

# ***APPENDIX B***

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Public Meeting Transcript

**NORTH FORK RANCHERIA OF MONO INDIANS EIS RESULTS OF SCOPING  
List of Speakers, Comment Cards, and Letters**

<b>SPEAKERS</b>		
<b>Speaker Number</b>	<b>Name</b>	<b>Affiliation</b>
1	Michael Anderson	Montel and Peebles Law Firm, on behalf of the Picayune Rancheria of Chukchansi Indians
2	Joyce Burel	Chairperson, Picayune Rancheria of the Chukchansi Indians
3	Jerry Brown	Chairperson, Chochilla Yokuts
4	Shawn Hatfield	North Fork Rancheria
5	Sam Law Hon	Picayune Rancheria
6	Dora Jones	Picayune Rancheria
7	Mary Martinez	Picayune Rancheria of Chukchansi Indians
8	John Peebles	Montel and Peebles Law Firm, on behalf of the Picayune Rancheria of Chukchansi Indians
9	Herman Perez	Madera County Work Force Investment Board
10	David Prentice	County of Madera Board of Supervisors
11	Sarah Rah	North Fork Citizen
12	Morris Reed	Vice-chair, Picayune Tribe
13	Leanne Walker-Grant	Chairperson, Table Mountain Rancheria
14	Nancy Ayala Wyatt	Picayune Rancheria
<b>COMMENT CARDS</b>		
<b>Comment Number</b>	<b>Name</b>	<b>Affiliation</b>
1	Dorothy Topping Adams	Chaushilla Yokot
2	Kale Cruz Adams	Chaushilla Tribe
3	Kenneth Bart Adams	Chaushilla Tribe
4	Kyle Bart Adams	Chaushilla Tribe
5	Katy Berry Barnes	Resident
6	Teena Tooping Caldeon	Chaushilla Tribe
7	Kenneth Ray Castro Jr.	Chaushilla Tribe
8	Mike Catanesi	Owner, Madera Golf Course
9	Victoria Lynn Grantham	Chaushilla Tribe
10	Christichja McCue	Chaushilla Tribe
11	Carmelita Adams Micallef	Chaushilla Tribe
12	Raymond Micallef	Chaushilla Tribe
13	Rachel Rivera	Chaushilla Tribe
14	Florentine L. Topping	Chaushilla Tribe
15	Paul Cruse Topping	Chaushilla Tribe
16	Roger Venturi	Chaushilla Tribe
17	Dr. Karen V. Wynn	Picayune Rancheria of Chukchansi Indians

**NORTH FORK RANCHERIA OF MONO INDIANS EIS RESULTS OF SCOPING  
List of Speakers, Comment Cards, and Letters**

<b>COMMENT LETTERS</b>			
<b>Letter Number</b>	<b>Name</b>	<b>Affiliation</b>	<b>Date</b>
<b><i>Tribal and Government Agencies</i></b>			
1	Joyce Burel	Chairperson, Picayune Rancheria of the Chukchansi Indians	11/15/2004
3	Joyce Burel	Chairperson, Picayune Rancheria of the Chukchansi Indians	12/1/2004
5	Joyce Burel	Chairperson, Picayune Rancheria of the Chukchansi Indians	12/15/2004
6	Dennis J. O'Bryant	Acting Assistant Director, Department of Conservation, California	12/15/2004
7	Mike Gaston	Community Development Director, City of Chowchilla	4/29/2005
8	Joyce Burel and Dixie Jackson	Chairperson and Secretary, Picayune Rancheria of the Chukchansi Indians	4/29/2005
17	Charles Stringer	Renewable Resources Group, Inc., on behalf of Madera Irrigation District	5/6/2005
<b><i>Individuals</i></b>			
2	Joanne Rhoads	Masters of Science in Nursing, Community Food and Nutrition Program	11/22/2004
4	Carl Winter	Resident	12/9/2004
9	Donald and Denise Marmolejo	Resident	5/1/2005
10	Donald and Denise Marmolejo	Resident	5/1/2005
11	Jan DeWoody	Resident	5/3/2005
12	Lola Whipple	Resident	5/3/2005
13	Lori Erickson	Resident	5/4/2005
14	Stephen Lee Erickson	Resident	5/4/2005
15	Jason Erickson	Resident	5/4/2005
16	Jim Erickson	Resident	5/4/2005

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**A PUBLIC SCOPING MEETING TO IDENTIFY  
POTENTIAL ISSUES AND CONTENT  
FOR INCLUSION IN THE EIS**

MONDAY, NOVEMBER 15, 2004

6:00 P.M.

HATFIELD HALL

MADERA DISTRICT FAIRGROUNDS

1850 West Cleveland Avenue

Madera, California

**Transcript Prepared By:**  
*House of Scribes*  
(209) 478-8200

1 MR. RYDZIK: Good evening, everyone. It's six  
2 o'clock and I'd like to get the public  
3 hearing started. Let me first introduce  
4 myself. I'm John Rydzik, I'm the Acting  
5 Chief of the Division of Environmental  
6 Cultural Resource Management and Safety  
7 for the Pacific Region of the Bureau of  
8 Indian Affairs. Next to me is Patrick  
9 O'Mallan, he's an Environmental  
10 Protection Specialist with the Bureau of  
11 Indian Affairs. We're here tonight to  
12 conduct a scoping hearing for an  
13 Environmental Impact Statement, EIS, for  
14 the proposed fee to trust land  
15 acquisition of approximately 305 acres,  
16 and proposed casino development project  
17 for the North Fork Rancheria of Mono  
18 Indians here within unincorporated  
19 Madera County, California.  
20 I'd like to start with a couple of  
21 procedural matters, and then move into  
22 taking public testimony. The purpose of  
23 the scoping hearing tonight is to  
24 receive public input as to what the

