



February 15, 2008

The Honorable Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, California 95815

Dear Governor Schwarzenegger:

As elected officials representing Amador County, we feel compelled to ask for your assistance one more time before the County becomes host to a second tribal casino, to be located in a small agricultural valley in the southeast of the County with limited water and infrastructure improvements, and served by narrow roads in poor condition which are often inundated by flooding. Let us take a moment to explain the history of the Buena Vista Rancheria and the proposed casino.

Amador County is home to approximately 36,000 people and is mostly a rural and agricultural county. The Jackson Rancheria has operated a casino near the county seat of Jackson for over twenty years; in recent years it changed from bingo to a casino gambling facility. It operates under a compact signed in 1999 with Governor Davis and has no formal agreement with the County. In addition to the Buena Vista Rancheria situation explained below, the federal government has just held that the lone Band of Miwok Indians are entitled to operate a casino on land in and around the City of Plymouth. The County is challenging this determination in federal court. It is entirely possible that this small rural County could soon be the location of three large tribal casinos.

In 1999, Governor Davis also signed a compact with the Buena Vista Rancheria. The tribe, however, according to the state Department of Housing and Community Development, consisted of four people, never built a casino. During the next few years, a dispute arose between two people who each claimed to be the legitimate tribe, and the matter was finally settled in court with one person receiving a \$25 million settlement and the other taking over the tribe. The tribe now consists of one person and her four children. The tribe's casino investor made the payment to the former tribal member.

In 2004, you signed an amended compact with the Buena Vista Rancheria, this time giving the tribe an unlimited number of slot machines. The amended compact also required the tribe to prepare a tribal Environmental Impact Report which specified the impacts the casino would cause to the off-reservation environment and a plan for mitigation. The County opposed the amended compact, arguing that it was inappropriate for such a small, rural area. The Legislature ratified the compact notwithstanding the County's opposition.

The amended compact did not decide the issue of whether the Buena Vista Rancheria's proposed casino is located on "Indian land" as required by the Indian Gaming Regulatory Act. In 2005, the County filed suit in federal district court in Washington, D.C., asking the Court to invalidate the compact's approval by the Secretary of Interior because the land proposed for the casino is not Indian land. The Department of Interior moved to dismiss the County's complaint, and the federal

judge assigned to the case has not ruled on the matter - the motion has been pending before the district court for over 2 ½ years.

In the meantime, the County honored its obligations under the compact and negotiated with the tribe concerning mitigation of off-reservation impacts. The tribe's first EIR was so deficient that your office advised the tribe that it should revise it significantly. The tribe withdrew the first EIR and issued another in May of this year. The County and the tribe negotiated a new agreement (negotiations continued until mid-January) and the County has been holding public workshops about the terms. One of the terms insisted upon by the tribe is that the County drop its federal challenge to the status of the Indian lands underlying the compact.

To say that the People of Amador County are frustrated would be an understatement. In meeting after meeting, County residents are angry that the federal court has failed to rule on the motion to dismiss, denying the County the opportunity to present its case on the merits. The County residents have voted overwhelmingly against any more casinos; in a 2005 advisory vote nearly 85% of the voters rejected the idea of any new casinos. Simply put, Amador County residents feel they are being unfairly treated because they have not had their day in court, and the compact process may force a decision on the casino before their case is heard.

Because the Board of Supervisors must vote on whether to approve this compact on February 26, we are asking for your help in a last-minute effort to get a ruling from the court. Win or lose, at least the residents of the County will know where they stand. To that end, we respectfully request that you file an amicus letter with the court in the matter of *Amador County v. Norton* (D.D.C.- 1:05-cv-00658-RWR), requesting that the court expedite its consideration of the federal government's motion to dismiss and issue a ruling before February 26.

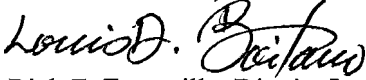
Please contact County Administrative Officer Terri Daly at 209-223-6471 if you need any further information. Our hope is that you will listen to our plea and help the County try to resolve this matter. Amador County's plight is a true example of the axiom "justice delayed is justice denied." As the Governor of all the People of this great state, we hope we can count on you to help us.

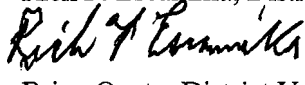
Sincerely,

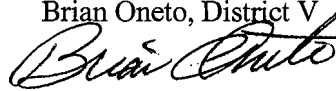

Richard M. Forster, Chairman



Theodore F. Novelli, Vice-Chairman

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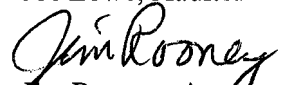


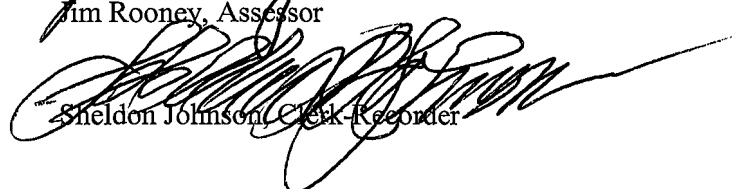

Martin Ryan, Sheriff


Todd Riebe, District Attorney


Mike Ryan, Treasurer/Tax Collector


Joe Lowe, Auditor


Jim Rooney, Assessor


Sheldon Johnson, Clerk-Recorder