

C. Lewis Open Forum BOS 3/21/15

March 27, 2015

To the Honorable Congressman Tom McClintock

2200 A Douglas Blvd.

Roseville, CA, 95661

RE: The Tribal Lands of the Shingle Springs Band of Miwok of Indians and the proposed outdoor Gun Range

Dear Congressman McClintock

The residents of Shingle Springs and outlying Placerville and Rescue California are petitioning you for your assistance in a grave matter.

At the present time the Miwok tribe are pursuing a business that will devastate the surrounding residential and business area and will set a precedence for other tribes to follow their lead in putting local and state governments in turmoil.

The Shingle Springs Band of Miwok Indian Rancheria has been allowed to expand its borders by the Bureau of Indians Affairs since its 1999 gambling compact with the State of California.

The application to the federal Government and Bureau of Indians Affairs of 2002, was approved by an Environmental Impact Report that stated the additional lands to be taken into the sovereign nation were to be used for a health clinic and six homes for the Miwok tribe families. This petition was granted under those terms.

Today, March 27, 2015, the Miwok Tribe are in the process of pursuing a twenty-nine (29) lane outdoor gun range too close to businesses, hundreds of homes and 1000 yards from two elementary schools and a church.

The residents and businesses of the impacted area have tried to work with the tribe in requesting an indoor gun range. THIS HAS NOT WORKED.

We are asking for your assistance on three fronts:

1. To assist the residents, businesses, church and the two elementary schools affected and convince the tribe to enclose this gun range or abandon this project completely.
2. To require the tribe to uphold their application to El Dorado County and the Bureau of Indian Affairs by building housing for their tribe. The Health Clinic has already been built on the Rancheria land against their stated petition.
3. To stop the Shingle Springs Band of Miwok Indian Tribe from bringing any further purchased lands or BLM lands into sovereignty.

1 of 2

The tribe has not demonstrated "good faith" in the contracts or applications with the United States Government, the County of El Dorado or the neighboring communities in which their Rancheria is located.

The Indian Culture is built on environmentalism, conservationism and families. All agreements and public statements the tribe has made say they want to be, "GOOD NEIGHBORS", to the surrounding communities. THIS HAS NOT HAPPENED. This Miwok Tribe has breached all these elements.

The Miwok Tribe has purchased twenty- three (23) parcels of land and been given approximately forty (40) acres of BLM lands.

These lands generally surround the Rancheria on the south, west, part of their eastern border and are now spreading toward the northern area beyond their northern border.

We believe other properties will be purchased as infill to make all properties contiguous with the original sovereign lands granted by the U.S. Government. This will allow the tribe to continue their applications to enlarge the Rancheria .We are asking you to deny all further petitions.

As a community of El Dorado we do not stand in the way of anyone purchasing property. We stand in the way of anyone creating an adverse condition that will cause other property owners to flee the situation and sell their homes and businesses at a fraction of their worth.

This tribe has already demonstrated this, "CAUSE AND AFFECT", in their business dealings since the gambling compact with the State of California in 1999.

The surrounding communities are asking for your immediate intervention to stop the "ABUSE OF POWER" and stop the Miwok outdoor gun range. Require the Shingle Springs Band of Miwok Indians to honor their 2002 agreement with the United States Government and El Dorado County.

If the tribe refuses, we are petitioning the United States Government to rescind the 2002 agreement and take back the" sovereign land status" on all lands purchased after 1999. We are also asking that all existing applications and future applications for land sovereignty be denied.

Time is of the essence in this matter. The communities surrounding the Miwok Indian Rancheria are asking for your immediate intervention in this matter. As a member of the Federal Lands Commission and our elected U.S. Congressman of the 4th Congressional District you are our hope of resolving this matter.

We want our communities to stand like rocks, solidly weathering the storms together. If we fracture them, they will dissolve into sand with no adhesion.

Respectfully,



Carol J. Louis

The El Dorado Council

C.C. EDC Board of Supervisors, EDC Taxpayers Assoc., Shingle Springs Alliance, Save Our County

Updates:

1. The online petition to cancel, enclose or move the location of the gun range has over 1,000 signatures.
2. There was a second community meeting about the gun range last Wednesday with over 130 attendees and media coverage, which you can view on the GunRangeInfo.com website. A brief presentation was also given at the Tea Party meeting with almost 200 attendees on the same night.
3. The sound study contracted by the community is expected to be published this week.

