's request. A NEPA Environmental Assessment (EA) for this trust acquisition will be filed separately. The Tribe has also included a Level I Hazardous Material Survey within the Environmental Assessment.

II. Description of Intended Uses

Acceptance of the 104.14± acres into trust will promote tribal self-determination by bringing the land within the Tribe's jurisdiction, to facilitate its development of: 1) tribal housing, and 2) a tribally owned clinic facility for its existing Shingle Springs Tribal Health Program. 25 CFR Sec. 151.3(a)(3).¹

Residential development will consist of six 3-bedroom single-family homes on the south side of Highway 50, west of Shingle Springs Drive. The health clinic will consist of a 14,335 square foot building also located south of Highway 50, but on the east side of Shingle Springs Drive. No intensification of land uses is planned for the five parcels north of Highway 50. Tribal members will occupy the single-family homes currently located on three of those five parcels.

III. Background and History

The Tribe's current Rancheria and the proposed trust property are located in El Dorado County, California in the western Sierra foothills. This area is part of the aboriginal territory of the Miwok and Maidu Indians whose descendants comprise the membership of the Tribe. The proposed site is approximately one mile northeast of the town of Shingle Springs, six miles southwest of the City of Placerville, and 35 miles east of Sacramento (Attachment 1).

¹ In March of 2000, the Tribe submitted a fee-to-trust application that included gaming uses. This application, which supersedes the earlier one, eliminates any consideration of gaming uses on the subject property, because the Tribe has determined that its economic development activities will occur on existing Rancheria lands.

The Shingle Springs Rancheria has suffered from lack of full, lawful, access rights since it was landlocked by the conversion of U.S. Highway 50 to a freeway in the mid-1960's. That lack of access resulted from the failure of the United States to fulfill its trust responsibility to ensure that the Tribe had full, unfettered beneficial use of the Rancheria. Lack of access has impeded all aspects of the Tribe's efforts toward self-determination for more than 30 years. The Tribe continues to struggle to resolve its access problem at its own expense, and with its own efforts, through its ongoing economic development activities *on the Rancheria*, and its planned construction of a freeway interchange as part of the Indian Reservation Roads system. (Those tribal efforts are not directly related to this application, and do *not* involve a fee to trust application.) This application, however, must be viewed in the context of the Tribe's continuing struggle to overcome the extremely serious cumulative adverse effects of its landlocked status. The granting of this application will allow the Tribe to begin finally to recover from some of the effects of its long-time commercial isolation. In particular, it will greatly facilitate the Tribe's efforts to begin to remedy the housing and health care problems that lack of access has exacerbated over the years. The Tribe therefore believes that the BIA must carefully consider the following background and historical information as it evaluates this application.

In 1916, under the authority of the June 21, 1906, and April 30, 1908, Congressional appropriations for the "homeless Indians of California," the federal government purchased 80 acres of land for the benefit of landless Indians living in the El Dorado County area. This land became known as the El Dorado Rancheria. In 1920, under the same Congressional authority, the federal government purchased an additional 160 acres of land (the "Verona Tract") located adjacent to and contiguous with the El Dorado Rancheria for the benefit of Sacramento's Verona Band of homeless Indians. Although these two properties were separate reservations, they were commonly referred to collectively as the Shingle Springs Rancheria.

The 80-acre El Dorado tract was occupied immediately following its purchase. Over the next 50 years the population of the 80 acres declined to one family. For undocumented reasons, the Verona Tract (now known as the Shingle Springs Rancheria, and occupied by the Tribe) remained unoccupied until the 1970's, when the BIA notified the descendants of the Verona Band of their rights to the Rancheria. Before that time, the Verona Tract was not used, except for trespass uses generally involving the removal of timber from the site. However, as shown on U.S.G.S. maps of the time, the site could be accessed via a road that ran through the El Dorado Rancheria.

In the early 1960s, when the State of California was conducting site planning for the new U.S. Highway 50 in El Dorado County, it contacted the BIA to request permission to survey across the El Dorado and Verona Tracts for the placement of the highway. The BIA granted that permission and the state selected a proposed site for Highway 50 that crossed the El Dorado Rancheria *and* the only access road to the Verona Tract (the current Shingle Springs Rancheria). The California Council of Federated American Indians notified the BIA in 1964 that the proposed development of Highway 50 through the El Dorado Rancheria would impact the access to the Verona Tract. In their correspondence, they specifically requested that an interchange be placed on or near the Verona Tract to ensure access. The BIA responded through the Deputy Commissioner that it would use "its best offices in regard to protecting the interests of the Indian owners of the reservation."