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public believes are the significant environmental issues, which may result in the proposed federal action and what are reasonable alternatives to that proposed action, so they may be thoroughly analyzed in the EIS process. With that in mind, please be clear that the purpose of tonight's hearing is not a question and answer period, nor is it a debate. You will have the opportunity to tell us what environmental issues are important to you and that need to be discussed and analyzed in the EIS. The outcome of the scoping process is a document called "Results of Scoping Report," which is a plan for the draft EIS. It lays out the significant issues, the cooperating agencies, the alternatives to be discussed in the EIS and a time frame for processing the EIS. The Results of Scoping Report will be mailed to everyone that's on the mailing list, which can be accomplished by you being here this evening and signing up,

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or sending a letter requesting to be on the mailing list, or giving public testimony and giving your name and address.

The next step after the Results of Scoping Report is a draft EIS, which hopefully will address the concerns raised in scoping. The draft EIS will most likely be available for public review in about two to three months after scoping. However, it may take more time to fully address the concerns raised in scoping. The draft EIS public review period is expected to be at least 45 days, and we will have at least one public hearing to accept public comments. At this point I need to explain that we're going to take speakers in the order that I received their speaker cards. I'm going to ask everyone to confine their remarks to four minutes, and after all speakers have had the opportunity to speak, anyone that feels like they were cut

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short or wants to give additional new issues can have an additional four minutes.

If you have written comments, we'll accept them here tonight. Otherwise, please mail them to the address in the notice so that they arrive before November 26, 2004.

One final matter prior to our speakers, when speakers are called please restate your name for the Recorder. Thank you. And with that introduction our first speaker is Joyce Burel.

MS. BUREL: I believe you have written submitted comments, a letter that we submitted.

MR. RYDZIK: I'm sorry?

MS. BUREL: I believe that you have the written letter that we've submitted?

MR. RYDZIK: Yes, we do.

MS. BUREL: Okay. My name is Joyce Burel. I'm Tribal Chair for Picayune Rancheria, the Chukchansi Indians. We're a tribe that's located in this area, with over 1200 members. We're a government entity



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and we have a leadership role and concerns about health and safety, and the environment of this community. And so it's on that behalf that I'm speaking.

We worked very hard to bring about a casino in our area. We have a casino on our tribal land, and we abided by all the rules and regulations that were necessary, including keeping it on our ancestral aboriginal land.

And our first and primary concern is that this casino is not on the aboriginal land of the North Fork Mono Tribe, but is on land clearly for the purpose of economic development. And this is inconsistent with the IGRA guidelines.

We have been in this area for close to 10,000 years. We're Penutian-speaking people, we're -- Yokuts is our linguistic family, and we're a sub-tribe of that. The North Fork Rancheria is Uto-Aztecan speaking people from the

1 other side who moved over relatively  
2 recently. And this is not contiguous to  
3 their territory, nor their aboriginal  
4 territory.

5 I'm concerned about the written comments  
6 that we were expected to be making by  
7 11/26. I would like to ask that there  
8 be an extension to that, to December  
9 15<sup>th</sup>, to give more opportunity for  
10 review and making the written comments.

11 And I notice that there was no --  
12 nothing in the paper, in the Madera  
13 paper or the Fresno paper about this  
14 meeting, and this room is relatively  
15 empty. And it seems to me that more  
16 people need to know about this important  
17 decision that's going on in their  
18 neighborhood, and I would ask that a  
19 second public scoping would take place  
20 prior to the December 15<sup>th</sup> meeting.

21 I'm also wanting to understand exactly  
22 what the BIA's role will be with regard  
23 to consultation with the tribe. It's  
24 been the intent of both President Bush

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and former President Clinton that the government needs to consult with the tribes, and I would like to know what that consultation will look like.

And then just as we walked in we got some information about this project. No information was available prior to this meeting. And again, I think this would give us time to have better comments and to be able to respond to this huge project. There were no site plans, no detail of the project, and we need a chance to look at that and get the word out.

There's basically three huge environmental concerns that we have as community members, as long-time community members to this region. One is traffic. Highway 99 is, it's a dangerous highway. And the idea of having a huge casino with 5,000 parking spaces, which probably translates to 10,000 to 15,000 cars a day is a huge impact on the Highway 99 corridor. And

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so we're concerned about that.  
And, of course, the effects on our air quality here. This basin, the San Joaquin Valley and this basin in particular is, you know, the second worst air pollution in the United States. And we're talking about doing a development of this magnitude here and I have some concerns about that, and want to see extensive studies done about that.

And finally, we know very little about water quality, content, how much water, what will be the impact on this primarily agricultural farmland. So those are three major areas that we see as being critically important. And we want to be very clear about what the effects of this kind of development will be.

I think there are cascading effects that could take place, and we're concerned about that.

MR. RYDZIK: Thank you, Joyce.

1 MS. BUREL: Thank you.

2 MR. RYDZIK: Our next speaker is John Peebles.

3 MR. PEEBLES: I'd like to thank you for the  
4 opportunity to address you tonight. My  
5 name is John Peebles. I'm with the law  
6 firm of Montel (phonetic) and Peebles,  
7 and we're counsel to the Picayune  
8 Rancheria of Chukchansi Indians, on  
9 whose behalf I will present these  
10 comments.

