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BIA comment letter for fee-to-trust applications

1 message

James Williams <jww3100@yahoo.com>

Fri, May 27, 2016 at 5:43 PM

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Please see the attached copy of my comment letter to the BIA in regards to the SSBMI applications to convert more parcels into trust. The original signed copy has been mailed to the BIA within the deadline of May 31, 2016 (due to the holiday). Once again I thank you Supervisors for giving this matter your attention.

Thanks,
James Williams

**BIA comment letter.docx**

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My comments are being submitted regarding the Fee-To-Trust Applications submitted by the Shingle Springs Band of Miwok Indians (SSBMI), for parcels referred to as "Solomon", "Lee", "Gary", "Neeland", "Bross", "Duncan", and "Haemmerling". As a resident of El Dorado County I am submitting this letter by the May 30, 2016 deadline that was extended to the County of El Dorado.

Dear Ms. Dutschke:

Please know that the decision you make today regarding these applications will greatly affect the lives of many residents that surround the Rancheria as well as many residents of El Dorado County for many years to come. We welcome the Nation as residential neighbors with open arms, however we have experienced a great deal of heartache and impact from a housing need promise in the past that has not been kept.

The Community supported the Nation in 2006 for the transfer from Fee-To-Trust, of two large parcels south of the highway 50 interchange, at Shingle Springs Drive. The two parcels are separated by Shingle Springs Drive, with one parcel on the east and one parcel on the west. The parcels were applied to be taken into trust for the purpose of Tribal housing on the west parcel and a Tribal Health care facility on the east parcel. When the Health care facility project needed to move forward before the land was ready, the Tribe built the Health care facility on another parcel. Consistency with the BIA application and the promise made to the community would have been to build more residential housing on this lot, since the parcel is surrounded by established low density residential homes. Additional housing would also be extremely compatible with the other planned residential housing parcel to the west. Instead, this parcel is used as a large scale motocross track and large gun range. Despite the outcry from the surrounding community to stop using this land for such a disruptive use to the surrounding established community. To make things worse, instead of moving forward with the housing on the west parcel, the Tribe decided to change the project from six single family dwelling units (per the BIA approved application), to a large commercial strip mall complex with commercial space of over 100,000 square feet, and a large refueling station with convenience store.

Using the BIA to facilitate the re zone on property from residential to commercial without performing the proper due diligence for such a change in land use is not to my knowledge what this process is intended to achieve. However it is exactly what has happened. These parcels were never studied to determine if they could accommodate such a high commercial and extremely abusive recreational impact. Unfortunately now, we are being told that none of that matters. Once the land is put in trust the Tribe can use these properties in any way they see fit. Even if environmental and other critical studies have not been performed and the projects or uses of the land are egregiously harmful and impacting to the surrounding neighbors and nearby community.

I do not want to see this unfortunate situation repeat itself in the future. Therefore I request the BIA take steps to ensure these lands are developed as applied for to the BIA, and developed in a compatible manner with existing land uses. These applications as submitted will do nothing to prevent a similar land use issue from occurring again.

For the above stated reasons, I request that you return these applications for further modifications to be made by the applicant. Modifications that address the County and communities concerns once these parcels are placed into trust. The Tribe owns 80 contiguous acres currently in trust for Tribal housing

projects that construction can start on, if the need for housing is immediate. Areas of concern include but are not limited to, changes in density or land use, setbacks, consistency with existing land use, noise both during construction and after completion, environmental impact including rare plants, animals, and asbestos, stream and water way contamination, and possible contamination of residential wells belonging to neighboring property owners, traffic impacts to roadways, including the immediate surrounding privately maintained roads, County tax roll fiscal impact, as well as major revenue loss for permit and TIM fee money for the projects. Conditions of approval should be in place through this application to ensure these areas have been properly and responsibly mitigated by the Tribe before approval from the BIA should be sought or achieved.

If these fee to trust applications are to be approved I request that conditions of approval be put in place by the BIA to ensure these areas of concern are addressed. This will also retain consistency with the neighboring land uses and foster a good neighbor relationship.

I thank you so very much for taking the time to read my comments and I'm available for follow up or questions if needed.

Respectfully,

James Williams

Shingle Springs

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