In 1965, the trust status of the El Dorado Rancheria was terminated. In 1966, the former beneficial owners sold approximately 28 acres of the old El Dorado Rancheria lands to the State for the construction of Highway 50. Based on a June 19, 1970 California Division of Highways Memorandum, it is clear that the BIA knew that the construction of Highway 50 through the former El Dorado Rancheria lands would cut off access to the present day Shingle Springs Rancheria, thereby landlocking it. The BIA and State discussed various plans to secure access to the Rancheria, including constructing a tunnel to allow access to the Shingle Springs Rancheria from the former El Dorado Rancheria. However, no interchange or tunnel was constructed to provide direct access to the Shingle Springs Rancheria.

A long tortured history of access battles followed, culminating in December 1997, with issuance by the United States District Court for the Eastern District of California of a preliminary injunction, which limited use of Grassy Run Community Service District (GRCS) roads to Grassy Run Homeowners Association ("GRHA") and tribal members, along with their guests and invitees. The preliminary injunction prohibited the Tribe from using the roads for casino or other commercial or non-residential uses, but permitted tribal governmental uses that were non-commercial. In April 1998, the Court entered an order, declaring that GRCS roads (including the access roads) were private. In an effort to reach a settlement on this matter, the Tribe and GRHA have entered an agreement that still restricts the Tribe's use of the access road.² In the meantime, both parties have agreed to work cooperatively to try to find a solution to the access problem.

The Tribe is currently working with the BIA, Caltrans, and other agencies on the planning and development of an Indian Reservation Roads system dedicated interchange that will provide direct, unfettered access between the Rancheria and Highway 50. While the success of that project will eventually enable the Tribe for the first time to make full, beneficial use of the Rancheria, it will be many years before the Tribe can truly recover from the adverse impacts of its thirty years of landlocked existence. The granting of this fee-to-trust application would accelerate the Tribe's recovery process by enabling it to construct tribal housing and a health clinic.

IV. Description of Requested Acquisition

By this application, the Tribe requests that the United States accept in trust for its benefit 9 parcels of land, in El Dorado County, California, totaling approximately 104.14± acres. (Table 1.) Parcels 1 through 5 are on the north side of Highway 50 and adjacent to it. Parcels 6 through 9 are on the south side of Highway 50 and are also adjacent to it.

² Under that agreement, and the court order, the Tribe could not use the road to provide access to the Tribal Health Program unless the Program refused service to non-tribal members, which it may not lawfully do.

TABLE 1 PROPOSED TRUST PARCELS		
Parcel #	Size (acres)	Location/Parcel #
		North of Highway 50
1	5.57	319-110-191
2	5.01	319-110-181
3	5.02	319-110-091
4	5.00	319-110-131
5	6.51	319-110-141
		South of Highway 50
6	4.63	319-230-481
7	4.00	319-230-491
8	33.77	319-210-181
9	34.63	319-220-181
Total Acreage	104.14±	

SOURCE: El Dorado County, 2001; ABS 2002

V. Part 151 Requirements

The following information is provided in fulfillment of the requirements of 25 C.F.R. § 151.10:

1. 25 C.F.R. § 151.10(a): Statutory Authority

The United States may acquire land in trust for the Tribe pursuant to 25 U.S.C. § 465, which provides in pertinent part that: "The Secretary of the Interior is hereby authorized, in his discretion, to acquire, through purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing reservations, including trust or otherwise restricted allotments, whether the allottee be living or deceased, for the purpose of providing land for Indians."

2. 25 C.F.R. § 151.10(b): Need for Additional Trust Land

As part of its long-term planning efforts, the Tribal Council has enacted a land use ordinance that controls the use of Rancheria parcels. The comprehensive planning process resulted in a determination that a very substantial portion of the buildable land within the existing Rancheria is required for the construction of the dedicated interchange, economic development facilities, and their related infrastructure, and for buffer areas. The few remaining parcels within the Rancheria have been determined to be inappropriate for the construction of single-family housing or a health clinic.

3. 25 C.F.R. § 151.10(c): Purposes: Health Clinic and Tribal Housing

Health Clinic

The proposed health clinic will provide an expanded, tribally owned, facility for the long-successful, but cramped, Shingle Springs Tribal Health Program (Health Program). The Health Program provides full medical, dental and mental health services to approximately 4,300 active patients in a modest leased building on fee property at 4140 Motherlode Drive, in Shingle Springs. The Health Program serves American Indian/Alaska Natives, non-Indians of Indian households and low-income residents of El Dorado County, California. According to the Bureau of Primary Health Care, U. S. Department of Health and Human Services, El Dorado County contains 16 recognized Health Professional Shortage Areas. (www.bphc.hrsa.dhhs.gov) Construction of the new clinic would enable Shingle Springs Tribal Health to better serve its existing patients, and to address these shortages by hiring additional health professionals.