Requests:

1. The GunRangeInfo group is requesting to have a presentation here on Tuesday, April 14th to share the results of the Sound Study. Will you please put this on the agenda for us to share the sound study results on April 14th?
2. We are requesting that you contact Napa County Supervisor Diane Dillon. Supervisor Dillon testified on March 25, 2015 at a roundtable held by the United States Senate Committee on Indian Affairs that there are problems with the land trust process. Supervisor Dillon used our tribal gun range as the poster child for the broken Land Trust process. Supervisor Dillon is a member of the California State Association of Counties (CSAC) and presented a similar statement to the Committee on November 20, 2013. A complete copy of her testimony and a copy of a Pepperdine University study titled "Extreme Rubber-Stamping: The Fee-to-Trust Process of the Indian Reorganization Act of 1934" are available on this website: <http://saveourcounty.net/land-trust-issues-and-abuses-within-the-land-trust-system/>

Supervisor Diane Dillon's contact information is here:

707-944-8280

Diane.Dillon@countyofnapa.org

3. We are requesting that you quickly investigate the status of the new applications for Fee-to-Trust on land purchased by the Red Hawk Casino Tribe. We have been told that there are at least 2 applications by the Tribe to bring more land into trust. The system is currently broken and gives little time for local jurisdictions to comment. Now that we know that the process is a rubber-stamp and is full of abuses, we need you to be proactive and engage in the process early. Please find out the status of those applications as soon as possible.
4. When can we expect the Staff Report that the Board directed staff to prepare on 2-24-15? Will it have a thorough investigation into whether the County and/or

Caltrans can refuse to issue an encroachment permit to access the property?

5. Lastly, we've been told that members of this Board will soon be traveling to Washington, D.C. We request that you make an effort to contact members of the Senate and House committees on Indian Affairs while in Washington.

SENATE COMMITTEE MEMBERS	HOUSE COMMITTEE MEMBERS
<p><u>Republicans</u></p> <p>John Barrasso, Chairman (WY)</p> <p>John McCain, Member (AZ)</p> <p>Lisa Murkowski, Member (AK)</p> <p>John Hoeven, Member (ND)</p> <p>James Lankford, Member (OK)</p> <p>Steve Daines, Member (MT)</p> <p>Michael Crapo, Member (ID)</p> <p>Jerry Moran, Member (KS)</p>	<p><u>Republicans</u></p> <p>Don Young, CHAIRMAN (AK), At-large</p> <p>Dan Benishek, (MI), 1st District</p> <p>Paul Gosar, (AZ), 4th District</p> <p>Doug LaMalfa, (CA), 1st District</p> <p>Jeff Denham, (CA), 10th District</p> <p>Paul Cook, (CA), 8th District</p> <p>Amata Coleman Radewagen VICE CHAIRMAN American Samoa, At-large</p> <p>Rob Bishop, (UT), 1st District, ex officio</p>
<p><u>Democrats</u></p> <p>Jon Tester, Vice Chairman (MT)</p> <p>Maria Cantwell, Member (WA)</p> <p>Tom Udall, Member (NM)</p> <p>Al Franken, Member (MN)</p> <p>Brian Schatz, Member (HI)</p> <p>Heidi Heitkamp, Member (ND)</p>	<p><u>Democrats</u></p> <p>Raul Ruiz</p> <p>RANKING MEMBER, (CA), 36th District</p> <p>Madeleine Bordallo, Guam, At-large</p> <p>Gregorio Sablan</p> <p>Northern Mariana Islands, At-large</p> <p>Pedro Pierluisi, Puerto Rico, At-large</p> <p>Norma Torres, (CA), 35th District</p> <p>Raul Grijalva, (AZ) 3rd District, ex officio</p>
<p>http://www.indian.senate.gov/about/committee-members</p>	<p>http://naturalresources.house.gov/subcommittees/subcommittee/?SubcommitteeID=5066</p>

Information and documents (including the attached March 26, 2015 letter) are being compiled for your reference on links at: <http://saveourcounty.net/shingle-springs/>

2 of 4

Congress of the United States

Washington, DC 20515

March 26, 2015

The Honorable Sally Jewell
Secretary
Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Dear Madam Secretary:

We are writing to request your cooperation in evaluating the procedures used for acknowledging tribal status and the impacts of modifying the regulations governing such determinations. The Department of the Interior has published proposed regulations to modify the tribal acknowledgment regulations set forth at 25 C.F.R. Part 83. For years, the Part 83 procedures have been criticized as burdensome, time-consuming, confusing, and expensive. In addition, the procedures are not based on standards or guidelines established by Congress, whose power to regulate Indian affairs under Article I, Section 8 of the Constitution has been characterized by the Supreme Court as “plenary” and “exclusive.” We are concerned that the Department’s proposed rules fail to address many of the issues that have been identified and could create new problems that lead to unintended and unjustifiable outcomes.

