Indian Affairs - Office of Public Affairs

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WASHINGTON, D.C. – Acting Assistant Secretary for Indian Affairs Donald "Del" Laverdure today issued decisions on two tribal gaming applications in California, determining that one of the proposed gaming sites meets the legal and regulatory requirements and one does not.

Laverdure approved a gaming application for the Ione Band of Miwok Indians in Amador County, Calif., that includes authorization for land to be acquired in trust for gaming purposes under the Indian Gaming Regulatory Act's (IGRA) "Equal Footing Exceptions."

"The Ione Band of Miwok Indians' gaming application received a careful and thorough review, allowing us to determine that it met the stringent conditions set out by the Indian Gaming Regulatory Act," Laverdure said. "The Ione Band has demonstrated both a modern and historical connection to the lands it sought to have placed in federal trust, as well as a reasonable temporal connection between the date the land is acquired and the date the tribe was restored to federal recognition status."

The Acting Assistant Secretary also determined that an application submitted by the Scotts Valley Band of Pomo Indians in Lake County for a 30-acre parcel in Contra Costa County, Calif., does not qualify for gaming under IGRA's equal footing exceptions. The Band had sought to develop a gaming facility near the city of Richmond, Calif., approximately 80 miles from the town of Lakeport in Lake County, where the tribe's government headquarters are located.

"After closely reviewing the Scotts Valley Band of Pomo Indians' fee-to-trust application for a gaming facility in Contra Costa County, we determined that the Band's parcels near the city of Richmond did not qualify as restored lands under IGRA's equal footing exceptions because it could not demonstrate it had a significant historical connection to the site," Laverdure said.

The Ione Band of Miwok Indians' headquarters in Amador County is located approximately 40 miles east of Sacramento, and the tribe does not have any lands held in trust by the United States. It does own 40 acres of non-trust land near the city of Ione that are used for residential purposes.

In 2005, the 750-member Ione Band submitted an application to have approximately 228 acres of land acquired in trust for a Class III gaming operation near Plymouth, Calif., which is about 11 miles from the city of Ione. In 2006, the Department determined that the Band constituted a "restored tribe" and that its application satisfied IGRA's "restored lands" exception because it had once been under federal jurisdiction but was effectively treated as a terminated tribe by the Department for many years. In 1994, the Department reaffirmed that the Ione Band of Miwok Indians was federally recognized, renewing the government-to-government relationship with the tribe. This action effectively "restored" the tribe for purposes under IGRA.

The Ione Band decision marks the first Indian gaming application completed under IGRA's restored lands exception since September 2008.

For more information concerning each of these decisions, please click on the following links:

Ione Band of Miwok Indians

Scotts Valley Band of Pomo Indians