The current leased facility, which occupies 4,800 square feet, has become insufficient for the needs of the Health Program and its patient community. For example, a number of the Health Program's services are restricted to part-time availability due to a lack of space. Such part-time services currently include podiatry, nutrition education, diabetes screening, medication review, and health maintenance. The increasing demand for the Health Program's services has resulted in a need to increase part time services to full time services, and to expand existing full time services. However, space limitations currently require that exam and consulting rooms be used for two or more purposes. This reduces the amount of time during which the Health Program can offer each of its services, since a room can only be used for one service at a time. This workspace limitation effectively restricts the number of staff who can work at any given time, and therefore the number of patients who can be seen. There are approximately 300+ patients on the waiting list.

The proposed new health clinic facility would provide the Health Program space to undertake the following:

- 1) Offer and expand nutrition education, diabetes screening, podiatry and other essential services.
- 2) Expand staff to accommodate the extension of services to a growing number of patients.
- 3) Increase dental services by providing more dental operatories.
- 4) Implement health programs that include career opportunities for tribal members.
- 5) Expand mental health services by expanding consultation facilities and providing greater confidentiality.

- 6) Expand clinical services to include patient education programs and the provision of services using recently acquired teleophthamology equipment for diabetic retinopathy screening, for which the Health Program was recently awarded a County Medical Services Program grant.

The expansion of services to improve operational capacity would also address the following concerns:

- 1) Lack of choice in healthcare providers,
- 2) Long waiting list for appointments,
- 3) An unbalanced ratio between curative and preventative medicine, and a lack of immediate care for injuries.

Tribal Housing

Approximately 30 members are currently on the Tribe's housing request list. The Tribe has been able to place only a few tribal members in tribal housing in recent years due to lack of funding and infrastructure. The scarcity of housing opportunities in past years, and the slow rate at which requests have been fulfilled, have created a sense of futility that has artificially repressed participation in the waiting list. It is therefore likely that many more tribal members would request homes if the likelihood of being provided with housing were increased. While there are approximately 285 tribal members, only 40 individuals currently live on the Rancheria. A conservative estimate of the number of tribal members seeking a home on the Rancheria is approximately 50 people. The proposed tribal housing development would provide single-family housing to six families, or a total of about 30 people, a very significant progress for the Tribe.

4. 25 C.F.R. § 151.10(e): Tax Impact on the Local Community

Any minimal loss of tax revenue from these mostly-undeveloped parcels would be more than offset by the benefit conferred upon the community by the tribal clinic and housing.

5. 25 C.F.R. § 151.10(f): Jurisdictional Issues

This fee-to-trust acquisition will not create significant jurisdictional issues.

The Tribe chose the health clinic and housing sites because of their location adjacent to the existing Rancheria and their ready accessibility, and because the Tribe's plans for the property are compatible with existing County land use values. The land use surrounding the proposed trust property and the Rancheria is scattered low-density residential. The proposed health clinic would occupy the only

adjacent parcel of land that is designated by the El Dorado County General Plan as commercial. This designation would allow for development of a clinic like the one planned by the Tribe.

The remaining parcels, including the housing site, are designated low density residential (El Dorado County, 1996), which is consistent with the intended residential use. The density of the proposed tribal housing project, six clustered units on 33 acres, would be consistent with the density values the County seeks to protect with its zoning. The Tribe plans to maintain the current use of the parcels that are north of Highway 50 for single-family residences.

The Tribe has met with county governmental agencies to discuss various aspects of the project, including police protection, emergency and fire protection, water and wastewater services, traffic impacts and economic and planning issues. These potential impacts are discussed in the Environmental Assessment, which includes specific measures to mitigate any potential negative impacts. (See the EA for more discussion of mitigation measures.) The Tribe is willing to continue its discussions with the County regarding any remaining concerns it may have.

6. 25 C.F.R. § 151.10(g): Additional BIA Responsibilities

The Tribe does not anticipate any adverse impact on, or any substantive increase in, Bureau of Indian Affairs governmental responsibilities resulting from this trust acquisition. The new trust land does not contain any natural resources requiring BIA management assistance. The Tribe will maintain all roadways and utilities. The Tribe will be prepared to pay for whatever municipal services may be required in connection with the newly acquired properties. This trust land acquisition will result in increased tribal self-sufficiency and, ultimately, less dependence on the federal government and the federal taxpayer.