Many of these potential problems would result from proposed changes that relax the criteria for federal acknowledgement in section 83.7. Several of us have provided comments on the proposed regulations, either to Department of the Interior officials or directly to you, raising specific concerns. Many more commenters have identified problems with the proposed regulations, including a number federally recognized Indian tribes, some of which argue the proposal undermines the unique status of tribes and their relationship with the United States.

We do not support the sweeping changes that have been proposed to the criteria.

Before making any changes, the federal government must understand the impacts the proposed changes will have on tribal and non-tribal communities to ensure that any rules the Department ultimately adopts do not result in flawed decisions. Such impacts may include the reduction of existing tribal shares of discretionary funding if deficit reduction rules prevent budget increases necessary to meet new tribes’ service needs.

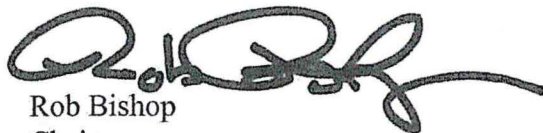
3 of 4

States unfamiliar with tribal issues and acknowledgment must also be engaged because they are likely to be affected by the proposed rules. While the states we represent have been involved with tribal issues and are very familiar with the acknowledgment process, many other states have no experience with the regulations the Department proposes to revise, let alone how to establish sound tribal policies and strong intergovernmental relationships. Failure to engage those states now will do a disservice to newly acknowledged tribes and undermine investment in the process the Department ultimately establishes.

To that end, we request the Department to refrain from issuing final regulations until we have conducted the oversight necessary to evaluate thoroughly the issues associated with recognition, consider how best to address those issues, and engage further with you and your staff. We must also ensure that any changes that are made promote fair, accurate, and transparent decisions.

We would like to meet with you in the next two weeks to discuss how we will coordinate with the Department as we undertake this Congressional oversight.

Sincerely,



Rob Bishop
Chairman
Committee on Natural Resources



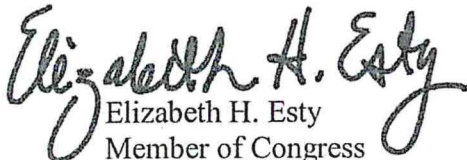
Don Young
Chairman
Subcommittee on Indian, Insular,
and Alaska Native Affairs



Mike Thompson
Member of Congress
Fifth District of California



Joe Courtney
Member of Congress
Second District of Connecticut

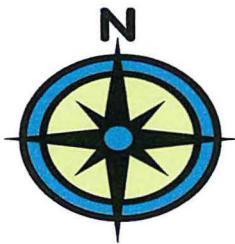


Elizabeth H. Esty
Member of Congress
Fifth District of Connecticut

Cc: Raúl M. Grijalva, Ranking Member, Committee on Natural Resources
1329 Longworth House Office Building
Washington, DC 20515

4 of 4

M. Lane Open Forum BOS 3/31/15



Compass2Truth

Citizens Serving God in Truth and Liberty

P.O. Box 598
Coloma, CA 95613
(530) 642-1670
melody.lane@reagan.com

March 31, 2015

To: El Dorado County Board of Supervisors
EDC Clerk to the Board/County Counsel

CA PUBLIC RECORDS ACT REQUEST


Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain all documents covered within Government Code 53051 A(1), A(2), A(3) and A(4).

(a) Within seventy (70) days after the date of commencement of its legal existence, the governing body of each public agency shall file with the Secretary of State on a form prescribed by the Secretary of State and also with the county clerk of each county in which the public agency maintains an office, a statement of the following facts:

1. The full, legal name of the public agency.
2. The official mailing address of the governing body of the public agency.
3. The name and residence or business address of each member of the governing body of the public agency.
4. The name, title, and residence or business address of the chairman, president, or other presiding officer, and clerk or secretary of the governing body of such public agency.

To avoid unnecessary costs of duplication, electronic copies are acceptable and may be emailed to melody.lane@reagan.com. It is requested that your determination be made within **10 days** as stipulated within the California Public Records Act, **Government Code 6253(c)**.

Thanks for your anticipated cooperation.