11 These comments are in response to the  
12 BIA's Notice of Intent which was  
13 published on September 29<sup>th</sup> of 2004 to  
14 prepare an EIS with regard to a 305-acre  
15 tract acquisition and the casino  
16 development to be located. The notice  
17 stated that written comments on the  
18 scope and implementation of the proposal  
19 must be received by November 26<sup>th</sup>, and  
20 that there would be a hearing today.  
21 However, the notice did not discuss the  
22 Bureau's plan for consulting with other  
23 federal, state and tribal governments in  
24 the region that are affected by the

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project.

As a federally-recognized tribe, the Picayune Rancheria of Chukchansi Indians is a recognized government and is subject to Executive Order 13175. Accordingly, the tribe expects that during the EIS process and requests that the Bureau consult with the tribe as a government, and in addition to being a member of the general public.

Now, as you're aware, scoping is intended to ensure that problems are identified early and properly studied in order to ensure the identification of all significant issues and reasonable alternatives to be addressed in the EIS, and to avoid challenges. Interested parties need longer than two weeks to compile comments. We have from today until the 26<sup>th</sup> of November to do that, and accordingly we are asking for two issues. One is that we be granted until December 15<sup>th</sup> to respond in writing to what we learn tonight. And second of

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all, we're asking that a second public scoping hearing be held. Further, the project proposal appears to be a definite plan. And it omits discussions of various alternatives, or any alternatives, in contradiction to the purposes of the EIS under the NEPA. One of the alternatives that we think should be discussed and should be analyzed in this process, but was not, is placing the facility on the North Fork Tribe's Rancheria, where the tribe has historical ties, the former Rancheria. This will address the concern that Chairperson Burel has brought to your attention tonight, and that is the policy decision that the tribe opposes. That is, the Picayune Rancheria of Chukchansi Indians oppose. The forum-shopping or reservation-shopping by tribes trying to install casino developments on or near other tribes' original homelands, particularly where

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alternatives of locating on the tribes' original rancheria lands are not even discussed.

As you're aware, Executive Order 13175 establishes the requirement of meaningful consultation and collaboration between the United States and tribes in development of federal policies. We believe that allowing a tribe to move onto lands that are not historically identified with the tribe for the purpose of building a casino in another tribe's back yard is tantamount to development of a significant federal policy, and consequently consultation under 13175 is required.

Additionally, there was no environmental assessment information packet prepared for the project, until we received the information tonight. The Notice of Intent published in the Federal Register only provided a summary explanation of the intended project. Accordingly, as requested, we ask for the additional



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scoping hearing.

Finally, the Picayune Rancheria of Chukchansi Indians is alarmed at the impact that the project would have on traffic, on air quality, on water quality, and the negative impacts on farmland preservation. Accordingly, we ask that detailed, in-depth studies address these issues.

These studies, we believe, should take the form of a jointly-prepared Environmental Impact Statement, Environmental Impact Report prepared jointly by the Bureau of Indian Affairs and a California lead agency.

Accordingly, in conclusion, we're asking for an extension of the period of time to respond to December 15<sup>th</sup>, additional public hearing, separate consultation with governments in the region, and maps of the project's traffic projection impacts on Highway 99 and other items recommended for the Council for Environmental Quality. I thank you for

1 your time.

2 MR. RYDZIK: Thank you, John. Our next speaker is  
3 Michael Anderson.

4 MR. ANDERSON: Thank you, Mr. Rydzik and Mr. O'Mallan  
5 for appearing tonight, and giving us the  
6 opportunity to present our concerns and  
7 comments. For the record, my name is  
8 Michael Anderson. I'm counsel for the  
9 Picayune Rancheria, with the law firm of  
10 Monto (phonetic) and Peebles in  
11 Washington, D.C. And I'm going to  
12 emphasize a few points that both  
13 Chairperson Burel emphasized, and also  
14 John Peebles, as well as a couple of  
15 other requests. If you're able to give  
16 verbal answers, that would be great. If  
17 not, if we could have answers in written  
18 form, that would suffice as well.

19 MR. RYDZIK: As I said when we started, Michael, this  
20 isn't going to be a question and answer  
21 type debate or period. But we would  
22 certainly address comments that we  
23 receive in writing, to give responses.

24 MR. ANDERSON: Okay. For the record, then, we would

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like to know how long it would take to act on our extension for comments request. As you know, the holidays are upcoming and we would like the earliest advance notice as possible, if that request is going to be granted, so that we can take information and comments that are received tonight, and respond to them on behalf of the tribe. So the sooner, the better.

MR. RYDZIK: There would definitely have to be a response before the deadline --

MR. ANDERSON: That will be helpful. And also, on the point of the second public hearing that would be granted, as you can see and for the record, the attendance tonight is very light. We probably have less than 100 people for a very massive project. And given that attendance is light tonight, we believe that a second public hearing would definitely be in order. Other agencies have publicized these types of hearings beyond just the bare Federal Register notice requirements, or

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other limited notice requirements.  
For example, in today's Fresno Bee there's an advertisement for a Route 99 corridor, master corridor plan hearing that's in the paper. If our request is granted for a second hearing, we would like more publicity, either in the Madera County paper or in the Fresno Bee, or probably both in order to get more interested people out. As you can see, several people have attended tonight, but it's very light for such an important project.  
We would also like to get details on the project beyond just the very minimal information that's been provided. As cited in our letter, the CEQ guidelines does ask for more detailed information, equivalent basically to a site plan. So if there's more information about sewage, transport, how water is going to be received, the traffic corridor, that type of information we would certainly appreciate that in order to refine our

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comments for the scoping document that we will submit.