7. 25 C.F.R. § 151.3: Land Acquisition Policy

The Tribe's land trust application meets the requirement set out in Section 151.3 in that this trust acquisition will promote tribal self-determination and self-sufficiency by enabling the Tribe to help itself with the construction of tribal housing and a tribal health clinic. Section 151.3(a)(3). Further, the Tribe already owns an interest in the subject land. Section 151.3(a)(2). Finally, parcels 1 and 2 are located immediately adjacent to exterior boundaries of the Tribe's Rancheria. The remaining parcels are separated from those only by a parcel owned in fee by the Tribe³, and by roadway rights of way. Section 151.3(a)(1). (Attachment 2).

VI. Additional Information

The Tribe's trust acquisition package includes the following information:

1. Environmental Assessment (Not included as an attachment in this package, but, provided to environmental staff at BIA Agency, and Regional Offices.)

³ The dedicated freeway interchange, to be part of the Indian Reservation Roads system, is to be built upon this lone intervening 5-acre parcel.

2. Phase I Environmental-Site Assessment (Not included as an attachment in this package, but, provided to environmental staff at BIA Agency, and Regional Offices).

3. Historical Preservation, Endangered Species, Wetlands and Environmental Justice Analysis (Discussed in Sections 3, 4, and 5 of the Environmental Assessment).

4. Public Participation and Consultation (Discussed in Sections 1 and 6 of the Environmental Assessment).

5. Mitigation Analysis (Discussed in Section 5 of the Environmental Assessment).

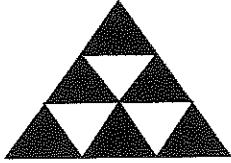
VII. Conclusion

The Shingle Springs Rancheria is, to the Tribe's knowledge, the only landlocked Reservation/Rancheria in the United States. The landlocking of the Rancheria upon the construction of Highway 50 impaired the Tribe's exercise of its sovereignty, its self-determination, and its ability to conduct economic development activities. This trust acquisition will, at no cost to the United States, begin to alleviate the effects of this situation by allowing the Tribe to develop and operate housing and a tribal health clinic on the newly acquired trust property, free of access issues. The County has zoned the clinic site for commercial use since the 1970s. The housing site will support the planned 6 homes on 33 acres in a manner that retains the existing low-density housing character of the area. The Tribe is prepared to take all reasonable steps to mitigate the impact of developing this project and to work with the local community to address any potential problems.

This trust acquisition meets the requirements of 25 C.F.R. Part 151. It will clearly benefit the Tribe and the surrounding community. The benefits of this proposal far outweigh any negative impacts. If the BIA requires any additional information or has any questions, please do not hesitate to contact the Tribe and its representatives.

ATTACHMENTS

- Attachment 1 Regional Location Map
- Attachment 2 Map of Shingle Springs and El Dorado Rancherías
- Attachment 3 Project Parcel Map



TRIBAL PROGRAMS
NOTED BY SP 05/23/02

SHINGLE SPRINGS RANCHERIA

P.O. Box 1340
Shingle Springs CA. 95682-1340
Ph. : (530) 676-8010 Fax: (530) 676-8033
Fiscal Fax : (530) 676-3582

RESOLUTION 2002-13

Subject: Authorization to submit fee and execute grant deeds to Bureau of Indian Affairs

WHEREAS, the Shingle Springs Rancheria is a Federally-recognized and acknowledged Tribe; and

WHEREAS, the Shingle Springs Tribal Council is a duly-elected governing body of the Tribe and is authorized to act on behalf of the Tribe; and

WHEREAS, the 12 parcels located in El Dorado County in the State of California described as El Dorado County Assessor Parcels:

319-110-191; 319-110-181; 319-110-091; 319-110-131; 319-110-141; 319-230-481;
319-230-491; 319-210-181; 319-220-181

THEREFORE LET IT BE RESOLVED that the Shingle Springs Rancheria Tribal Council authorizes Nicholas Fonseca to submit a fee to trust application to the Bureau of Indian Affairs, and to execute a grant deed conveying the subject properties to the United States of America to be held in trust for the Shingle Springs Rancheria.

LET IT BE FURTHER RESOLVED, that in the absence of the Chairperson, the Vice-Chairperson is authorized to negotiate and execute the agreements and any amendments thereto.

