

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0014
(916) 319-2014
FAX (916) 319-2114

DISTRICT OFFICE
ELIHU HARRIS STATE BUILDING
1515 CLAY STREET, SUITE 2201
OAKLAND, CA 94612
(510) 286-1400
FAX (510) 286-1406

Assembly California Legislature



NANCY SKINNER
ASSEMBLYMEMBER, FOURTEENTH DISTRICT

COMMITTEES
CHAIR, RULES
APPROPRIATIONS
PUBLIC SAFETY
UTILITIES AND COMMERCE
CHAIR, SELECT COMMITTEE
ON RENEWABLE ENERGY

August 4, 2010

Honorable Senator Diane Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Honorable Senator Barbara Boxer
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

Honorable Senator Chuck Schumer
United States Senate
313 Hart Senate Office Building
Washington, D.C. 20510

Honorable Senator John Ensign
United States Senate
119 Russell Senate Building
Washington, D.C. 20510

Honorable Senator Harry Reid, Majority Leader
United States Senate,
522 Hart Senate Office Building
Washington, D.C. 20510

Dear Honorable United States Senators:

I write to express my concern about the existing approval process for off reservation casino proposals. The process as is lacks transparency and unduly limits the involvement of the public, state and local government.

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For example, the current process allows for simultaneous approvals from multiple federal agencies. Many of the processes within these agencies are not known to the local governments and communities. The Department of Justice, The Bureau of Indian Affairs and the Office of Management and Budget at the White House all play a role in the approval process. However, none of their specific procedures were identified to the City of Richmond for their environmental review in the case of the Guidiville tribe and Point Molate.

Also, when the City of Richmond extended the closing date for public comments on this environmental review, there was no extension in the federal process. This means that many of the comments received after that extension, including a letter from California's Governor Arnold Schwarzenegger, were not included in the federal comment process.

This is why I endorse the recommendations from *Stand Up for California!* which calls for federal legislation to fix this process. Clearly there is the need to require the Secretary to make a determination if the land is eligible for gaming under an exception in section 20 of the Indian Gaming Regulatory Act (IGRA). The process should also include a procedure for making, publishing and challenging the Secretary's decision as a "final agency action". I believe that this would restore the delicate balance of authority between tribes, local governments, states and the federal government.

I hope that you will support this effort.

Sincerely

A handwritten signature in cursive script that reads "Nancy Skinner".

Nancy Skinner
California State Assemblymember, District 14

CC: Honorable Arnold Schwarzenegger—Governor of California
Honorable Gayle McLaughlin—Mayor of Richmond
Honorable Mike Thompson—US Congressman
Honorable Tom McClintock—US Congressman
Honorable George Miller—US Congressman
Senate Committee on Indian Affairs
House Resources Committee