

ML12813



United States Department of the Interior

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

IN REPLY REFER TO:

MAY 14 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 Smith River Rancheria, California. The previous notice was dated August 4, 2004.

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10, notice is given of the application filed by the Smith River Rancheria, California, 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:

Smith River Rancheria, California

Legal Land Description/Site Location:

The subject property is located in northern California, off U.S. Highway 101, approximately 10 miles north of Crescent City. The property proposed for acquisition consists of one parcel containing 2.44 acres, more or less, contiguous to the boundaries of the Smith River Rancheria.

The land referred to herein is in the unincorporated area of the County of Del Norte, State of California, described as follows:

Beginning at a point 1163.02 feet south and 413.38 feet east of the north quarter section corner of Section 17, Township 18 North, Range 1 West, Humboldt Meridian; and running thence north 1 degree 43 minutes 40 seconds east, 200.30 feet; thence south 87 degrees 26 minutes east, 587.49 feet to former Highway 101; thence along said highway south 31 degrees 40 minutes west, 195.54 feet; thence south 31 degrees 49 minutes west, 25.70 feet to a point from which the point of beginning bears north 88 degrees 16 minutes 20 seconds west; and thence north 88 degrees 16 minutes 20 seconds west 476.95 feet to the point of beginning. APN: 102-070-21 (also known as the "Keeter" property).

Project Description/Proposed Land Use:

Existing land uses on this parcel are as follows: the western half of the parcel (1.21 acres) is used as an overflow automobile parking area (103 parking spaces) with carports and a back-up generator facility for the Lucky 7 Casino, and the eastern half of the parcel is used as a single-family residence, with a chain-link fence separating the two halves of the parcel. The proposed development project is a recreational vehicle parking lot on the eastern half of the parcel. Only overnight, or weekend occupancy, will be allowed; no long-term or residential use will be allowed.

Current Use/Taxes and Zoning:

General and special taxes and assessments for fiscal year 2009-2010 is \$3,260.88.

As previously stated, current use of the property is residential, which is consistent with present zoning of Rural Residential.

Existing Easements/Encumbrances:

1. Rights of the public in and to that portion of the land lying within existing county road and State Highways.
2. An easement necessary for water supply ditch and incidental purposes in the document recorded April 13, 1940 as Book 58 of Deeds, page 266.
3. An easement for power line and incidental purposes in the document recorded January 28, 1966 as Book 117, page 161 of Official Records.

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 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 the enclosed notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy of the 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 Arvada Wolfin, Realty Specialist, at (916) 978-6069.

