

Stand Up For California!

“Citizens making a difference”

www.standupca.org

P.O. Box 355
Penryn, CA 95663

March 16, 2009

Via Facsimile 916-978-6099

Mr. Dale Morris
Regional Director
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA. 95825

**RE: Notice of (Gaming) Land Acquisition Application Filed by the
Enterprise Rancheria of Maidu Indians for 40 Ac in Yuba County
California requesting information for a two-part determination.**

Dear Mr. Morris:

Thank you for this opportunity to provide comment on whether or not the proposed off reservation casino is detrimental to the surrounding community. *Stand Up For California* as you know has been involved in the off Reservation gaming debate for a number of years. Your January 2009, letter represents the very first time a request for additional information for a two-part determination has been made. This letter helps to provide access and transparency to the fee to trust process and we congratulate you on this recent action.

Stand Up For California will comment on three areas. The need to respect the vote of the electorate, the failings of the Memorandum of Understanding between the Enterprise Tribe and the County of Yuba and the BIA's misapplication of the 1994 List Act.

Disenfranchising the Electorate:

On May 18, 2005 Governor Schwarzenegger issued a proclamation which established the criteria by which gubernatorial concurrence with the Secretary of the Interior for off reservation gaming on after acquired lands would be granted. In accordance with the criteria requesting evidence of community support is as follows:

“Tribe and the local jurisdiction demonstrate that the affected local community supports the project, such as by a local advisory vote”. [Emphasis added]

The electorate of Yuba County voted NO by 52%. Yet in reading the proposed DRAFT of the County of Yuba's letter it appears that the County is willing to *disenfranchise* the electorate of Yuba and permit “*Reservation Shopping*” in order to reap financial benefits from the proposed project promised in the development of the MOU.