CERTIFICATION

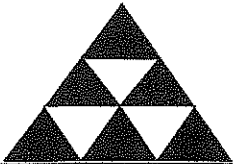
As a duly-elected official of the Shingle Springs Rancheria, I do hereby certify that, at a meeting duly called, noticed, and convened on the 9th day of MAY 2002, adopted by a vote of 7 FOR, 0 AGAINST, 0 ABSTAINED, and said resolution has not been rescinded or amended in any form.

Nicholas Fonseca
Chairperson

5-9-2002
Date

ATTEST:
Suzanne Murray
Secretary

5-9-02
Date



SHINGLE SPRINGS RANCHERIA TRIBAL PROGRAMS
CLOSED BY 08/30
 P.O. Box 1340; Shingle Springs CA. 95682-1340
 (530) 676-8010 Fax: (530) 676-8033

RESOLUTION 2002-14

Subject: Authorization to revise fee-to-trust application and to execute necessary documents.

WHEREAS, the Shingle Springs Band of Miwok Indians ("Tribe") is a Federally-recognized Tribe; and

WHEREAS, the Shingle Springs Tribal Council is the duly-elected governing body of the Tribe and is authorized to act on behalf of the Tribe; and

WHEREAS, pursuant to previous Tribal Council resolution 2002-13, dated May 9, 2002, the Tribe filed a fee-to-trust application with the Bureau of Indian affairs requesting that the United States accept in trust for the Tribe nine specified parcels in El Dorado County; and

WHEREAS, the Tribe has now determined that it is in its best interest to sever from that application the five parcels that are north of Highway 50, and to seek trust status only for the four that are south of Highway 50; and

WHEREAS, the Tribe desires to acquire in trust status those El Dorado County parcels bearing El Dorado County Assessor Parcel Numbers: 319-230-481, 319-230-491, 319-210-181, and 319-220-181;

THEREFORE IT IS RESOLVED that the Shingle Springs Rancheria Tribal Council authorizes Tribal Chairman Nicholas Fonseca to take such actions as are necessary to amend the fee-to-trust application submitted on May 9, 2002 so that said application only seeks trust status for the above listed parcels, severing from the previous application all parcels that are north of Highway 50, and to sign all documents, including deeds, necessary to implement the fee-to-trust acquisition as amended; and

IT IS FURTHER RESOLVED that the Tribal Council ratifies and approves any such actions already taken by the Chairman, including the letter of June 21, 2002 from Chairman Fonseca to BIA Agency Superintendent Dale Risling, notifying him of the amendment of the application severing from it the parcels north of Highway 50; and

IT IS FURTHER RESOLVED, that in the absence of the Chairperson, the Vice-Chairperson is authorized to negotiate and execute documents in furtherance of this Resolution.

