



55 North Hockett ♦ P.O. Box 1688 ♦ Porterville, California 93258 ♦ (559) 784-2244 ♦ Fax (559) 781-2735

Mr. Dale Morris, Regional Director
Mr. Dale Riesling, Acting Regional Director
United States Department of the Interior
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

Re: Draft Environmental Assessment for the Proposed 40 Acre Fee-to-Trust Transfer
For the Tule River Indian Tribe

Dear Mr. Riesling:

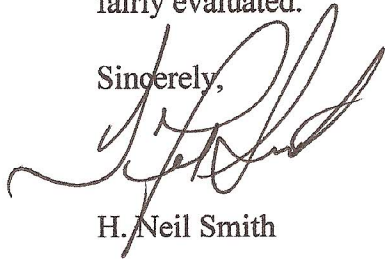
I was born in Porterville and have had a family business interest operating in Porterville since 1930.

I am concerned about the Tule River Indian Tribe's effort to transfer land at the Porterville airport from a Fee-to-Trust status.

- . The application does not address potential economic impacts to the local economy in the EIR report.
- . As a sovereign nation, the Tribe could, at any time, engage in any retail activities that would be detrimental to the local merchants and economy. Their favored status as a Sovereign Nation precludes them from having to pay or collect State and local sales and use taxes. This alone is significant as can be seen in their Trading Post gas station that offers gas prices that local merchants are unable to meet. This one activity has had a huge negative impact on our local service stations.
- . I am unable to truly analyze this proposed transfer because no business plan was ever supplied and unknown uses cannot be argued.
- . The Tribe has been a good neighbor to Porterville and has a positive impact on the lives of its citizens. Their casino has been a wonderful addition to the region and as a member of the local Indian Gaming Commission, have seen great economic benefits for Porterville. However, the casino, is a unique entertainment business and not unfairly endangering any of the existing businesses.

I urge you to deny this application or refer it back to the Tribe to revise the project's EIR report and address the potential negative economic impact that the proposed uses will have. The application should elucidate in its business plan the proposed uses so that the transfer can be fairly evaluated.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Neil Smith', written in a cursive style.

H. Neil Smith