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July 16, 2024

### **Sent by Overnight Mail**

Amy Dutschke  
Director, Pacific Regional Office  
Bureau of Indian Affairs  
2800 Cottage Way, Room W-2820  
Sacramento, CA 95825

**RE: Request to Extend Public Comment Period - Scotts Valley Band of Pomo Indians  
Environmental Assessment**

Dear Regional Director Dutschke,

As Chair of the Solano County Board of Supervisors, I am outraged by the obvious irregularities involving the structure, length and time of the Public Comment Period for the Scotts Valley Band of Pomo Indians Environmental Assessment (EA). While we are very clearly on the record in opposition to the project itself, we are deeply troubled by what appears to be your agency showing favoritism to one recognized tribe over another.

I believe Yocha Dehe Tribal Chairman Anthony Roberts is quite measured in his assessment of the situation, and his request for an extension of the Public Comment Period is the very least you can do in this situation. In local government, we have a duty to treat applications and applicants fairly across the board. In our duties as stewards of the California Environmental Quality Act (CEQA), we are charged with ensuring a fair opportunity for impacted parties and the general public to offer their comments and to be heard. This is quite similar to your agency's charge with NEPA. In this matter, I would argue that your agency is skirting those responsibilities and making it all but impossible for the project's potential impacts to be effectively considered.

In releasing this EA over the Independence Day holiday and limiting comment to a needlessly truncated, 30-day comment period, this appears to be a direct effort to take advantage of the "Summer Wash," where complex or controversial decisions might be hidden from the public and/ or impacted parties. Whether by accident or design, this is the situation that has been created, and it is not acceptable behavior from any government agency at any level.

Chairman Roberts cites in his July 11 letter to you the Koi Nation proposal in Windsor, in neighboring Sonoma County. The widely different treatment of impacted parties in that case versus this is inexcusable. Your agency's decision to proceed in this matter as it has is a disservice to all potentially impacted parties, and removes their voice from the process.

Regional Director Dutschke

July 16, 2024

On behalf of the Solano County Board of Supervisors, I request that you carefully review the points made by Chairman Roberts in his letter. However, I will take our request a step further and formally request you in fact suspend this process, schedule a public scoping period, and allow for a full and fair process that is in keeping with the intent and spirit of the law.

Sincerely,



Mitch Mashburn, Chair  
Solano County Board of Supervisors

**CC:**

Hon. Alex Padilla, United States Senator  
Hon. Laphonza Butler, United States Senator  
Hon. Mike Thompson, United States Representative  
Hon. John Garamendi, United States Representative  
Hon. Gavin Newsom, Governor  
Hon. Eleni Kounalakis, Lieutenant Governor  
Hon. Cecilia Aguiar-Curry, Majority Leader, California Assembly  
Hon. Lori Wilson, Member, California Assembly  
Laura Daniel-Davis, Acting Deputy Secretary, Department of the Interior  
Bryan Newland, Assistant Secretary-Indian Affairs, Department of the Interior  
Wizipan Garriott, Principal Deputy Assistant Secretary-Indian Affairs, Dept. of the Interior  
Solano County Board of Supervisors  
Bill Emlen, Solano County Administrator  
Bernadette S. Curry, Solano County Counsel  
Mayor Robert H. McConnell, City of Vallejo  
Andrew Murray, City Manager, City of Vallejo  
Veronica Nebb, City Attorney, City of Vallejo  
Anthony Roberts, Tribal Chairman, Yocha Dehe Wintun Nation

Attachment: July 11, 2024 correspondence from Yocha Dehe Wintun Nation