Next, the timetable for the Results of Scoping document. You mentioned two to three months. If there's any more specific timetable for that, we would like to have that information as well.

If in fact, our second public hearing is granted and the extended comment is granted, I would expect that would roll back from two to three months from today. But the sooner we have information on that, the better as well.

Mr. Peebles also talked about the government, the government consultation under the Executive Order. We would certainly appreciate -- and perhaps other tribes in the area would like a consultation plan from our trustee on how you're going to consult beyond just the NEPA stake holder process, but as a government that may be affected here.

I should note that under the Indian Gaming Act, for gaming to take place on

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this site, we would need to have a Section 20 application and approval by the Secretary, and then ultimately the Governor. The question is, would the Section 20 consultation process be the means that you communicate with the tribal governments in this area, and the guidelines I think require notice to the tribes within 50 miles. Or will you do a separate process beyond NEPA? However it's done, the tribes would like some type of specific government to government plan from our trustee. For the record, too, if you're able to do it for informational purposes, we would like to know how many records of decisions on EIS's have been issued for Indian gaming projects in California, both pending applications and also finalized record of decisions. That would be helpful as the tribe begins to formulate their comments. We would also like, for the record, to know how will you integrate this process

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with the SEQA process? We would like to know who is our contact for SEQA purposes. I don't know if anyone representing the State of California is here tonight as part of the SEQA process, but many times in these type of scoping hearings you have both a representative of the federal government for NEPA, and also for the state government for SEQA. We don't see any representatives of the state here, so we would certainly like to know who our contact is for SEQA purposes.

Will the SEQA or NEPA process include an evaluation of Class 1 Clean Air Act issues for Yosemite and Sequoia National Parks? Whatever process evaluates that information -- and we would trust that it would be both -- we would like to just know the answer, is that going to take place?

Again, beyond the Federal Register notice there was no public outreach. I just wanted to emphasize that again, and

1 then also make a request for the  
2 transcript of this meeting, that it be  
3 made somewhat promptly so we may be able  
4 to study that as well. With that, that  
5 will conclude the questions that I have  
6 verbally. We may also, on behalf of the  
7 tribe, prior to November 26<sup>th</sup> or if  
8 there's an extension granted, submit all  
9 their written questions as well for the  
10 record.

11 MR. RYDZIK: Thank you, Michael.

12 MR. ANDERSON: All right, thank you.

13 MR. RYDZIK: Our next speaker is Jerry Brown.

14 MR. BROWN: My name is Jerry Brown, Tribal Chair for  
15 the Chowchilla Yokuts. And I just want  
16 to state a fact that the land that the  
17 Monos are trying to converge on is  
18 Yokuts territory. Even though we're not  
19 federally recognized, we're trying and  
20 we're going to have our process of  
21 trying to be federally re-recognized.  
22 By the Treaty of Camp Barber we were  
23 recognized at one time.

24 But any way, I just want to point out



1 the fact that this is Yokuts territory,  
2 the ground that you're on right now,  
3 that we're standing on right now is  
4 Yokuts territory. What Chowchilla  
5 tribal land at one time -- until the  
6 White man came and disrupted everything  
7 -- and we're a small band, or small  
8 tribe I'd guess you'd say. But we want  
9 to go on record as objecting to the  
10 Monos trying to come down past Pinego  
11 (phonetic) Creek. That would be their  
12 cut-off. They could go east off of --  
13 east all the way they want to, but this  
14 is Yokuts territory. And that's all I  
15 have to say. Thank you.

16 MR. RYDZIK: Thank you, Jerry.

17 [Applause.]

18 Our next speaker is Herman Perez.

19 MR. PEREZ: Good evening. Herman Perez, Madera  
20 County Work Force Investment Board. Our  
21 job is to work with employers that are  
22 coming into our community to secure jobs  
23 for our local residents, and that's my  
24 intent here. I would be here fighting

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for any employer who was coming into our community.

We do have some issues in the county that continue to rise and work against us. One is that we're a very rural community, we have very traditional industries in our community, and our unemployment rates here in the Valley as compared to the rest of the state are tremendous. Madera County, on the average, is about 12.6 percent, just in our county. If you look in Madera City proper, we get up as high as 18 and we've been a lot higher than that in the past. So there is a concentration of large unemployed people here. So we have a work force that's looking for jobs, and looking for jobs in our community. And I think it's all our responsibilities to try and answer and meet those demands.

We have a lot of under-employed people who are working part-time jobs, seasonal positions, things like that also.

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They're looking for good full-time jobs and this new and emergent industry in our community does bring those jobs to our community.

Commuter patterns, we have a large number of our people who also commute outside of our county for jobs. And if we can maintain more of those commuters within our community, then we can also assist them in rather than having to travel outside our county, they can get done here locally as well.

The wages that these new industries are bringing to our community are fabulous. And I applaud them and I compliment everyone who's doing their part to raise the average wages in our community, to create more livable wages in our community, to bring benefits with those wages. That's what we need, that's what we're hoping for.

And so I understand that these folks are doing well, and our previous employers who have come to our community are doing

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well, because they also tend to push the bar up a little bit for our other employers in our communities.

