



CITIZENS FOR A SUSTAINABLE POINT MOLATE

June 30, 2010

Honorable Ken Salazar
Secretary of the Interior
1849 C. Street, NW
Washington D. C. 20240
Fax: 202-208-6956

Ms. Hilary Tompkins
Solicitor of the Interior
1849 C. Street, N.W.
Washington, D.C. 20240
Fax: 202-208-5584

Honorable David Hayes
Deputy Secretary of the Interior
1849 C. Street, NW
Washington D.C. 20240
Richmond, CA. 94804
Fax: 202-208-4684

Re: Request to Adopt and Incorporate by Reference the Restored Lands Determination Comments Submitted by Contra Costa County. (PLN 08-089)

Dear Secretary Salazar, Deputy Secty. Hayes, and Solicitor Tompkins:

The Guidiville Band of Pomo Indians has requested that the Bureau of Indian Affairs ("BIA") take lands comprising the former Naval Fuel Depot Richmond (generally referred to as "Point Molate") in Contra Costa County, California, into trust for the Band to use for casino gaming. The Guidiville Band asserts that the Restored Lands Exception under IGRA, 25 U.S.C. §2719(b)(1)(B)(iii), should apply to this property.

Citizens for a Sustainable Point Molate writes to join and incorporate by reference the comments submitted by Contra Costa County on February 27, 2008, as supplemented on October 30, 2008 and April 14, 2009. Under 25 CFR §292.7 restored lands requires a significant historical and current connection to the land. The Guidiville Pomo Band acquired 44 ac. of Indian lands in 1999 located within its aboriginal territory and last recognized Rancheria in Mendocino County. This is documented in *Guidiville Band of Pomo Indians v NGV Gaming Ltd CA.9 (Cal.)*, 2008 Case No. CV 052241.

Please accept this request by *Citizens for a Sustainable Point Molate* to adopt the comments submitted by Contra Costa County on February 27, 2008, as supplemented on October 30, 2008 and April 14, 2009. We object to any determination that the Pt. Molate site be considered restored lands, and object to the application of any other exception under IGRA §20.

Sincerely,

Joan Garrett
Principal, Citizens for a Sustainable Point Molate
jgarrett@cfspm.org

