



LYTTON RANCHERIA • Lytton Band of Pomo Indians



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TESTIMONY OF CHAIRPERSON ANDY MEJIA

LYTTON RANCHERIA OF CALIFORNIA, SONOMA COUNTY, CA

BEFORE COMMITTEE ON INDIAN AFFAIRS

S. 4000

A BILL TO REAFFIRM THE APPLICABILITY OF THE INDIAN REORGANIZATION ACT
TO THE LYTTON RANCHERIA OF CALIFORNIA, AND FOR OTHER PURPOSES.

JUNE 12, 2024

I am thankful for the opportunity to present testimony to the Committee on a bill that would have a significant impact on the citizens of the Lytton Rancheria of California, a federally recognized Pomo Tribe from the San Francisco Bay area. My name is Andy Mejia, and I am the Tribe's Chairperson.

The Pomo people historically resided in lands across northern California. Our ancestors were subsequently devastated by the Gold Rush, and hostile government policies in the 19th Century. By the early 1900's the surviving Pomo peoples were poverty stricken, landless and homeless. As a result of the harrowing condition of California's Indians, Congress enacted legislation to help purchase reservation lands for many of them. The Lytton Rancheria was one such tribe, which then received reservation lands in Sonoma County.

Unfortunately, the Tribe was subjected to additional hardships when the Federal Government wrongfully terminated the rancheria on April 4, 1961. The Tribe subsequently lost all of its rancheria lands and once again became destitute and landless, with no means of supporting itself.

In 1991, our Tribe, after decades of fighting to regain our recognition, received a welcome development when a federal court concluded the termination was unlawful and ordered the government to reverse its decision to terminate the Tribe and to restore our Tribal status. The Stipulated Judgment which did so contained a provision which reads, "...that the distributees of the Lytton Rancheria are eligible for all rights and benefits extended to Indians under the Constitution and laws of the United States; and that the Lytton Indian Community and its members shall be eligible for all rights and benefits extended to other federally recognized Indian tribes and their members, ..."

While the Tribe's status was restored, its land base, now owned by non-Indians, was not returned to us and the Tribe remained landless and impoverished. Subsequently, after due consideration and with strong local support, Congress in 2000, passed legislation directing the Secretary of the Interior to take certain land into trust for gaming purposes for the Tribe in San Pablo, California. The bill declared that the land was part of the reservation of the Tribe under Sections 5 and 7 of the IRA. The Tribe then established a small, successful Class II gaming operation. Since its establishment, the Tribe's casino in San Pablo has been the cornerstone of a fruitful and mutually beneficial relationship between the City of San Pablo and the Lytton Rancheria. As a result, our Tribal members have realized significant benefits including improved housing and educational opportunities for our children, and medical care for our elders.

With the revenues from the casino, the Tribe also began purchasing property near and within our original rancheria. We did so in order to diversify our economic development and to potentially provide a future homeland for our members, as the 9.5-acre San Pablo trust parcel is only large enough for the gaming facility and could not meet our housing needs. The Tribe's current economic development includes various viticulture projects where the Tribe has invested in previously deteriorating vineyards, with a focus on environmental responsibility and stability. Many of the Tribe's vineyards and grapes are now being used to produce high-quality wines.

Throughout this time period, the Lytton Rancheria has continued to be good neighbors to our local non-Indian communities. In San Pablo, the Tribe provides approximately 60% of the City's operating budget and donates to many local charities. This includes a golf tournament the Tribe sponsors providing nearly \$100,000 annually. The Tribe has also donated millions of dollars to children's charities and arts programs in Sonoma County as well as to the Sonoma Indian Health Clinic, which offers healthcare to all Native Americans residing in Sonoma County, regardless of tribal affiliation.

In the time since our restoration, the Tribe has persisted in efforts to re-establish a homeland for our members. This culminated in the passage of the Lytton Homelands Act in 2019. This legislation directed the federal government to take some of the land purchased by the Tribe into trust, primarily for tribal housing. In order to pass this legislation, we worked hard to develop agreements and understandings with local non-Indian communities. These agreements with Sonoma County, the Windsor Fire Protection District, and the Windsor Unified School District reflect our commitment to work with local governments in a mutually respectful manner and we appreciate the support that they and the State of California provided to the 2019 legislation.

Since the passage of the legislation, we have completed the development of the initial phases of our tribal housing project and moved 146 tribal households onto the Lytton Rancheria. For the first time since our termination, we are able to live together on our tribal homeland.

However, it was never intended that the land taken into trust by the 2019 legislation would be the final trust acquisition for the Tribe, as the Tribe will need additional trust lands as it continues to grow. In fact, the 2019 legislation contemplates that the Tribe would have future lands taken into trust and includes an agreed-to ban on gaming on such lands in Sonoma County. The Tribe has subsequently sought to take additional lands into trust via the administrative process to support the needs of our growing community. These lands, which we own, are contiguous to and surrounding the current homeland. Unfortunately, despite the ability of neighboring Tribes with similar histories, to do so, and the 2000 and 2019 pieces of legislation, which already explicitly and implicitly extend the IRA to the Tribe, we have been unable to get an opinion from the Interior Department on our ability to do so, and thus have been unable to proceed with our application. With S. 4000, the Tribe only seeks to make explicit our ability to go through the administrative process. This would not give us any special treatment and would merely place us on equal standing with other tribes throughout the country and in Sonoma County.

The Tribe has previously agreed not to conduct gaming within the county of Sonoma, pursuant to the terms contained in our Memorandum of Agreement with the county and further, the Tribe is also prohibited from doing so by the 2019 legislation. That being said, land is essential for tribes to function as governments. Tribal trust lands are especially important to this advancement. Tribes need trust lands so that they can provide governmental services for their members, whether it be for housing, health care, education, or economic development. Having such lands in trust provides us with the necessary infrastructure and planning to provide for future generations and allows us to protect our historic, cultural and religious ties to our homeland.

This Committee has been supportive of the Tribe in the past and the Lytton Rancheria continues to be grateful for that. Additionally, we are tremendously proud of our homeland and the community we have been able to re-build on it. All members of the Committee are welcome to visit and receive a tour.

With S. 4000 we only ask to be placed on the same footing as other federally recognized tribes. This bill does not itself take any land into trust, but makes clear that the IRA extends to the Tribe and that we are therefore able to apply through the Department of the Interior's land into trust process, just as neighboring tribes are able to do. We are willing and able to answer any and all questions.