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COUNTY OF EL DORADO

Recorder – Clerk – Commissioner of Civil Marriages

Janelle K. Horne, Recorder-Clerk

Date: November 4, 2025

To: El Dorado County Board of Supervisors

From: Janelle K. Horne, Recorder-Clerk

Re: Request for a Stronger County Response to the Bureau of Indian Affairs – Shingle Springs Band of Miwok Indians 295.7-Acre Fee-to-Trust Project

Dear Chair Turnboo and Members of the Board,

I am writing on behalf of residents of the North Buckeye Rancheros Subdivision regarding the County's recent correspondence to the Bureau of Indian Affairs (BIA) concerning the Shingle Springs Band of Miwok Indians 295.7-acre Fee-to-Trust project. We appreciate the County's review and its position supporting only Alternatives B or C, which better preserve compatibility with existing residential neighborhoods.

However, given the substantial impacts this project could have on our community, we respectfully request that the Board issue a stronger and more detailed response to the BIA addressing several critical points.

First, the roads within the North Buckeye Rancheros subdivision are private, maintained solely by homeowners through annual assessments. These roads were established through easements specifically for private road and public utility purposes benefiting only the homeowners. They were never intended for commercial, institutional, or public use.

Under well-established California case law, an easement cannot be overburdened beyond its original intent. New or additional uses that substantially increase traffic, alter the character of use, or impose an undue hardship on the easement holders—such as added noise, wear, or interference with quiet enjoyment—constitute overburdening. The current and proposed use of these roads by tribal entities, tribal law enforcement, and visitors for purposes unrelated to residential access already exceeds that intended use.

If the Tribe intends to increase housing density or utilize the roads for any additional development activity, the equitable and responsible action would be for the Tribe to contribute to the annual road maintenance assessment on a per-parcel basis. These costs are currently borne entirely by subdivision homeowners, who receive no compensation or relief despite outside entities now using the same infrastructure.

To illustrate the burden this creates, we recently had an incident in which a tribal member collided with the subdivision's gate, resulting in approximately \$16,000 in repair costs that must be absorbed by the road association and its members. This type of damage and expense underscores why equitable participation in maintenance costs is not only fair but necessary for long-term safety and sustainability.

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Second, we continue to experience a lack of communication and coordination from the Tribe regarding their plans and use of these parcels. While residents fully respect the Tribe's sovereignty and support their right to pursue housing for their members, those efforts must be balanced with responsibility toward surrounding property owners and the infrastructure they fund and maintain.

Finally, we urge the County to reaffirm opposition to commercial or arena-type uses on parcels zoned for residential purposes. Such developments are incompatible with the existing neighborhood and will significantly affect property values, safety, and quality of life.

We respectfully ask that the Board's next letter to the BIA specifically reference these concerns — the legal limits of private easements, the need for financial participation in road maintenance, and the consequences of unpermitted use or damage to private infrastructure.

Thank you for your continued representation of county residents and for ensuring that our community's rights and investments are protected through this process. We hope that your help and relationships we can work together to build collaboration, negotiation and communication with the Tribe.

Sincerely,



Janelle K. Horne
Recorder-Clerk
El Dorado County