CERTIFICATION

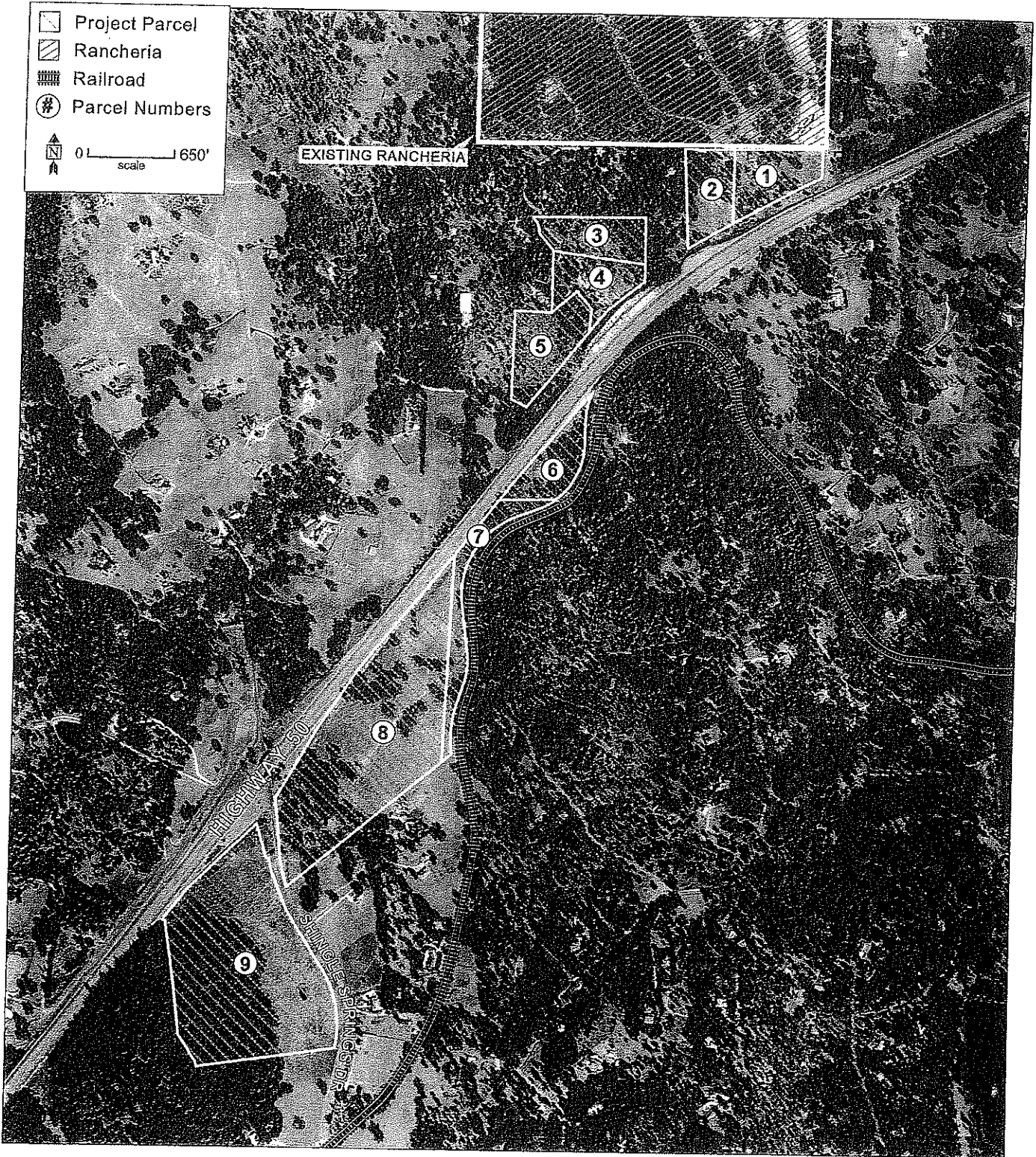
As a duly-elected official of the Shingle Springs Rancheria, I do hereby certify that, at a meeting duly called, noticed, and convened on the 20th day of July, 2002 adopted by a vote of 4 FOR, 1 AGAINST, 0 ABSTAINED, and said resolution has not been rescinded or amended in any form.

