

COUNTY OF EL DORADO

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September 24, 2024

Ms. Regina Cuellar
Tribal Chairwoman
Shingle Springs Band of Miwok Indians
Shingle Springs Rancheria (Verona Tract), California
5281 Honpie Road
Placerville, CA 95667

Chairwoman Cuellar,

The Ad Hoc Committee and county staff greatly appreciated meeting with you on September 16, 2024, to discuss your plans to build tribal housing off of Echo Lane in Placerville. We were encouraged by the discussion and thought we had found common ground as well as a generous compromise.

As we laid out, if the project were developed through the normal course, El Dorado County would have received between \$7,000,000-\$9,000,000 in revenue between property taxes, road impact fees, and development agreements over the typical length of time it takes to go through the fee-in-trust process. In answer to your letter dated August 23, 2024, we offered a compromise equivalent to the TIF or road impact fee (\$2,900,000). Additionally, we agreed to target those improvements to El Dorado Road which will be the main arterial that your members will use to access elementary schools, Folsom Lake College, and our commercial center.

Additionally, what makes this housing project different from the other tribal housing land is that this project is not contiguous to the Rancheria, therefore your residents will be solely utilizing El Dorado County's road network. As we discussed, the condition of our roads is of top priority to El Dorado County residents, and there is never sufficient revenue to maintain the approximately 1083 centerline miles of paved roads that span over 1,700 square miles. As you stated in your letter, the Tribe's annual \$2,600,000 contribution (with a 2% escalator) to Qualifying Public Improvements is certainly generous, however, that sum was negotiated to offset the impacts of the Red Hawk Casino in El Dorado County. It does not take into account the precedent-setting impacts that a non-contiguous tribal housing project located in the heart

of our county will have on County infrastructure and services. Furthermore, it is unclear to us what the Tribe's plans are to purchase additional land in the future, the impacts of removing those lands from the County's property tax roll, and the corresponding impacts to County roads and services, including schools and fire and emergency medical services.

We acknowledge and respect your sovereignty, recognizing that as a federally recognized Tribe, you can purchase land and build what you want per federal legislation. That said, we would hope that you would continue to be a good neighbor recognizing that as two sovereign entities, we coexist on land that we mutually utilize. The Ad Hoc Committee takes umbrage to your veiled threat to develop a competing commercial project on this property if we do not accept your offer of \$750,000 to guarantee that this land will be used for housing in return for our support for Congressman McClintock's streamlined fee-to-trust process. As we discussed in our Ad Hoc Committee meeting, the west slope of El Dorado County has two main commercial districts, El Dorado Hills and Missouri Flat Road. We impressed upon you the importance of those districts to El Dorado County's revenue. Going forward, as good neighbors and as mutual sovereign entities, it will be imperative to the quality of life of the people that we are entrusted to represent, that we operate in an arena of mutual respect.

We understand that Congressman McClintock is in the process of authoring a Congressional bill that will transfer Bureau of Land Management (BLM) land into trust for the Shingle Springs Band of Miwok Indians (Tribe) and that this land in question, Indian Creek Ranch, is adjacent to that BLM land. We also understood and greatly appreciated that Congressman McClintock stated he would not move forward with including the Indian Creek Ranch in his Congressional bill without our support.

In your email to the Ad Hoc Committee dated September 17, 2024, you refused to accept our generous compromise of \$2.9 million but did make it clear that the original offer of \$750,000 was still on the table, and that you would unequivocally agree to:

- Comply with certain conditions required by the Board of Supervisors when it adopted the Indian Creek Ranch Final Map.
- No gaming activities will occur on the Indian Creek Ranch property.
- Except for essential services (ex. Health care, convenience store, general store) for Tribal family residents, no economic ventures will be constructed or operated on the Indian Creek Ranch property.

Furthermore, as we discussed in our September 16th meeting, the Indian Creek Ranch will be gated and the essential services will be for Tribal families only, not the general public.

We understand there are new federal regulations, approved in early 2024, that have streamlined the Fee-to-Trust process for tribes and allow the Secretary of the Interior broader discretion in approving non-contiguous land acquisitions. The acceptance of the Indian Creek Ranch property into trust would be new territory for the County as this would be the first non-contiguous land acquisition made by the Tribe. When speaking with other counties, there has been conflict between separate tribes concurrently laying claim to non-contiguous lands that

they would like to place into trust. We also understand that your Tribe is currently the only federally recognized tribe in El Dorado County, however, the possibility of challenges to non-contiguous land acquisition by other federally and non-federally recognized tribes is unknown with the novelty of the changes to the regulations. This causes us concern due to possible litigation that may take place regarding non-contiguous land acquisitions and future effects the regulations may have but are not seen yet.

Given that our only other alternative is for the Indian Creek Ranch to go through the fee-to-trust process, where we lose our ability to collaborate with you on the land use, the El Dorado County Board of Supervisors reluctantly accepts your offer and will provide Congressman McClintock with a letter of support.

We appreciate our improved communication in our relationship over the past several years. However, because we both acknowledge that this is a precedent-setting agreement, it is critical we continue to communicate in hopes we reach a mutually agreed upon understanding of the County's responsibilities and limited resources to provide essential services that all County residents, including Tribal members, depend on for their health, safety, and well-being.

Sincerely,

A handwritten signature in blue ink that reads "Wendy Thomas" with a long horizontal flourish extending to the right.

Wendy Thomas,
Chair, El Dorado County Board of Supervisors