



March 2, 2026

Tribal Council

Anthony Roberts
Chairman

Yaminah Durham
Secretary

Leland Kinter
Treasurer

Yvonne Perkins
Member

Seth Lowell
Member

Mayor Andrea Sorce and
Members of the Vallejo City Council
555 Santa Clara Street
Vallejo, CA 94590

Re: Update Regarding Federal Reconsideration of Scotts Valley Project

Dear Mayor Sorce and Honorable Members of the Vallejo City Council:

We write, on behalf of the Yocha Dehe Wintun Nation ("Yocha Dehe" or the "Tribe"), to provide an update on the Department of the Interior's ongoing reconsideration of a January 10, 2025, gaming eligibility determination erroneously granted to the Scotts Valley Band of Pomo Indians ("Scotts Valley" or the "Band"); to correct several misrepresentations about the reconsideration process, the lands at issue in that process, and Yocha Dehe's Patwin people; and to request that you take no action on Scotts Valley's request for a Memorandum of Understanding or similar agreement ("MOU") until the Department of the Interior ("DOI") has completed its reconsideration process.

On March 27, 2025, DOI notified Scotts Valley that the agency had decided to reconsider and temporarily revoke the January 10 gaming eligibility determination due to legal error – specifically, DOI's failure to consider relevant evidence submitted by concerned tribes, including Yocha Dehe. The March 27 reconsideration notice invited all interested parties, including Scotts Valley, to submit evidence relevant to whether 160 acres of land in northeast Vallejo (known as the "Vallejo Site") qualifies as gaming-eligible "restored lands" under the Indian Gaming Regulatory Act ("IGRA") and its implementing regulations. The notice also made clear that "[d]uring the pendency of this reconsideration, neither [Scotts Valley] nor any other entity or person should rely on the Gaming Eligibility Determination."

DOI accepted evidentiary submissions through June 13, 2025 (the "June Submissions"). The agency received thousands of pages of evidence and analysis from tribal governments, including Yocha Dehe. This evidence demonstrated that Scotts Valley cannot establish a "significant historical connection" or a "temporal connection" to the Vallejo Site – both of which are legal prerequisites for gaming eligibility. Scotts Valley did not submit any evidence whatsoever.

Yocha Dehe Wintun Nation

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Rather than identifying *evidence* supporting its gaming eligibility claims, Scotts Valley filed a lawsuit seeking to invalidate the reconsideration process. The Band also claimed DOI's temporary revocation of the January 10 gaming eligibility determination violated due process.

On September 30, 2025, the United States District Court for the District of Columbia rejected Scotts Valley's efforts to invalidate the reconsideration process, but held DOI should have given the Band notice and an opportunity to comment prior to the temporary revocation. The Court directed DOI to give Scotts Valley an opportunity to be heard during the reconsideration process. But it also cautioned that Scotts Valley would be "ill-served" by relying on the January 10 gaming eligibility determination in the meantime.

On December 3, 2025, DOI sent another letter to Scotts Valley regarding the reconsideration process. The December 3 letter noted the June Submissions "raise questions about [the Band's] significant historical connection and temporal connection to the Vallejo Site." The letter then invited Scotts Valley to meet with DOI and submit any evidence or argument to DOI by January 30, 2026. DOI explained that it "intends to complete its reconsideration as quickly as possible while affording [Scotts Valley] an opportunity to be heard." The agency (again) cautioned Scotts Valley not to rely on the January 10 gaming eligibility determination.

Perhaps recognizing that it lacks evidence to support its gaming eligibility claims, Scotts Valley requested a delay of more than six months. The agency refused. Instead, it set a deadline of May 1, 2026, for Scotts Valley to provide any substantive evidentiary response.

In a subsequent update to the United States District Court for the District of Columbia, DOI reiterated that it desires to "have this matter resolved with finality for Scotts Valley and all other interested parties" – including Yocha Dehe – "in a timely manner." The agency anticipates issuing a final reconsidered decision by July 31, 2026.

Under these circumstances, it would make little sense for the City to advance Scotts Valley's proposed gaming project before the federal reconsideration process has concluded. The United States District Court has cautioned that the January 10, 2025, gaming eligibility determination should not be relied on pending completion of the reconsideration process. DOI has done the same. And both have sent a very clear signal that they expect reconsideration to be concluded promptly.