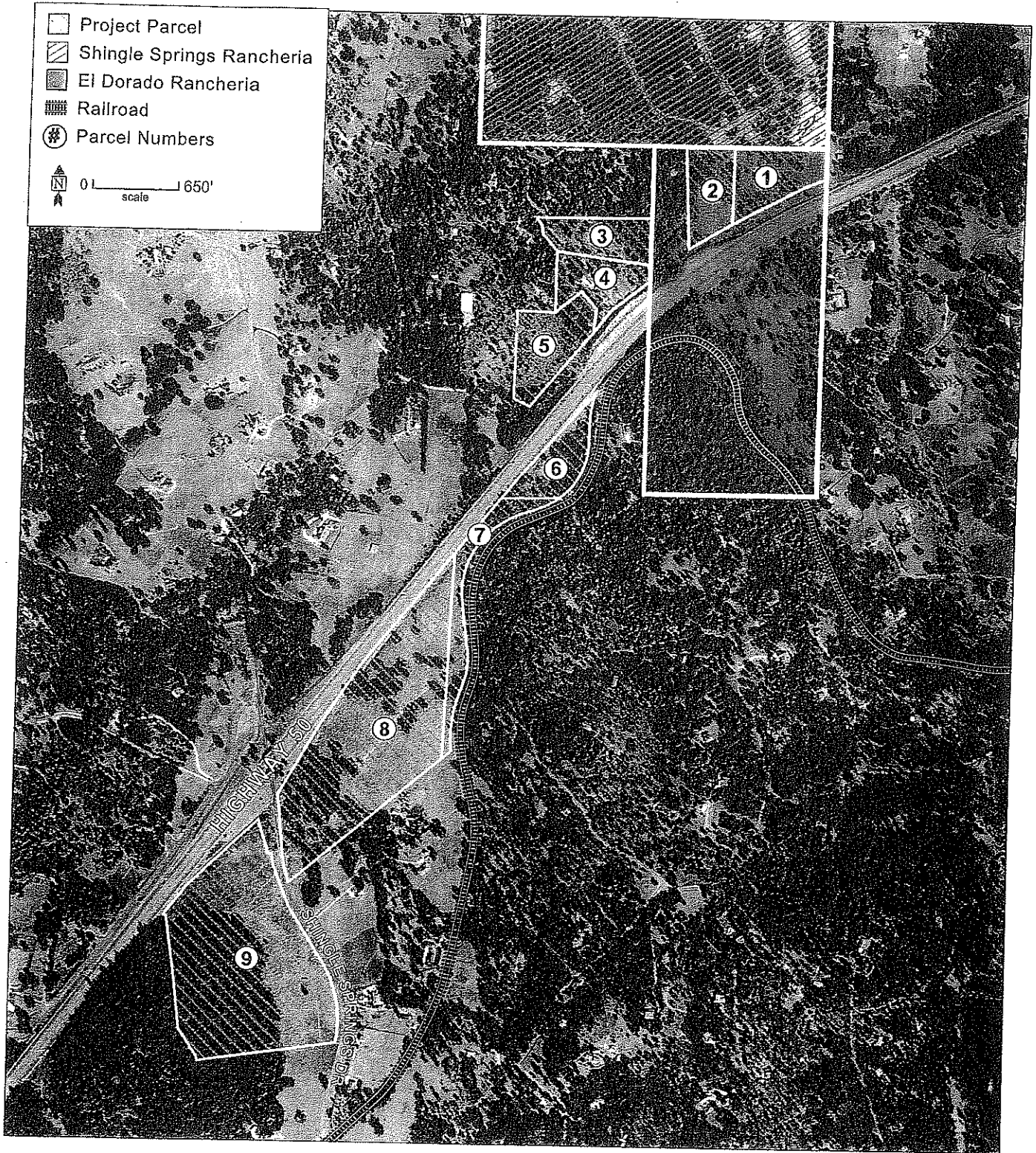
Nicholas Fonseca
 Chairperson

7-20-02
 Date

ATTEST:
Susan Murray

7-20-02





APR - 1 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED - 7001 2510 0009 4496 3809

State Clearinghouse
Office of Planning and Research
State of California
P. O. Box 3044
Sacramento, California 95812-3044

To Whom It May Concern:

Enclosed are ten copies of our notice of an application seeking acceptance of title to real property "in trust" by the United States of America for the Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California.

Said notice is issued pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10 and 151.11. We are seeking your comments regarding the proposed trust land acquisition in order to obtain sufficient data that would enable an analysis of the potential impacts on local government of which may result from the removal of the subject property from the tax roll and local jurisdiction. Pertinent information regarding the proposal is included in the enclosure.

If you feel that the enclosed notice should be forwarded to additional governmental entities, which may be interested or affected by the acquisition other than those listed in our distribution list, please do so. You may also contact this office to provide us with the name (s) and address (es) of such party (ies).

Sincerely,

Sgd. Dale Risling, Sr.

Dale Risling, Sr.
Superintendent

Enclosure

APR - 1 2003

NOTICE OF LAND ACQUISITION APPLICATION
(NON-GAMING)

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151, as amended, notice is given of the application filed by the Shingle Springs Rancheria, to have real property accepted into trust for the Shingle Springs Rancheria Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California 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 governmental 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 (S)

Shingle Springs Rancheria Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California

LEGAL LAND DESCRIPTION:

All that certain land situated in the State of California, El Dorado County, and is described as follows:

- 1) Parcel 9, as said Parcel is shown on that certain Parcel Map entitled "Portion of Sections 29, 30, 31 & 32, T. 10N. R. 10E., M.D.B. & M., and Portion of Section 6, T. 9N., R. 10E.,

SUPPLEMENTAL DATA:

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 above address. 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 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(s). You will be notified of the decision to approve or deny the application.

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 Terisa Draper, Realty Specialist, at the above address or (916) 930-3749.

Sincerely,

Sgd. Dale Risling, Sr.

Dale Risling, Sr.
Superintendent

Enclosure(s): Exhibit "1"
Exhibit "2"
Distribution List

M.D.M." filed August 31, 1972 in the office of the county Recorder of said County in Book 1 of Parcel Maps, at page 163. Assessors Parcel No.: 319-210-18, 319-230-49, and 319-230-48.

2) Parcel 13, as said Parcel is shown on that certain Parcel Map entitled "Portion of Sections 29, 30, 31 and 32, T. 10N. R. 10E., and Portion of Section 6, T.9N., R. 10E., M.D.M.", filed August 31, 1972 in the office of the County Recorder of said County in Book of Parcel Maps at page 163. Assessors Parcel NO.: 319-220-18.

