



County of El Dorado

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May 27, 2016

United States Department of the Interior
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Suite W2820
Sacramento, California 95825

RE: Notice of Land Acquisition Application (Non-Gaming)

Dear Regional Director Amy Dutschke,

On Thursday May 26, 2016, the County of El Dorado (County) submitted a comment letter and associated public comments to the Bureau of Indian Affairs regarding two Notices of Land Acquisition Application (Non-Gaming), for two separate applications, both dated April 7, 2016, proposed for the Shingle Springs Rancheria Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California. This afternoon, the County received an additional public comment letter regarding same. Being that the period to submit comments to the Bureau of Indian Affairs is still within the previously granted 15-day extension period, the County desires to have the attached letter included with the comment letter and attachments previously submitted.

We look forward to the Bureau of Indian Affairs response to our requests and comments concerning the proposed acquisitions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig Schmollinger", is written over a horizontal line.

Craig Schmollinger, Principal Administrative Analyst



The BOSTHREE <bostthree@edcgov.us>

Comments on Fee to Trust Applications by the Shingle Springs Band of Miwoks

1 message

Ron Dosh <Ron@doshlaw.com>

Fri, May 27, 2016 at 2:39 PM

To: "bosone@edcgov.us" <bosone@edcgov.us>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "bostthree@edcgov.us" <bostthree@edcgov.us>, "bosfour@edcgov.us" <bosfour@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>

To Whom It May Concern:

Please find attached the comments by the South Buckeye Rancheros Owners Association in regard to Fee to Trust Applications submitted to the BIA by the Shingle Springs Rancheria Band of Indians.

We intend the attached comments to be received by you as our submittal of comments to the El Dorado County Board of Supervisors on the above captioned issue.

Ron Dosh

Member of the Board of Directors of the South Buckeye Rancheros Owners Association

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May 24, 201

South Buckeye Rancheros Owners Association

P.O. Box 2313 Shingle Springs, Ca. 95682

Ms. Amy Dutsehke, Regional Director

Bureau of Indian Affairs

Pacific Region

2800 Cottage Ave.

Sacramento, Ca. 95825

C.A. 0
EL DORADO COUNTY
2016 MAY 27 PM 2:54

Re: Fee to Trust Applications submitted by the group, known to the BIA as, the Shingle Springs Band of Miwok Indians (SSBMI), for parcels referred to as Solomon, Lee, Gary, Neeland, Bross, Duncan, and Haemmerling.

Letter submission by: South Buckeye Rancheros Owners Association (SBROA)

Dear Ms. Dutschke

The SBROA is a homeowners community which has within its membership, residents who have homes contiguous to and directly impacted by two large parcels previously approved for Fee to Trust use by the SSBMI. Our community is in close proximity to the parcels which are the subject of the current applications.

The purpose of this communication is to object to, oppose and seek denial of the current applications for Fee to Trust by the SSBMI for the following reasons:

- 1) The persons who occupy the 160 acre parcel known as the "Shingle Springs Rancheria" are the Sacramento Verona Band of Homeless Indians (SVBHI) who usurped the name and identity of the SSBMI. The SVBHI is not a legally recognized "Tribe" as they were not "Under Federal Jurisdiction" as of June 18, 1934.
- 2) As a result of the above, the 160 acre occupants were not and are not in a legal position to seek Fee to Trust approval.
- 3) The SSBMI have previously sought approval (and received approval) of over 77 acres which were to be used for "Tribal Housing" and a Health Clinic. None of the parcels previously approved were used for the so called, "much needed Tribal housing". The SSBMI have a history of making promises and representations to the community and the BIA and then using the "bait and switch" method of operation. (The parcels previously taken into Trust for "Tribal housing" and a Health Clinic are now being used for a motocross track, gun range and planned commercial development involving over 100,000 square feet of non-conforming zoning use.) The BIA should require any Fee to Trust acquisition by the SSBMI to mandate conforming use consistent with

the current zoning and if the use is subsequently non-conforming, the BIA should impose a mandatory penalty of forfeiture of the Fee to Trust property.

- 4) None of the prior Fee to Trust parcels obtained by the SSBMI have been used for the alleged "much needed Tribal housing" despite the opportunity to do so for several years. It is anticipated that the SSBMI will once again use the "bait and switch" method of operation in regard to the current application.
- 5) Contrary to the requirements of the "Compact" with the State of California, the SSBMI have been anything but, a "Good Neighbor". The SSBMI has demonstrated contempt for their neighbors and have exhibited an attitude and process of intimidation to force the sale of their neighbor's property to the SSBMI or in the alternative cause substantial devaluation of the surrounding residential parcels. The fear is that the SSBMI will continue in the same false manner and use these new parcels to subjugate state and federal regulations at the cost of our community businesses, local tax base, traffic flow and neighborhood zoning.
- 6) Besides the non-conforming use issue, the acquisition of the parcels in the application will take the properties off of the County tax rolls thus placing an increased financial burden on the remaining citizens of El Dorado County. In addition, the SSBMI has, in the past, acquired parcels in a local up-scale neighborhood, which parcels were subject to CC&R's and road maintenance fees. The SSBMI refused to conform to the CC&R's and refused to provide their share of the road maintenance fees.
- 7) Non-conforming use by a select group harms and discriminates against those who follow the law and follow community standards. The SSBMI has the attitude that once the properties are in Trust, the community has no ability to protect itself.
- 8) Environmental and other critical studies are ignored and dispensed with to the detriment of the community under the guise of "sovereignty". The gun range property will be contaminated with lead residue. The gas station, commercial property will have storage of petro-chemical products without control.
- 9) The SSBMI does not pay for the full impact to the County's law enforcement costs. The County is in a budget crisis and needs all the tax revenue, both property and sales, from all parcels of land within its borders to serve all of its citizens, including the SSBMI.
- 10) The SSBMI has created conflicts with the community that extends beyond contiguous properties. They have impacted air quality, life styles of rural communities, devaluated property values and will eventually destroy neighboring businesses.

The above is representative of the impacts that all neighboring communities suffer, but does not cover all of the negative impacts that have occurred or will occur if the SSBMI applications are approved.

Once again, we the SBROA, request the denial of any and all applications currently before the Bureau of Indian Affairs.

Terry Jenkins, Secretary

South Buckeye Rancheros Owners Association