We understand Scotts Valley has nonetheless requested that the City enter a Memorandum of Understanding ("MOU") extending City utilities and services to the Vallejo Site so that the Band can build a trailer casino project. The City should decline this request. Taking action to support, facilitate, or otherwise endorse Scotts Valley's trailer casino would contradict repeated warnings from DOI and the courts, unnecessarily inserting the City into an ongoing multi-party legal dispute. The very purpose of the reconsideration process is to help determine whether a gaming development like the trailer casino project is permissible. There is simply no sound basis – legal, practical, or equitable – for the City to take action before that threshold determination is made.

Scotts Valley has sought to justify its request for trailer casino services by claiming the Vallejo Site is part of its “homeland.” That is simply false. Scotts Valley is a Pomo tribe from Clear Lake. Its homeland is at Clear Lake. In 1911, the United States created a reservation for Scotts Valley at Clear Lake. In 1965, Scotts Valley citizens voted to terminate that reservation and in return they received property in fee simple at Clear Lake. In 1991, when the termination was reversed, Scotts Valley established its tribal headquarters at Clear Lake. Today, Scotts Valley owns numerous properties at and around Clear Lake, including property the Band itself describes as its “tribal lands,” where it hosts tribal events and ceremonies.

In contrast, the area now known as Vallejo lies squarely within the ancestral territory of the Patwin people, from which Yocha Dehe (and the Kletsel Dehe Wintun Nation) are descended. To its credit, the City has repeatedly recognized this – as have Solano County and the State of California. But we want to make sure you understand what ancestral lands really mean to us. In Patwin culture the land and the people are one, not separate. That is why we consider it a sacred obligation to care for and protect our ancestral territory and its lands, waters, and cultural and ecological resources. When our lands are taken or harmed, our people feel a deep cultural injury. That is also why false claims to our lands – like those of Scotts Valley – are so painful: they reopen the wounds of colonialism and harken back to a time when non-native governments sought to erase our Patwin history and culture in order to take our lands and enslave our people.

Scotts Valley appears to question Yocha Dehe’s commitment to protecting the cultural resources within our ancestral territory, suggesting that we somehow failed to monitor other commercial development projects.¹ There is no basis for this false and offensive suggestion. For generations, Yocha Dehe, Kletsel Dehe and their people have worked to protect and preserve Patwin lands and the cultural and ecological resources found there. When our grandparents, aunts, and uncles found out about a development that threatened to excavate a village site or a place likely to contain burials, they would take up a collection for gas money so that someone could go to the site and try to protect the cultural resources. That work has continued through the years, and, over time, we have built a cultural resources department with a dedicated team that conducts on-site monitoring of development projects throughout Vallejo and Solano County (and throughout Patwin ancestral territory). We work hard to ensure avoidance of – and, if necessary, mitigation of damage to – burials, artifacts, important landscape features, and other cultural resources. Since 2012, our team has undertaken these monitoring activities on *more than 1,800 construction projects in Solano County alone*. That includes numerous projects and resources in and around Vallejo, several of which are in extremely close proximity to the Vallejo Site itself.²

¹ See, e.g., Scotts Valley Opposition to Motion to Intervene (ECF 31), *Scotts Valley Band of Pomo Indians v. Burgum et al.*, Case No. 1:25-cv-958-TNM.

² While we are reluctant to reveal the locations of sensitive cultural resources in a public document, we can share that several of the parcels surrounding the Vallejo Site contain known (and in some cases

Where has Scotts Valley been during this time? Have they been working to protect tribal cultural resources in their supposed Solano County “homeland”? Certainly not. Perhaps they have done this work in Clear Lake – their true home. But we have never seen them working in Solano County. Not once. That is not really surprising, though. Why would Scotts Valley take on this difficult work? And under what moral or legal authority? After all, these are not – and never have been – their burial sites, their cultural resources, or their lands.

To be clear, our Patwin connection to Vallejo and Solano County is not solely focused on the past. Through our community and philanthropic partnership programs, we also work for a brighter future. In recent years, the Tribe has made charitable contributions of more than \$14.7 million in Solano County, including \$11.4 million to projects and causes directly supporting the Vallejo community, which our partners have leveraged to millions more in investment. This includes a Mobile Food Pharmacy – an award-winning program that delivers fresh fruits, vegetables, and other health foods to thousands of needy Solano County residents. We also helped create and fund Vallejo’s “First 5” center, providing social services free of charge to families in crisis, and partnered with organizations like Healthy Vallejo Community Support Services to provide workforce opportunities and programs. We are also proud of our support of local colleges like Solano Community College, Touro University, and Cal Maritime Academy to ensure young people have an opportunity to gain workforce skills and fund their education. Because of our years-long commitment to these tailored programs, we have seen the trajectory of many lives change for the better.

