

The County of Yuba

OFFICE OF THE BOARD OF SUPERVISORS



915 - 8th Street, Ste. 109
Marysville, California 95901
(530) 749-7510
FAX (530) 749-7353

From the desk of Supervisor *Daniels Logue*

Clay Gregory -Regional Director
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825 June 17th 2005

RE: EIS on Gaming Land Acquisition Application - Enterprise Rancheria

Dear Mr. Gregory:

National and statewide media, state and federal lawmakers are closely watching the decision makers at the Bureau of Indian Affairs. This was clearly evidence by the front page coverage of the Appeal Democrat documenting the 100 plus protestors at the EIS scoping hearing in Marysville on June 7th. (Exhibit #1)

California leads the off-reservation tribal gaming debate because issues of restored and landless tribes are paramount in California. Decision-makers must concern themselves with the recent judicial guidance steering the legal requirement for land to be taken into trust in the decision by the U. S. Supreme Court *Sherrill vs. Oneida*. The very integrity of the decision-making and policy-making process must be respected because of the far reaching effects they have on cities, counties and states. This letter sets forth my comments regarding the issue of "restored lands" or "takings" for gaming by the Enterprise Rancheria #2 Indians in the County of Yuba.

In 1923, the Reno Indian Agency ("Agency") had jurisdiction over Indian reservations, colonies, villages and scattered bands of homeless Indians in Nevada and Northern California not under the superintendence of any other jurisdiction. The Agency and its entire personnel gave considerable time surveying and compiling data on populations, locations and needs of the various Indian reservations, colonies, villages and scattered bands of homeless California Indians as presented in its annual report of 1923.

The 1923 records of the Agency indicate approximately 462 Indians; comprising nine groups were actually residing in Butte County, California. One of nine groups, the Enterprise Band was reported as having a population of 80 persons. Two tracts of land were purchased in August of 1914 (38 Stat.58-59) each, 40 acres, with funds appropriated under the acts of June 21, 1906 (31 Stat., 325-333), and April 30, 1908 (35 Stat., 70-76) "to purchase for the use of the Indians in the State of California." These tracts of land were established on the traditional homeland of these two separate family Indian groups.

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