



Tribal Council

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December 17, 2024

Wizipan Garriott
Principal Deputy Assistant Secretary – Indian Affairs
Department of the Interior
1849 C Street, NW
MS 4660-MIB
Washington, DC 20240

Re: Scotts Valley Band of Pomo Indians Request for Restored Lands Determination in Vallejo, Solano County, California

Dear Principal Deputy Assistant Secretary Garriott:

I write, on behalf of the Yocha Dehe Wintun Nation, to follow up on two of the unresolved items set forth in our December 3, 2024, letter memorializing “next steps” agreed upon during a November 27, 2024, group video conference (attended by members of your team, members of our Tribal Council, and leaders from the Kletsel Dehe Wintun Nation and three other federally recognized tribal governments) concerning the Scotts Valley Band of Pomo Indians’ pending request to have a parcel of land in Vallejo, California, taken into trust for gaming purposes.

During the November 27 video conference, you claimed to have invited Yocha Dehe to three government-to-government consultation sessions addressing Scotts Valley’s pending request. We explained that we were unaware of any such invitations. You then promised to review your records and forward the relevant consultation requests.

Our December 3 letter memorialized this exchange and confirmed that we have no record of any invitations to consult on this matter from the office of the Assistant Secretary-Indian Affairs. In fact, our records show the exact opposite – *for more than a year Yocha Dehe has asked the Department of the Interior for meaningful government-to-government consultation, but the Department has never answered those requests.* To date, we have not received any further information from your office. Have you and your team had an opportunity to review the Department’s files for consultation requests in this matter?

Yocha Dehe Wintun Nation

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During the November 27 video conference, we also inquired about the status of the environmental review process for Scotts Valley's proposed project. Director Hart stated that the project's Environmental Assessment ("EA") was "beyond" the time limits set forth in applicable regulations, suggesting that immediate action might be required. In response to our request for clarification on that point, Director Hart promised that Philip Bristol (her deputy) would provide additional information.

Our December 3 letter memorialized this issue as well. We can now report that subsequent exchanges with Mr. Bristol have clarified that the Scotts Valley EA is not, in fact, "beyond" any regulatory time limit. The relevant one-year timeline does not expire until the end of March 2025 – and it can be extended if and as needed (*see* 40 C.F.R. § 1501.10(b)(1) and attached email exchange). It should also be noted that the one-year timeline would not apply at all once the Department issues a Notice of Intent to prepare an Environmental Impact Statement – a clear and obvious requirement for the project to continue, given the significance of the environmental consequences at stake. We hope this updated information is helpful to your consideration.

Please feel free to contact Sarah Choi, Director of Legal (schoi@yochadehe.gov or 530.796.8378) with any questions.

Wile bo,



Anthony Roberts
Tribal Chairman

cc: Kathryn Isom-Clause, Deputy Assistant Secretary-Indian Affairs
Stephanie Sfridis, Senior Counselor to the Assistant Secretary-Indian Affairs
Paula Hart, Director, Office of Indian Gaming
Amy Dutschke, Pacific Regional Director
Phil Bristol, Deputy Director, Office of Indian Gaming