In an effort to distract from these facts, Scotts Valley has resorted to misinformation. For example, at the City Council’s September 30, 2025, meeting, an esteemed Scotts Valley leader – a member of the Band’s tribal council – made a series of wildly inaccurate and deeply insulting statements about the Patwin people:

So you know, you heard Yocha Dehe talking here, but that’s a Yocha Dehe Wintun Nation. It’s not the [] Yocha Dehe Patwin Nation. They have Patwin lineage and they absorbed Patwin into their tribe ... There is no history here for the Wintun Nation being in this area. That’s why they’re trying to go off the Patwin Nation. So just wanted to make that very clear, because I’m tired of hearing them trying to ride on the backs of the Patwin people.³

recorded) Patwin cultural sites. And, contrary to Scotts Valley’s representations, the Vallejo Site itself contains a culturally significant site where Patwin people obtained the materials for certain ceremonial items. It bears repeating that Scotts Valley is a Pomo tribe from another part of California – it is hardly surprising that they do not understand or appreciate the significance of this region’s Patwin cultural resources.

³ This statement by Scotts Valley Councilmember Gabriel Ray is recorded at video timestamp 46:47 of the September 30, 2025, Vallejo City Council meeting, available at <https://vallejoca.portal.civicclerk.com/event/7582/media>.

Perhaps the only reasonable thing that can be said about this unhinged, counter-factual rant is that Scotts Valley has no real understanding of the history of Vallejo and its surroundings – after all, the Band is from another part of California. Among those who are better informed, the term “Patwin” refers to speakers of southern Wintun languages.⁴ And the record shows that Yocha Dehe’s people speak the same (Patwin) language that was spoken well into the 1800s in and around what is now Vallejo. The fact that that Yocha Dehe’s name includes the term “Wintun” does not undermine our historic and cultural connection to the Vallejo area – it confirms it.

We have also heard Scotts Valley claim that it, too, is a Patwin tribe. Again, the Band should know better. In 2005, seeking a favorable gaming market, Scotts Valley sought “restored lands” in Richmond, California. In its “restored lands” request, Scotts Valley falsely claimed to be a successor to the Suisun Patwin – an implicit recognition of the overwhelming evidence that the northeast Bay Area was historically used, occupied, and controlled by Patwin (not Pomo) people. DOI properly found there was no evidence to suggest Scotts Valley is the successor to the Suisun Patwin, and the Band did not challenge that determination.⁵ Moreover, in subsequent communication with DOI, Scotts Valley *formally relinquished* any claim to be the Suisun Patwin’s successor. These facts have not, to our knowledge, been previously disclosed to the City Council. But we believe you should be aware of them in case Scotts Valley persists in spreading misinformation.

Some have also questioned whether fire safety compels the City to immediately enter an MOU with Scotts Valley, noting the presence of residential communities to the north and east of the Vallejo Site. We understand full well the importance of ensuring fire safety. The Yocha Dehe Fire Department is accredited by the Commission on Fire Accreditation International – the only Native American fire department so recognized – and provides fire protection, technical rescue, and paramedic services on our Tribal lands, in surrounding non-Tribal communities, and as part of statewide wildfire response. But the facts on the ground do not suggest anything that requires the City to immediately enter an MOU with Scotts Valley in order to protect surrounding communities. There are substantial tracts of City land – over which the Vallejo Fire Department already has responsibility and jurisdiction – separating the Vallejo Site from the residential areas in question. There is a City fire station in close proximity. Nothing would

⁴ The Cultural Resources Study for the Solano Ranch Project – proposed for the very same parcels where Scotts Valley now seeks to open its trailer casino, *and for which the City was the lead agency* – explains it this way: “At the time of Euroamerican settlement, people inhabiting this area were speakers of the Wintun language (Johnson, 1978), one of the languages belonging to the Penutian language family. In the vicinity of the [Vallejo Site], Wintun speakers became known as the Patwin, and their aboriginal territory falls within parts of present-day Colusa, Glenn, Lake, Napa, Solano, Sutter, and Yolo Counties.” See Tom Origer & Associates, *Cultural Resources Study for the Ted Lee Land Development Project* (Jan. 30, 2020) at 8.

