



KLETSEL DEHE WINTUN NATION

P.O. Box 1630 ♦ Williams, CA 95987 ♦ www.kletseldehe.org

August 12, 2024

The Honorable Deb Haaland
Secretary of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Haaland,

Re: Opposition to Land Trust Application for Gaming in Vallejo, CA

I am writing on behalf of the Kletsel Dehe Wintun Nation to formally express our opposition to the Scott's Valley Band of Pomo Indians (SVBPI) application for placing land into trust in Vallejo, California, for the purpose of establishing a gaming operation. The deadline for comments on the NEPA review is August 22, 2024. The Kletsel Dehe Wintun Nation did not receive notice of the Fee-to-Trust Application and has not yet received the requested confidential cultural appendix for the Environmental Assessment (EA) from the Agency. We are submitting this comment letter to address our concerns about the use of Section 292.12 to obtain a "restored lands opinion," for which we were not provided a comment period.

Our primary concern is that the application asserts entitlement to use the "restored lands" exception under IGRA and 25 C.F.R. Section 292.7 et seq. SVBPI claims historical ties to the proposed trust land in Vallejo, which falls outside their ancestral territory. The Kletsel Dehe Wintun Nation, along with the Cachil Dehe and Yocha Dehe tribes, has ancestral ties to the land in question. Patwin people have a rich and well-documented history of bands, villages and other sensitive sites within the areas in question in and around Vallejo. The proposed gaming operation could significantly impact our tribal interests and cultural heritage, which have not been adequately considered. For instance, protection of cultural resources would become more complex because another non-related tribal group will be inserted into the process.

Allowing SVBPI to use the restored lands exception for a location outside their traditional territory sets a troubling precedent. It could lead to challenges for other tribes whose ancestral lands and cultural heritage are directly impacted. The Kletsel Dehe Wintun Nation maintains that Vallejo is not within SVBPI's historical or ancestral territory. The lands in question are within Patwin ancestral territories, and the use of the restored lands exception in this context does not reflect the historical connection or usage by SVBPI.

Furthermore, SVBPI has not provided conclusive evidence of traditional ties to the lands in question, such as Pomo village sites, they cite more modern connections, such as ancestors relocating for employment purposes, but this does not establish a traditional tie to the lands. Reliance on California's unratified treaties, often negotiated in bad faith and not with full consent or awareness of impacted tribes, should not be considered as proof of "significant historical connection to the land" for establishing gaming operations.

If the federal government intends to change the rules for gaming land acquisition, it should be stated openly to allow all applicable tribes to request land be taken into trust based on economic or housing needs. If not, the request based on the restored lands exception should be denied due to a lack of traditional ties. We respectfully request that the Bureau of Indian Affairs and the Department carefully review these concerns before making a decision. We urge a thorough evaluation of the appropriateness of the restored lands exception and its implications for tribal sovereignty and historical accuracy.

Thank you for your attention to this matter. We are available for further discussions or to provide additional information if needed.

Sincerely,



Charlie Wright, Tribal Chair
Kletsel Dehe Wintun Nation

cc: Laura Daniel-Davis, Acting Deputy Secretary, Department of the Interior
Bryan Newland, Assistant Secretary-Indian Affairs, Department of the Interior