It's a catalyst for economic development. Just like any other major industry that comes into a community and brings this number of jobs, other jobs are going to be created. And that's just as important to us as the actual one job that's created, is all the peripheral jobs that come with that. All the additional jobs at the grocery stores, at the gas station, the theaters, the restaurants, the commercial applications, the industrial applications that come with that. We are very excited about that and very happy that all those additional jobs that are created come along with it.

The other is that it assists us. If you look at all the new casinos that we have in our community and here in the Valley, it's a new industry and we need to applaud that. Because traditionally

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we've been very set, production, manufacturing, agriculture. So this is actually bringing a new emerging industry into our communities. It's a new career path, it's a new career ladder that our youth can look at, the people that are looking for a different way of life can look at, and actually have an opportunity to get a great full-time year-round position. So that's a big, big plus for us -- and all the different occupations that that brings. If you look at an operation, it brings so many other types of jobs. Not only the ones that we see, but waste water treatment plants, the -- everything that happens behind the scenes types of positions. So I think we're -- any employer that comes into our community that brings us good-paying jobs with a clean industry, we need to get out here and support, and that's my job. Thank you, I appreciate your time tonight.

MR. RYDZIK:

Thank you, Herman. Our next speaker is

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David Prentice.

MR. PRENTICE:

Thank you. I'm here on behalf of the Board of Supervisors, County of Madera. They apologize for not being here, and they send their greetings, but they are in a conference in San Diego and they feel like they need to be there. But they did ask me to indicate during this hearing that they have carefully weighed this project, and the mitigation measures that the Mono Tribe has agreed to in the Memorandum of Understanding with the county. That they believe that the Memorandum of Understanding adequately addresses all of the concerns of the community, and that the Mono Tribe has been extremely generous in their dealings with the county and the surrounding communities, including the Cities of Madera and Chowchilla, in their efforts to ensure that any environmental, economic and social effects of this project are mitigated, and that this project enhances the

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community rather than detracts from it. Specifically, I can tell you that the location of the project in its current site was considered very carefully. The initial response with the Monos was in the North Fork location. It was determined by the County Board of Supervisors that that was an inappropriate location due to the infrastructure available in that community, and that the environmental impacts of siting there would have been much more extensive than in its current location.

As to the specifics mentioned of traffic, air quality and water, those are also concerns of the Board of Supervisors and the City Council for this valley. Each has been considered carefully, each has been addressed in the MOU extensively, and those studies will go on and continue, as you know through these hearings, but also as a contractual obligation with the County

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of Madera.  
And we believe that all of those issues will be adequately mitigated.  
Unanimously, the Board of Supervisors voted to support this project, executed the Memorandum of Understanding with the Mono Tribe and send this message tonight that they stand behind the Mono, as they did the Chukchansi, and expect that this project will go forward to completion and fruition and benefit this community.  
Thank you.

MR. RYDZIK: Thank you, David. I'll apologize before I read this name. I'm not sure I can read it. It's Sam Lu Hun (phonetic)?

MR. LAW HON: That's Sam Law Hon, from Picayune Rancheria.

MR. RYDZIK: I'm sorry.

MR. LAW HON: That's not a problem. I got a couple things here. And I came and I asked, you know -- you guys are so confusing. You know, you say the BIA but I asked the guy, "Where's the BIA people," you



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know, the one I'm used to seeing?  
Where's Dale Riesling (phonetic),  
where's those guys? Well, there's many  
levels of BIA. So I don't know what  
level I'm dealing with here, and I know  
-- it seems like it's done to confuse  
us.

You guys have hundreds and hundreds of  
years on us, as far as operating  
government and government agencies. And  
I look at the 1850s when they did do the  
Camp Barber Treaty, and you decided that  
you're going to start treaties with  
California Indians that had no  
recollection of what you intended to do,  
and yet you guys did it and we lost out.  
And then here we are again.

So you guys have the most -- you guys  
are the BIA, you guys have the  
information. I don't have the  
information you do. I have small  
portions of information that I can find,  
and what is given to me.

I feel that you guys do this stuff, you

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put us on a lower scale, and for whatever reason you do that, that's you. That's not me. So, I mean, just for my information, as far as North Fork and the Monos having a casino, by all means I'm going to be overjoyed with them having a casino. It's not about that. It's about -- what I think this is, is another ploy of the BIA stirring the pot and causing animosity between all the tribes. Because you have a compact and you have everything in place, but yet now you're starting something else, and you're creating a whole other line of parameters. If they're going to have a casino, let them have a casino under the same parameters as we have a casino. And keep it, you know, in line so that everyone is on a fair scale. When we did -- you guys have the most information. You guys know whose aboriginal land this is. I mean, you know. Look at the Camp Barber Treaty. There's no Monos on the Camp Barber

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Treaty. I mean, if you don't know, I can read the list of tribes that are on the Camp Barber Treaty. And yet you guys allow this to get this far and allow this to happen. Not only do you allow it, but you kind of keep it under wraps.

The time that we found out about this meeting, the time that we had to have our written comments is -- it's really unreasonable, it's not fair. And for whatever reason you do that, so you can shove it through, you know, it doesn't set well. Just for a simple point, also, I went to a scoping on the Millerton Dam Project to raise the dam, and it was the same thing.