Melody Lane
Founder - Compass2Truth

1 of 7

Melody Lane

From: Melody Lane <melody.lane@reagan.com>
Sent: Friday, March 27, 2015 1:11 PM
To: Pamela Knorr
Subject: FW: Emails to Sheriff D'Agostini
Attachments: EDSO Citizen Complaints re: misconduct (1.29 MB)

Importance: High

Hi Pam,

I've not yet received confirmation that you've forwarded, as requested, the last two emails directly to Sheriff D'Agostini. Can you provide a reason for the delay?

Regards,

Melody Lane
Founder, Compass2Truth

"The only thing necessary for evil to triumph is for enough good men to do nothing." ~ Edmund Burke ~

From: Melody Lane [<mailto:melody.lane@reagan.com>]
Sent: Friday, March 20, 2015 9:27 PM
To: Pamela Knorr
Subject: Emails to Sheriff D'Agostini

Hi Pam,

As we discussed last Tuesday at the EDH Firehouse, please be sure to COPY me when you forward emails to Sheriff D'Agostini. Another email was just sent this evening at 9:06 PM.

It's necessary to ensure that they aren't being circumvented and sent to someone other than the Sheriff who's avoiding me.

Thanks for your cooperation!

Melody Lane
Founder - Compass2Truth

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, not with the statutory law made by their representatives. ~

2 of 7

Melody Lane

From: Melody Lane <melody.lane@reagan.com>
Sent: Monday, March 23, 2015 10:05 AM
To: Pamela Knorr
Cc: Vern R Pierson; 'Richard Mack'; bosfive@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us; Michael Ranalli
Subject: EDSO Citizen Complaints re: misconduct
Attachments: 3-20-15 EDSO Misconduct.pdf

Hi Pam,

The attached letter was hand delivered to the new Undersheriff Randy Pashon after today's Taxpayer Assn. meeting. However Randy was very reluctant to accept this letter when I requested he deliver it to Sheriff D'Agostini causing me to be doubtful it will reach it's intended destination.

Since my email remains blocked by EDSO, please be sure to visibly copy me when you forward this email to Sheriff D'Agostini in order that I can be assured it goes directly to him and not someone else.

Sheriff D'Agostini is not above the law or personnel rules and standards for professional conduct. As CAO & HR Director for El Dorado County, you are expected to read the letter as well and take appropriate action to remedy the situation.

Thanks for your anticipated cooperation.

Melody Lane
Founder - Compass2Truth

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, not with the statutory law made by their representatives. ~

3 of 7



Compass2Truth

Citizens Serving God in Truth and Liberty

P.O. Box 598
Coloma, CA 95613
(530) 642-1670
melody.lane@reagan.com

March 20, 2015

Sheriff John D'Agostini
El Dorado County Sheriff's Office
300 Fair Lane
Placerville, CA 95667

RE: Formal EDSO Citizen Complaints

Dear Sheriff D'Agostini,

On February 27, 2015 I received the (attached) standard "no misconduct" letter signed on your behalf by Sergeant Chris Felton. Note there is no indication whatsoever as to which one of the eight (8) Citizen Complaints hand delivered to EDSO on November 19, 2014 this letter may apply to.

Several of the formal complaints involve deputy misconduct relative to multiple code/law enforcement incidents at the Coloma Resort.

The EDSO complaint form states, "*All investigations will be thorough, objective, and focused on maintaining public confidence and department integrity. The goal of every investigation will be to identify and evaluate all the facts surrounding the incident in question.*"

I reserve my right, as indicated on the EDSO form, to present my stated complaint in person before a Hearing Board. However I've not been contacted to provide supplemental evidence of misconduct nor have any of my witnesses been contacted for interview. It is also my understanding that the audio of the 4/4/14 incident involving Deputy Terrie Cessna and the Coloma Resort harassment has not yet been picked up from the office of D.A. Vern Pierson.

It is glaringly evident no investigation of any of the complaints ever took place, nor does it appear that EDSO has any intention of doing so.

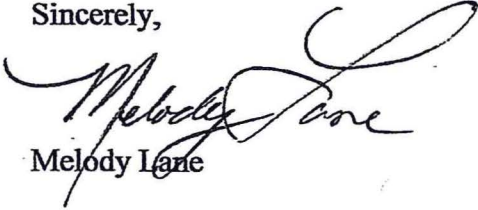
As you are aware, EDSO has been uncompliant with Public Record Act requests for information relative to several of these incidents, and in many cases, has either deliberately withheld information or surcharged for individual case file reports in violation of AB1234, more commonly known as Unjust Enrichment. It is disturbing to find that many of the case file reports have been falsified by your staff. Furthermore, you've

4 of 7

refused to communicate and blocked my email without justification. It has been brought to my attention that others have been similarly mistreated by EDSO.

