

United States Senate

November 4, 2022

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

Dear Secretary Haaland:

We write to express our opposition to the Koi Nation's proposal to acquire land in Sonoma County for the purposes of gaming because it is inconsistent with the Department's policy and regulations requiring a "significant historical connection" between the site and the tribe.

Tribal Nations have a right to economic self-sufficiency and the pursuit of economic development initiatives, including through casinos on their reservations or land held in trust. This is essential to tribal sovereignty, which is why the federal government has robust processes in place to consider these cases. The "significant historical connection" regulations are foundational for the development of tribal casinos – which is why we believe that if a tribe can fully establish this connection and meet the other conditions for the "restored lands exception" in 25 C.F.R. part 292.12, then it is entitled to economic development in its restored ancestral homelands.

But in this case, Koi Nation's ancestral homelands are over 50 miles away in the Lower Lake area of Lake County, and this is their third attempt to build a casino in the Bay Area, all in different parts of the region. Absent this significant historical connection, the tribe is intruding on other tribes' ancestral homelands and unreasonably disrupting the considered planning and zoning efforts of affected communities. In this case, the residents in the adjacent communities are especially concerned about the impacts a gaming development may have on already strained wildfire evacuation routes.

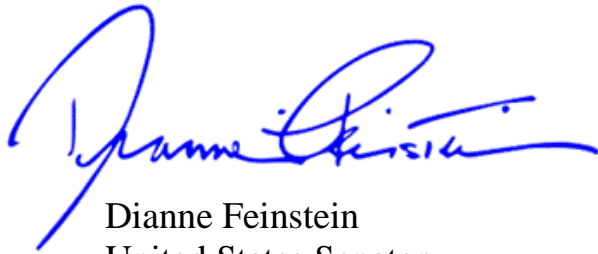
As recently as December 22, 2021, the Department reiterated clear standards for "significant historical connection," most significantly that the tribe must establish the existence of its villages, burial sites, occupancy or subsistence use on the land in question, not just transitory use or the presence of individual members of families (*see Indian Lands Determination for the Mashpee Wampanoag Tribe in Massachusetts*). We do not believe the Koi Nation meets this test for the proposed site in Sonoma County.

We urge you to consider the arguments on this issue articulated by the broad opposition to this project within Sonoma County, including from all five federally recognized tribes in the County – including the Federated Indians of Graton Rancheria, Dry Creek Rancheria Band of Pomo Indians, Cloverdale Rancheria, Kashia Band of Pomo Indians of the Stewarts Point Rancheria, and Lytton Rancheria – and the unanimous resolutions of both the Sonoma County Board of Supervisors and the neighboring Town of Windsor. All the local opposition emphasize that the Koi Nation have long-standing ancestral ties

to Lake County, not Sonoma County. The tribe even called itself the Lower Lake Rancheria until 2012, when it began seeking to build casinos near the Bay Area, first at Oakland Airport, then at Mare Island, now in Sonoma County. The tribe's website plainly states "the ancestors of the Koi Nation, who were part of the Southeastern Pomo people, lived on the island village of Koi in Clear Lake."

Thank you for your consideration of our views, and those of our constituents who oppose this project, and we look forward to your response.

Sincerely,



Dianne Feinstein
United States Senator



Alex Padilla
United States Senator