I mean, they gave us a little bit more time to know about it, but I think it was like a dog and pony show, you know? They had already full well known that they had that on a bill backed up, and it was going to happen anyway. And what they did there was just like a dog and

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pony show. And I hope this is not the same thing. I hope that you don't already have your minds made up and you're going to do what you do. Because that seems the way it works around here. You guys do what you do, and you do just a little bit of this as part of the process that maybe you have to do, just for the sake of appeasing whoever you have to appease. So I don't know which level of BIA you guys are, and to me when you guys are doing this -- and we're dealing government to government. It seems like you guys set up different rules for different governments. And you do it, you do it to bring -- for whatever reason -- what you're trying to accomplish I'm not yet knowing. To me, I'm just a baby in your governmental games.

And the thing is all that gets talked about, the roads, the air pollution, the impact on the county and all that, that's all beside the point. The point

1 is that you guys know this is not their  
2 aboriginal land. Look it up. You guys  
3 have all the documents. Why you're  
4 allowing this to get this far is beside  
5 me.

6 So in closing, I want to say -- I want  
7 to reiterate what gets me is if you look  
8 at your -- go back and look at your  
9 paperwork, you look at your Camp Barber  
10 Treaty and you look who's on there. And  
11 you have people on there, you have  
12 rancherias today that are not even on  
13 there. Where is your Chowchillan  
14 Rancheria? It's on the Camp Barber  
15 Treaty. Why are they not federally  
16 recognized? You have the Mariposa  
17 Indians, Yosemite, the Miwoks. Why are  
18 they not federally recognized?

19 You know, if you're going to make  
20 different rules for different people,  
21 why are they not federally recognized?  
22 They're on the treaty. They're there,  
23 they're known to that land, it's  
24 document. But I mean, if that's what

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you're going to do, make it fair for everyone and not just a few. And don't make up little trips along the way to accommodate different people. I mean, we're all Indian people, and the better, the more you make it streamlined, if you make it fair for all of us, then we'll all be the same. We'll all be happy for each other, we'll all support each other. It's when you guys get in the middle and you twist stuff up, you're going to cause animosity between our Indian people, my Indian people. And it does nothing to affect you guys, but between me and my Mono friends and my Chukchansi friends and my Miwok friends, you're causing animosity. And for whatever reason, it's not right. Thank you.

MR. RYDZIK: Thank you, Sam. Our next speaker is Dora Jones.

MS. JONES: Good evening. Thank you for allowing me the time to speak. My name is Dora Jones, I'm a property tax payer of

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Madera County. I come from the Mono Tribe and the Chukchansi Tribe. Mono is my mother's, Chukchansi was my father's. I chose to enroll with the Picayune Rancheria.

I've got a couple of points that I want to get across today, and I'm glad there's a representative from the Board of Supervisors here, because he could maybe take this back to them. I challenge the Board of Supervisors to listen to what the voters did on November. Prop 68 was defeated by 85.9 percent. That was 27,946 voters that voted that down.

Prop 70, also voted down. That was 72.6 percent, 23,993. I challenge Madera County Board of Supervisors to uphold and listen to their voters. If not, I challenge the voters of Madera County to get a new Board of Supervisors that are going to listen to their voice, with the way they vote.

I appreciate Work Force being here.

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I've got family members, relatives that live in North Fork, and the employment is a very needed factor up in North Fork. Basically, I believe back in the 70s or 80s or somewhere round in that point, when the mill at North Fork shut down, that almost killed the town of North Fork. There's no big industry there, nothing.

If North Fork Rancheria were to build a casino in their community that would provide employment to not only their tribal members, but also the whole community of North Fork. One of the factors is North Fork Rancheria is located over 50 miles from here. And if you've got an old engine car that can't travel 50 miles, 100 miles round trip every day for five days a week -- that's 500 miles a week, 2000 a month -- you're going to have people that are going to have problems getting to their place of employment.

The last thing is the City of Madera and



1 the bigger cities of Madera County, also  
2 with Chowchilla, they're eligible for  
3 more of the federally-funded employment  
4 grants that are out there, and the work  
5 force programs that are out there.  
6 Typically, as happens with our rural  
7 areas, how much Work Force opportunities  
8 are given for the people of North Fork?  
9 Thank you.

10 MR. RYDZIK: Thank you, Dora. Our next speaker is  
11 Leanne Walker Grant.

12 MS.WALKER-GRANT: Good evening, distinguished members of  
13 the panel conducting this public  
14 hearing. I am Leanne Walker-Grant, the  
15 Tribal Chairperson of Table Mountain  
16 Rancheria. At the outset I would like  
17 to state that Table Mountain Rancheria  
18 supports a tribe's right to game on its  
19 restored tribal land in accordance with  
20 the Indian Gaming Regulatory Act. Table  
21 Mountain Rancheria objects, however, to  
22 any attempt to acquire off-reservation  
23 land for the sole purpose of  
24 establishing a casino. Tribes are the

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ones who lose when non-tribing tribal commercial gaming corporations try to persuade and encourage sovereign tribal nations to move off their protected tribal land, so that the non-tribal commercial gaming corporation can economically prosper at the expense of tribes who may lured into actions by financial promises that never may ever materialize.

Such conduct does not only affect the tribal members in the surrounding communities, but also run the risk of negatively impacting all gaming tribes in California by turning the public opinion against gaming tribes that have kept their promises of keeping gaming on their own tribally-restored land as set forth in IGRA and our gaming compact.