Sincerely,



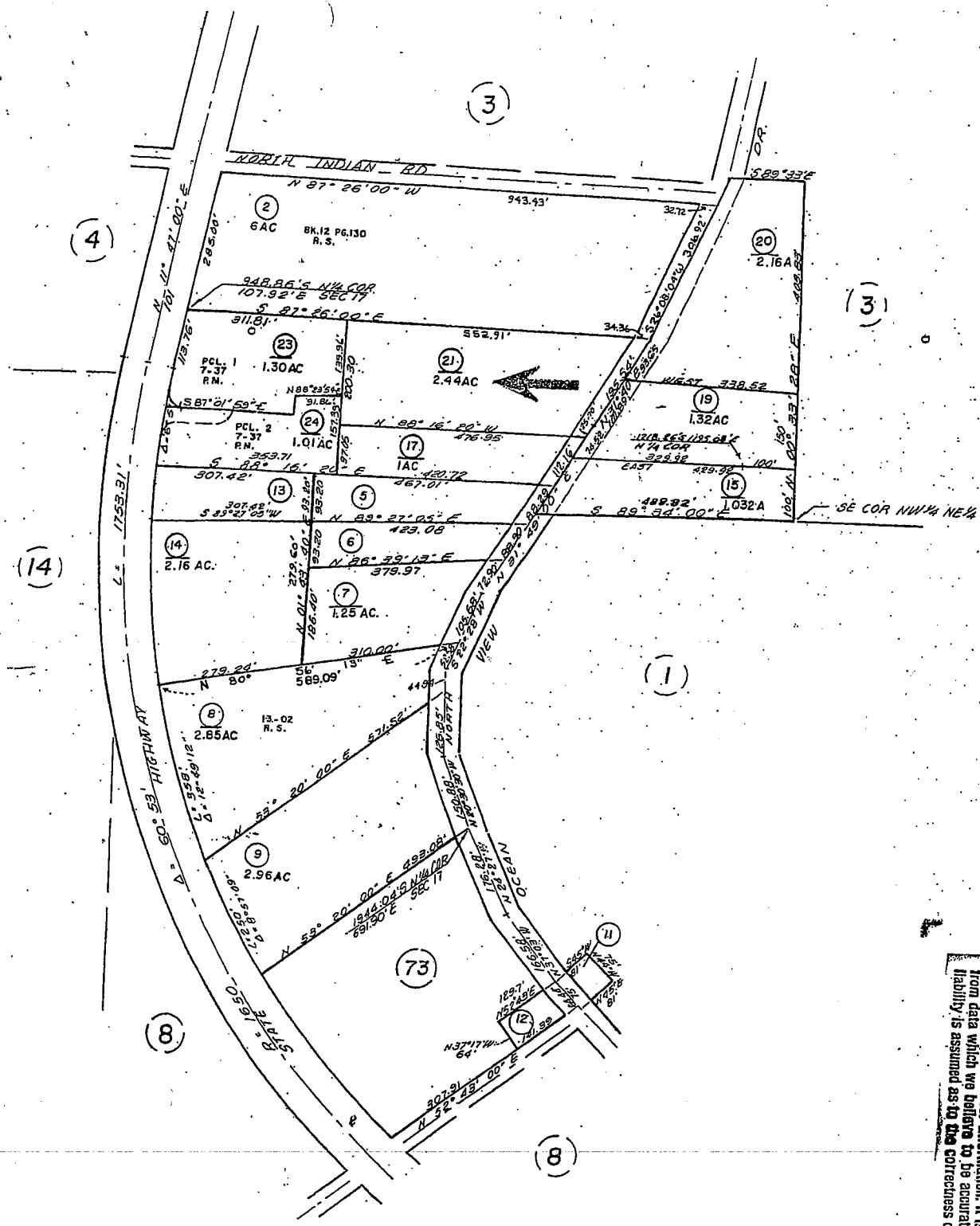
Regional Director

Enclosure: Assessor's Map

cc: See Distribution List

THIS IS NOT AN OFFICIAL MAP
ASSESSMENT PURPOSES ONLY

POR SEC 17 T18N, R1W, H.M.



This plat is furnished for information. It is compiled from data which we believe to be accurate, but no liability is assumed as to the correctness of such data.

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Enclosure

DISTRIBUTION LIST

California State Clearinghouse (ten copies) – CM-RRR # 7011 2970 0000 0580 8853
Office of Planning and Research
Post Office Box 3044
Sacramento, CA 95812-3044

Ms. Sara J. Drake, Deputy Attorney General – CM-RRR # 7011 2970 0000 0580 8846
State of California, Department of Justice
Post Office Box 944255
Sacramento, CA 94244-2550

Mr. Jacob Appelsmith, Deputy Legal Affairs Secretary – CM-RRR # 7011 2970 0000 0580 8839
Office of the Governor of California
State Capitol Building
Sacramento, CA 95814

Ms. Heidi Kunstal, Deputy Director – CM-RRR # 7011 2970 0000 0580 8860
of Building and Planning
Del Norte County
981 H Street, Suite 110
Crescent City, CA 95531

Del Norte County Board of Supervisors – CM-RRR # 7011 2970 0000 0580 8884
981 H Street, Suite 200
Crescent City, CA 95531

Ms. Dawn Langston – CM-RRR # 7011 2970 0000 0580 8907
Del Norte County Treasurer-Tax Collector
981 H Street, Suite 120
Crescent City, CA 95531

Smith River Fire Protection District – CM-RRR # 7011 2970 0000 0580 8891
Attention: Administrators Office
Post Office Box 187
Smith River, CA 95567

Gretchen Stuhr, County Counsel – CM-RRR # 7011 2970 0000 0580 8914
County of Del Norte
981 H Street, Suite 220
Crescent City, CA 95531

Honorable Mike Thompson – CM-RRR # 7011 2970 0000 0580 8877
U.S. House of Representatives
Napa District Office
1040 Main Street, Suite 101
Napa, CA 94559

Dale A. Miller, Chairperson – CM-RRR # 7011 2970 0000 0580 8938
Elk Valley Rancheria
2332 Howland Hill Road
Crescent City, CA 95531

Office of the Honorable Barbara Boxer – CM-RRR # 7011 2970 0000 0580 8921
U.S. Senate
112 Hart Senator Office Building
Washington, D.C. 20510

Mr. Charles Lester, Executive Director – CM-RRR # 7011 2970 0000 0580 8822
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Office of the Honorable Dianne Feinstein – CM-RRR # 7011 2970 0000 0580 8945
U.S. Senate
One Post Street, Suite 2450
San Francisco, CA 94104

Kara L. Miller, Chairperson – CM-RRR # 7011 2970 0000 0580 8792
Smith River Rancheria
250 N. Indian Road
Smith River, CA 95567

Regular U.S. Mail:

Superintendent
Northern California Agency
Bureau of Indian Affairs
1900 Churn Creek, Suite 300
Redding, California 96002