As Sheriff, you are not above the law and are subject to the same EDC Personnel Rules and code of professional conduct as any other public servant. Consequently your lack of leadership and abuse of the public trust is cause for investigation by higher authorities.

Sincerely,



Melody Lane

Attachments: 2/23/15 No Misconduct Letter
11/18/14 Cover letter to D'Agostini w/8 Citizen Complaints

CC: District Attorney Vern Pierson
CAO/HR Director Pamela Knorr
Sheriff Richard Mack, Oathkeepers

5 of 7

Rec'd 2/27/15



JOHN D'AGOSTINI

SHERIFF - CORONER - PUBLIC ADMINISTRATOR
COUNTY OF EL DORADO
STATE OF CALIFORNIA

REPLY TO:

HEADQUARTER
300 FAIR LANE
PLACERVILLE
CA 95666
530 621-565
FAX 626-809

JAIL DIVISION
300 FORNI ROAD
PLACERVILLE
CA 95666
530 621-600
FAX 626-947

TAHOE PATROL
1360 JOHNSON BLVD., SUITE 10
SOUTH LAKE TAHOE
CA 96150
530 573-300
FAX 544-680

TAHOE JAIL
1051 AL TAHOE BLVD
SOUTH LAKE TAHOE
CA 96150
530-573-303
FAX 541-672

February 23, 2015

Ms. Melody Lane
P.O. Box 598
Coloma, Ca. 95613

Dear Ms. Lane:


This letter is to inform you that the El Dorado County Sheriff's Office Internal Affairs Section has investigated your complaint of misconduct involving an Officer with our Department.

The investigation has been completed and it has been determined that there was no misconduct on the part of the Officer and no further action will be taken.

I am not at liberty to discuss any details of the investigation with anyone due to the California Penal Code and the California Attorney General's opinion. The related sections are 832.5, 832.7 832.8 (e) and (f) of the California Penal Code and 1043 and 1046 of the California Evidence Code.

Sincerely,

John D'Agostini
Sheriff - Coroner
Public Administrator

 X1254
Sergeant Chris Felton
Support Services Division

6 of 7

Melody Lane
P.O. Box 598
Coloma, CA 95613
(530) 642-1670
melody.lane@reagan.com

November 18, 2014

Sheriff John D'Agostini
El Dorado County Sheriff's Office
300 Fair Lane
Placerville, CA 95667

RE: EDSO CITIZEN COMPLAINTS

Dear Sheriff D'Agostini,

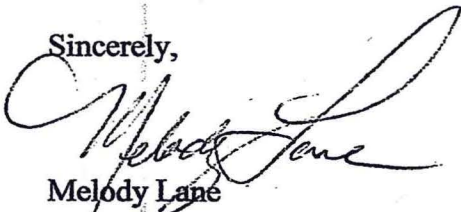
It is my right to make a formal complaint against a peace officer for any improper conduct. Enclosed you will find eight (8) formal Citizen Complaints pertaining to the El Dorado Sheriff's Office.

Rather than file these complaints separately, I believe together they provide a much more accurate and comprehensive picture of the issues that need to be addressed within EDSO. You'll recall that was the purpose of our initial meeting held in your office August 16, 2011 with Lt. Bryan Golmitz and Marshall Gold Discovery State Historic Park Superintendent Jeremy McReynolds.

The goal of every investigation is to identify and evaluate all the facts surrounding the incident in question. Additional factual documentation is available upon request for each formal complaint, including audio recordings and/or photographs. I look forward to the opportunity to present my complaint in person before a Hearing Board in the event these complaints result in any disciplinary proceedings against the employee(s).

As per your September 2010 campaign interview with CBS13, "*Me and this person (Undersheriff Rich Williams) don't have any problem with cutting somebody's head off, holding it up on a pole and parading it around and say this will not be tolerated.*" It is expected that each of these investigations will be thorough, objective and focused on maintaining **public confidence and departmental integrity**. It was for that specific purpose the citizens of El Dorado County elected you to office.

Sincerely,



Melody Lane

CC: District Attorney Vern Pierson

Enclosures

7 of 7

2014 NOV 19 AM 3:58

EL DORADO COUNTY
SHERIFF'S OFFICE

-B-