Finally, Table Mountain Rancheria respectfully requests that this panel and the BIA solicit input from Fresno County and other surrounding communities and tribes who air quality, public

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safety and other resources may be affected or impacted by the proposed project. Thank you.

MR. RYDZIK: Thank you, Dora. Our next speaker is Mary Martinez.

MS. MARTINEZ: Good evening, gentlemen. I'm here to express my concerns regarding the tribal sovereignty, and my name is Mary Martinez, tribal member of the Picayune Rancheria of Chukchansi Indians. Although we have been given the opportunity to generate governmental gaming, and because of the interest of our people, for the protection of our sovereignty as a tribe we have many concerns regarding tribes developing out of their immediate area.

We, the Picayune Rancheria of Chukchansi Indians, do not feel that it is in the best interest of the Mono Indian tribal members to go outside of their own area for economic development. Their first concern should be directed toward their community, if you are interested in

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pursuing gaming, if in fact you already have a land base. If not, believe me, it is difficult to jump the hoops that the state will require you to do.

There are benefits in the form of improved (unintelligible) roads, water, communications systems, public safety, schools, clinics or better health for their community. Of course, capital is needed to enable tribes for economies for other enterprises, but why leave your own community of the realm of prosperity?

The impact of gaming within the urban area was approved within the southern area because they already have identified their property as being their tribal land. This area is not identified as Mono area or property. Our tribal sovereignty is at stake if we allow this to take place, and even if it is approved by the state it will be recorded today as one tribal government, not in agreement for tribes to build

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casino businesses outside of their area. It would not be within the Gaming Regulatory Act, the IGRA the tribes had signed treaties with the government, not the state. Yet we are now compact signers with the state. If in fact IGRA has approved the North Fork Plan, we would request an appeal considering all areas of concern. We respect our neighbors, but we disagree to this plan. There would be great impact on the State of California if this should take place, and it would open it up to all others. The state has an obligation to negotiate with tribes in good faith. We all have need to be prosperous and are committed to our people for recognition to show respect towards other tribes and their boundaries. If perhaps I sound as though I have the answer, I don't. I feel there must be an alternative, other means that we have not yet found. Thank you.

MR. RYDZIK: Thank you, Mary. Our next speaker is

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from North Fork. Sarah Rah.  
Good evening, my name is Sarah Rah.  
That's R-a-h.  
Sorry.  
My handwriting's not always perfect.  
I'm a resident of North Fork and a  
homeowner there. I've lived there for  
two years. I'm a professional economic  
development consultant. However, I'm  
here tonight as a private citizen, but  
with the perspective of my economic  
development background.  
The Mono Rancheria is a very involved  
cooperative and vital part of the North  
Fork community. They participate  
actively with the North Fork Community  
Development Council, which is charged  
with both downtown and redevelopment of  
the abandoned saw mill site. They're  
active in the Chamber, they're active  
with the school district, the Arts  
Council, the Boosters, virtually any  
organization in North Fork is greatly  
supported by the Rancheria, which we

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appreciate.

I'm very excited about the prospect for them having this project here in Madera, and I think it will be of great benefit to the entire highway corridor, not just to the North Fork people, although we will also have our benefits. So I just want you to know that the community at large in North Fork -- although it's a long ways for them to drive down here tonight and there's not a lot of us here, I think I speak on their behalf that this project is warmly supported by the residents of North Fork. Thank you.

MR. RYDZIK: Thank you, Sarah. Our next speaker is Shawn Bethel Hatfield.

MS. HATFIELD: Hi, my name is Shawn Hatfield. I'm from the North Fork Mono Rancheria. I'm just one of the citizens. But I would like to say that regardless of territory, a business of some sort will eventually become a reality on this proposed site. It's upsetting to me to know that other tribes oppose it, because most of the

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ones that are opposing it already have their casino.

History has proven that despite environmental concerns, large businesses do find a way to prevail. Jobs, education and hope for our future -- of my children, my grandchildren, my family, I mean, this would be great. Talking about Indian cars not making it down there, but you know they can get there, and once that casino goes, they won't have to drive a beat-up Indian car anymore. All will prosper, not just Indian people.

I'm the type of person that believes we all should get together with other cultures -- White, Mexican, Orientals. The monies that are made in the casino will go into the Madera community as well as the North Fork community, and I think we need that. And, you know, let's not go back in time but let's go forward and work together for a bright future for everyone.



1 MR. RYDZIK: Thank you, Shawn. Well, that concludes  
2 the number of speaker cards that I have.  
3 Are there any other speaker cards in the  
4 back of the room? Is there anyone that  
5 would like to speak additionally?

6 MR. REED: I'd just like to say that --

7 MR. RYDZIK: Excuse me, could I get your name, sir,  
8 for the record?

9 MR. REED: Oh, excuse me. My name is Morris Reed.  
10 I'm the Vice Chair from the Picayune,  
11 and I'd just like to say that -- and I  
12 think it was said before, that if  
13 everything had gone according to  
14 regulations, if it had gone with the  
15 compact, that we would sit here tonight  
16 and congratulate this tribe to move  
17 forward and with good luck. But as we  
18 look at it, we see that down the road as  
19 far as tribes that have compacts, have  
20 gone by the regulations in the compacts,  
21 and that if we look down the road and if  
22 we veer from this, we're actually  
23 breaking the promises to the voters of  
24 California, who bestowed upon us limited

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gaming. And that means reservation gaming, that means rural gaming. And what's taking place here now -- and it's starting to push forward with a lot of tribes making moves to off-reservation sites to better their income. And sometimes you can't blame them for that. But the thing is, is the overall. The overall tribes have to be considered due to the fact -- and I know it was mentioned here tonight -- that the voters in some way are going to look -- not in some way, they're already looking at us and saying "What are these tribes up to? They're not living up to the limited gaming that we gave them. They're now in the process of expansion of gaming," thereby putting us in a position of having this taken away from the tribes.

