



OFFICE OF THE GOVERNOR

May 10, 2005



Ms. Mary Jane Griego  
Chair, Yuba County Board of Supervisors  
915 8<sup>th</sup> Street, Suite 109  
Marysville, California 95901

Dear Chairman Griego:

I am responding to your letter requesting that the State immediately commence negotiations for a tribal-state gaming compact with the Enterprise Rancheria (Tribe). You indicate in your letter that the Tribe's proposed casino project meets all of the criteria needed by such a project.

Your letter accurately describes the Governor's policy with respect to Section 20 concurrences. That is, the Governor will not entertain requests for Section 20 concurrences that would authorize tribal gaming in urban areas, nor entertain such requests in the absence of local support for the project and a compelling public policy reason that would support his concurrence. We agree that the project, as proposed, would not be located in an urban area. Moreover, it appears that there may be strong local support for the project. It does not appear, however, that there is a sufficient, independent public policy presented by this project that would support a Section 20 concurrence at this time.

You have identified "economic development" as the public policy that would satisfy the policy criteria for a Section 20 concurrence. While we understand that the County's unemployment rate is a matter of great concern, we do not believe that economic development alone constitutes a compelling public policy that would justify a Section 20 concurrence by the Governor. We have indicated to other public entities that the public policy must do more than simply provide economic benefits to a tribe, local community, or the State. Accordingly, because it does not appear that the project thus far satisfies the Governor's policy on Section 20 concurrences, negotiations with the Tribe at this time would be premature.

We remain open to discussing other ideas that you or the Tribe may have. Thank you for ensuring that we continue to communicate on this matter.

Sincerely,

PETER SIGGINS

Legal Affairs Secretary