See Exhibit "1" for regional location map and project map.

PROPOSED LAND USE/SITE LOCATION:

The land acquisition is for four parcels of land consisting of 77.03 acres, more or less, located near the town of Shingle Springs off Highway 50. The subject parcels are South/Southwest of the Shingle Springs Rancheria.

The proposed land use for parcels identified as Assessor's Parcels No. 319-210-18, 319-230-48, and 319-230-49 encompassing 42.4 acres, more or less, is the construction and development of a health clinic. The proposed project would consist of a 14,335 square foot building, surrounding parking area, and a paved access road connecting to Shingle Springs Drive. The development will alter approximately 3 acres of the 42.4 acres, all presently undeveloped. The health care facility will provide medical and dental services to American Indian/Alaska Natives, non-Indians of Indian households and low-income residents of El Dorado County, California.

The parcel identified as Assessor's Parcel No. 319-220-181, encompassing 34.63 acres, more or less, is presently undeveloped. Residential housing development is proposed for this site, consisting of six 3-bedroom single-family homes on the southeast corner of this parcel. The homes would provide housing for tribal members and would have an average of 1,800 square feet of floor space. The homes would be designed and constructed to be consistent with surrounding rural residential areas and conform to applicable building codes.

CURRENT TAXES AND ZONING:

Parcels identified as Assessor's Parcels No. 319-210-18, 319-230-48, and 319-230-49 have been designated by the El Dorado County General Plan as commercial. Property taxes for fiscal year 2001-2002 were \$12,460.24, \$1704.54, and \$1415.62, respectively.

Parcel 319-220-181 is designated low density residential by El Dorado County. Property taxes for fiscal year 2001-2002 totaled \$7,458.42.

EXISTING EASEMENTS/ENCUMBRANCES:

See Exhibit "2" for a list of encumbrances.

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Deputy Attorney General
State of California
Department of Justice
P. O. Box 944255
Sacramento, California 94244-2550

Ms. Jessica Tavares, President – 7001 2510 0009 4496 3489
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James Peterson, District Director – 7001 2510 0009 4496 3472
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Regular Mail:

Regional Director, Pacific Region
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2800 Cottage Way
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DISTRIBUTION LIST

El Dorado County Tax Assessor – 7001 2510 0009 4496 3878
360 Fair Lane, Bldg., D
Placerville, CA 95667

El Dorado County Tax Collector – 7001 2510 0009 4496 3961
360 Fair Lane, Bldg., D
Placerville, CA 95667

El Dorado County Planning Department 7001 2510 0009 4496 3854
2850 Fair Lane Ct.
Placerville, CA 95667

El Dorado County Board of Supervisors 7001 2510 0009 4496 3847
330 Fair Land
Placerville, CA 95667

El Dorado County Fire Department – 7001 2510 0009 4496 3793
P.O. Box 807
Camino, CA 95709

El Dorado County Sheriff's Department – 7001 2510 0009 4496 3823
300 Fair Lane
Placerville, CA 95667

El Dorado Irrigation District – 7001 2510 0009 4496 3816
2890 Mosquito Rd.
Placerville, CA 95667

State Clearinghouse – 7001 2510 0009 4496 3809
Office of Planning and Research
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Ms. Kathryn Doi – 7001 2510 0009 4496 3502
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State Capitol Building
Sacramento, California 95814



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

SEP 1 2006

Memorandum

To: Regional Director, Pacific Region

Through ~~ACTING~~ Director, Bureau of Indian Affairs

Principal Deputy Assistant Secretary - Indian Affairs

A. H. Wells
Michael

From: Associate Deputy Secretary

James E. Lora

Subject: Fee-to-Trust Application for Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria, California

The Office of the Assistant Secretary - Indian Affairs has recommended approval of the off-reservation application for 77.03 acres of fee land for the Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria, California, to be taken into trust status. This parcel will be used to construct a 14,335 square foot health clinic and six 3-bedroom single-family homes.

The Shingle Springs Band has issued a letter and resolution stating that there will be no gaming on this property. We recommend this acquisition be approved with the understanding that gaming on the property is not authorized because the land does not qualify under any of the exceptions to the prohibition on gaming on land acquired in trust after October 17, 1988, contained in Section 20 of the Indian Gaming Regulatory Act 25 U.S.C. §2719. You may proceed with issuance of this decision to accept the parcel into trust status.

If you have questions, please contact the Chief, Division of Real Estate Services, at (202) 219-1195.