I know that we have a lot of management companies that come in, and they dangle the carrot before tribes. You can't blame tribes in some cases, because of

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their localities and the need to better their tribes. But this actually puts us in the position of saying these people are creating a division. They're creating a division, they're creating the process to eliminate gaming for Indians.

And we have to now look at ourselves and regulate ourselves. It's going to be hard to do. It's hard to do to come before you and look at North Fork and say, "You know, you shouldn't be here," and actually you shouldn't because of the fact that this is not the historical lands. But they need the gaming.

But then we also have to look at the overall. And if we allow this, and if we don't speak up there's a chance that none of us will ever accomplish through gaming what is meant for every tribe that has that ability to go into gaming, even the non-gaming tribes, due to the fact that they are getting a portion of revenue sharing from the gaming tribes.

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So I ask you to look at this and consider this very much. Not just what it will do for Madera, not what it will be doing for the State of California, but looking at how the impacts are going to impact tribes. We're not in it for profit. Tribes are not in it for profit. We're a tribe, trying to better our tribes. Just like we're not alike -- race tracks, card rooms. Those are individual profit-making people.

And now it's starting to go in that direction, when management can come in and do what they do, to dangle this carrot. It's getting towards that mark of for profit, not for the welfare of all tribes. And I think we have to be very careful when we make decisions like this for off gaming reservations, and how it will impact our tribes.

Because the tribes have for so long gone this route, and history has always taught us that whatever happens good to Indians -- whether they're being put on

1 land, and they find gold, it's taken  
2 away. They're put on old land that's  
3 not worth anything, they find oil, it's  
4 taken away. Well, history has taught us  
5 now that if we do not regulate ourselves  
6 and go in the direction to make sure  
7 this land is staying at our hands, we  
8 have to do this. Because it's like  
9 gaming.

10 Those companies are waiting out there to  
11 make sure we get it taken away from us,  
12 also. So we have to regulate ourselves,  
13 and hopefully you will understand this,  
14 and go with being regulated, the tribes  
15 being regulated so they can accomplish  
16 what they are through gaming. Thank you  
17 very much.

18 MR. RYDZIK: Thank you. Another speaker? If you  
19 could say your name for the record.

20 MS. WYATT: My name is Nancy Ayala Wyatt. I am from  
21 the Picayune Rancheria. I have just a  
22 short statement/question. In the Indian  
23 Gaming Regulatory Act there is criteria  
24 to be met, and one of which is that if

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you are going to have a casino, proposed casino, that it be on Indian land or historical Indian land. And I do believe that the Mono Tribe does not meet that criteria in this case. And that's all I want you to consider. Thank you.

MR. RYDZIK:

Okay, thank you, Nancy. Is there anyone else in the audience that would like to give oral testimony, or anyone that felt like they were cut a little short with the four minutes that were allocated? We have time left in the hearing if anyone would like to give additional testimony.

MR. PEEBLES:

Thank you. I had ample time to discuss the issues that I intended to talk with you about. By the way, my name's John Peebles for the record, the attorney for the Picayune Rancheria of Chukchansi Indians. However, we've been provided a document by the -- regarding the scoping of the project. But information has come to light tonight that's quite

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surprising.

As a requirement of this process, alternatives need to be presented to the public for comment. We have now learned that there were alternatives that were considered, and now we learn that they've been rejected at the request of the County of Madera. We find this a serious issue, and that we ask that those documents be provided to the public so that we can properly comment on them, so that we fully understand what the issues were and why these were rejected.

Second of all, we've also learned that now there's been a Memorandum of Understanding that's been completed and entered into, that evidently addresses all of the environmental concerns. Again, these environmental concerns are not provided in the scoping document and we would ask that -- and given the litigation that's going on in this state, whether or not these documents

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had been prepared pursuant to SEQA. Given these issues, we think that it's imperative that we have additional time to respond to the information we've learned tonight; that a second hearing be held and that we would request a SEQA official be present at the hearing. Thank you.

MR. RYDZIK: Thank you, John.

MR. PRENTICE: David Prentice, County Counsel, Madera County. If anybody believes that anything I said indicated that the Board of Supervisors had a discretionary role on determining the site of this casino, they are wrong. They did not. We were not consulted. What I meant to say, and what I thought I did say is that when the casino project was brought to our attention it was sited here. We agreed with that site only because we understand the problems up there. We had no authority to enter into that, we never made that decision, it's not our decision to make. Nobody asked us.



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So the point of that is that if I misspoke and led anybody to believe that we had an input, we had none. We simply support the project where it is because we believe it is properly sited. We believe the tribe will prevail in their Section 20 application and we support the project. That's all I intended to say. Thank you.

MR. RYDZIK:

Thank you, David. Is there anyone else in the audience that would like to offer any issues to be addressed in the EIS, or any additional alternatives?

[No response.]

Well, if not, I would conclude the public hearing, then, tonight. And I appreciate you all coming and I appreciate your input into this process. Thank you.

[Whereupon, at 6:50 p.m., the hearing was concluded.]

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Dated November 21, 2004 in Stockton, California.

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