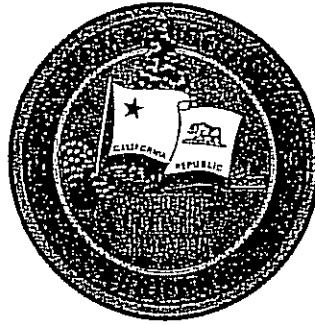


COUNTY OF SONOMA  
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December 28, 2007

The Honorable Arnold Schwarzenegger  
Governor of California  
State Capitol Building  
Sacramento, CA 95814

Re: Compact Negotiations with the Federated Indians of the Graton Rancheria

Dear Governor Schwarzenegger:

I am writing to express the serious concerns of the County of Sonoma regarding the apparent initiation of compact negotiations with the Federated Indians of Graton Rancheria (Tribe). As you are aware, local government suffers the greatest impact of large-scale gaming facilities. Each facility is unique and the impacts on a community must be separately considered. We respectfully request that you consult with the County regarding specific concerns that should be considered as part of a compact. Further, in keeping with prior State policy, the County encourages you to wait, until the Tribe has land eligible for gaming, before conducting further negotiations to approve a casino in our community.

As you know, the Tribe has proposed a major casino and hotel project in the unincorporated County west of the City of Rohnert Park. The project proposes 89,000 square feet of gaming with an undisclosed number of slot machines; a 300-room, 10-story hotel; six restaurants, seven bars, and a six-vendor food court; a 1,500-seat show room, nightclub, and lounge, and a pool, spa, and other amenities. The federal government is in the middle of reviewing the project's environmental impacts, and has neither accepted any land into trust nor approved any management contract authorizing gaming.

It simply makes sense to postpone further compact negotiations until the federal government completes its environmental review and decides whether any land should be taken into trust and made eligible for gaming. Your May 18, 2005 Proclamation on Tribal Gaming Policy states that you "shall decline to engage in negotiations for tribal-state gaming compacts where the Indian tribe does not have Indian lands eligible for class III gaming." The County supports your Proclamation, and has relied on it in assuming that compact negotiations would begin only if and when the Tribe has land eligible for gaming.

The May 2005 Proclamation also states that you would allow a tribe to conduct gaming on newly acquired land only where "the local jurisdiction in which the tribe's proposed gaming project is located supports the project," and the affected local community demonstrates its similar support.

The Tribe's project would be located within the County's jurisdiction, and would affect all Sonoma County residents. As noted above, the project is proposed for a parcel located in the unincorporated County and entirely outside all city limits. The project would thus impact County (rather than city) services and environmental resources. Indeed, a review of the draft environmental impact statement reveals that the project would contravene the County General Plan and significantly impact the County Sheriff's Department (which has jurisdiction under Public Law 280), County fire and emergency services providers, and County health and human service providers, including those that address problem gambling. The project would also significantly impact County roadways, water supplies, and wastewater services, and cause adverse impacts related to aesthetics, noise, flooding, and biological resources.

For these reasons, the County and local community have not expressed support for the project. To the contrary, in October 2003 the Board of Supervisors adopted a Resolution opposing the casino and hotel project proposed adjacent to Rohnert Park. The County actively participated in the environmental review process, and has urged the Tribe to pursue a smaller, non-gaming project that the public could embrace.

We therefore request that you confer with the County before engaging in further compact negotiations. The need for consultation is not affected by the City of Rohnert Park's October 2003 Memorandum of Understanding (MOU) in which it agreed not to oppose the project. The project is simply not proposed in the City of Rohnert Park, as noted above, and the City's MOU thus would not mitigate impacts to County services and environmental resources. Nor is the need for consultation affected by agreements in which the County became a "cooperating agency" in the environmental review process, and set up a process to ensure the implementation of mitigation measures. The County's agreements stated that they "in no way signify the County's support for the proposed project," and are intended only to ensure a full and fair environmental review process and the complete mitigation of project impacts.

We urge the State to join the County in actively participating in the environmental review process, and allow it to conclude before negotiating a compact. Negotiations in the absence of a completed environmental review document and federal trust decision can only serve to undermine the process, and reduce the Tribe's perceived need to listen to, and work with, the

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December 28, 2007  
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County and local community. We respectfully request that you forego further negotiations at this time, and instead work with us to objectively evaluate and reduce the significant adverse impacts the proposed project would have on our community.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Tim Smith', with a long, sweeping horizontal line extending to the right.

Tim Smith, Third District Supervisor  
Sonoma County Board of Supervisors

C: Members, Sonoma County Board of Supervisors  
Bob Deis, County Administrator  
Jeff Brax, County Counsel  
Honorable Pat Wiggins  
Honorable Carole Migden  
Honorable Patty Berg  
Honorable Jared Huffman  
Honorable Noreen Evans  
Don Peterson, Peterson Consulting