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Oral Testimony
Before the Committee on Indian Affairs
United States Senate

OVERSIGHT HEARING on
Backlogs at the Department of the Interior:
Land into Trust Applications; Environmental Impact Statements;
Probate; Appraisals and Lease Approvals

May 22, 2008

Chairman Dorgan, distinguished members of the Committee, on behalf of the City Council of Madera and the Madera County Board of Supervisors, I appreciate the opportunity to provide the Committee an update from what was reported to you at the October 3rd hearing on the status of the draft environmental impact statement (EIS) for a project proposed by the North Fork Rancheria at a location north of the City of Madera in Madera County.

I am happy to report that the draft EIS was finally published on February 15, 2008. Publication of the draft was followed by a 45-day public comment period and a public hearing on March 12. The public hearing received considerable local attention and was a well-attended affair. Most striking in my mind was the overwhelming support of the project voiced by nearly two dozen current and former local officials and that both supporters and opponents were provided an opportunity to sing their praises or voice their concerns about the project. The BIA's public hearing on the draft EIS was just one of more than a half dozen opportunities that the public has had

to weigh in on this project in a formal public setting. Still, it was an important step in the federal process since it was the first time since the scoping report hearing in November 2004 where the public could comment directly on the environmental review process. This is not to say that the local community has not been actively engaged in addressing local concerns about the EIS or the project. Long before the public hearing on the draft EIS in March, the Tribe entered into mitigation agreements with the County and City of Madera and the Madera Irrigation District. Further, both the City and the Irrigation District are serving as cooperating agencies for the EIS. I am quite certain that all this public input will result in the most thorough environmental reviews prepared for any project in Madera's history.

All told, publication of the draft EIS was delayed a full year. The Committee is probably as interested as we were in understanding this delay. Early in January of this year we learned that the North Fork Rancheria's project was caught up in a comprehensive BIA review of the more than thirty off-reservation requests pending nationally. Sometime last year, the Department of the Interior developed a new internal policy, and then applied that new policy to each of the pending requests before publicly announcing the new policy in early January. The North Fork Rancheria's application was only one of six off-reservation requests nationwide that were allowed to continue under the BIA's new policy. Because the proposed trust acquisition is within a commutable distance of North Fork, because the Tribe's proposed development is consistent with planned land use for the immediate area around the site, and because the project enjoys strong local support, the BIA found that the Tribe should be allowed to proceed through

the next stages of federal review. Shortly after it announced the new policy, the BIA published the draft EIS.

As Supervisor Frank Bigelow explained at the October 3 hearing, both the County and City of Madera have a strong interest in seeing the federal process move forward. In many ways, the North Fork project has moved from being merely a tribal project to a community project and a true collective effort, as was clearly evident at the public hearing. Both the City and County have devoted considerable time, energy, and resources in working with the North Fork Rancheria to ensure that the proposed project benefits both the Tribe and the entire community. The City of Madera is now also considering annexing land within our urban growth boundary near the proposed site, and are in discussions with other developers who may be willing to invest in our community so long as the Tribe's project moves forward and is able to provide the good paying jobs and economic engine to jump start our long stagnant economy. In this way, the Tribe's project is helping to pave the way for further economic growth to our region.

Finally, this past April, we learned that yet another community will benefit from this project under the two compacts recently signed by Governor Schwarzenegger with the North Fork and Wiyot Tribes. Under the compacts, the North Fork Rancheria would allocate a portion of the revenues from its resort to a state-administered fund that will allow the Wiyot Tribe to forego gaming on its environmentally sensitive reservation located along the beautiful Northern California coast in Humboldt County. Not only does this benefit the environment, it also means that the North Fork project will now directly benefit the nearly 2300 tribal citizens that comprise

the two tribes, in addition to the County of Madera and the Cities of Madera and Chowchilla, and indeed many other residents of the Central Valley and Humboldt County.

Again, I want to thank this Committee for your efforts in moving the federal process forward.