⁵ DOI’s 2012 Indian Lands Opinion describing and rejecting Scotts Valley’s claims to “restored lands” in Richmond is available at <https://www.bia.gov/sites/default/files/dup/assets/public/pdf/idc-018517.pdf>.

prevent the City from responding to a true emergency. And the federal reconsideration process will be complete before the heart of fire season arrives.

Finally, we must address Scotts Valley's repeated efforts to cast *Yocha Dehe* as a sort of greedy villain. The Band says it "will not bend under the knee of greed,"⁶ whatever that may mean. But we ask you: What is greedier than grabbing another tribe's ancestral lands, mischaracterizing and appropriating another tribe's history, and threatening to bulldoze another tribe's cultural resources – all for selfish commercial gain?

From the above, it should be abundantly clear why Scotts Valley's actions have foreclosed any possibility of compromise here. But if further explanation were needed, it could readily be found in the November 19, 2024, City Council meeting. That night, Scotts Valley asked for – and secured – the City's authorization of a hurriedly-negotiated "cooperative agreement." How did Scotts Valley's leadership react? By triumphantly exclaiming that the Band would soon become "the only federally recognized tribe in Vallejo, as well as Solano County."⁷

Consider that for a moment. By its words and its actions, Scotts Valley seeks nothing less than erasure of the Patwin connection to our Solano County homelands. We know those are not the values Vallejo stands for, and we ask that you refrain from helping Scotts Valley perpetrate such an injustice.

Accordingly, we respectfully request that the City take no action on any MOU with Scotts Valley while DOI's reconsideration process remains pending. There is no legal, practical, or equitable reason to take action while DOI works to address the legal errors in the January 10, 2025, gaming eligibility determination.

Nor can Scotts Valley have any reasonable expectation of immediate action by the City. DOI and the federal courts have repeatedly reminded Scotts Valley that the Band would be "ill-served" by relying on the January 10 gaming eligibility determination, a warning that applies equally to the City and other stakeholders. Scotts Valley's MOU request purported to seek City services for "tribal offices" – a false pretense.⁸ In the meantime, the Band attempted to tap into City water

⁶ See "Scotts Valley Files Final Brief," *Vallejo Times-Herald* (Feb. 7, 2026) (quoting Scotts Valley Chairman Shawn Davis).

⁷ This statement by Scotts Valley Tribal Council Secretary Crista Ray is recorded at video timestamp 3:50:52 of the November 19, 2024, Vallejo City Council meeting, available at <https://vallejoca.portal.civicclerk.com/event/2777/media>.

⁸ Through the Freedom of Information Act ("FOIA"), Yocha Dehe recently obtained documents showing that Scotts Valley planned its trailer casino project as early as June 2025. But on September 30, 2025, Scotts Valley leadership appeared before the City Council to request an MOU that would provide City services for "tribal offices" in on-site trailers. It appears that Scotts Valley did not inform the City Council that the trailers would be used for casino purposes until late-November 2025.

and communications infrastructure illegally. Additional review, analysis, and consultation (under the California Environmental Quality Act, the Cortese-Knox-Hertzberg Act, and planning and zoning laws, among others) would be necessary before any City determination can lawfully be made. And, consistent with fundamental principles of transparency, we trust the City would also ensure robust public review and comment on any proposal that may eventually be considered.⁹ Each of these considerations further counsels against taking immediate action to approve an MOU before DOI's reconsideration process is complete.

Thank you for the opportunity to correct the record on this critical matter. We value Yocha Dehe's longstanding connection to the City of Vallejo and hope to continue adding to the partnership and trust we have built together over the years.

We would welcome the opportunity for continued dialogue and stand ready to provide any additional information you may find helpful. Please reach out directly to Omar Carrillo, Director of Government Affairs.

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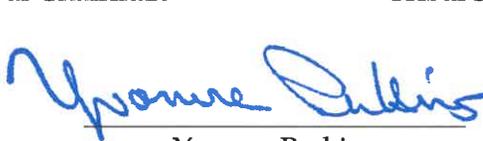
Anthony Roberts
Tribal Chairman



Mia Durham
Tribal Secretary



Leland Kinter
Tribal Treasurer



Yvonne Perkins
Member-at-Large



Seth Lowell
Member-at-Large

cc: Veronica Nebb, City Attorney
Board of Supervisors, Solano County
Carrie Blacklock, Solano County Counsel

⁹ Yocha Dehe regularly engages in extensive outreach with the Vallejo community, and we have found that stakeholders have not yet been provided meaningful information about the trailer casino project – much less an opportunity for review or comment.