



## **For Immediate Release**

### **FEDERAL JUDGE DISMISSES OPPONENTS' CLAIMS AGAINST WILTON RANCHERIA**

**The 'final order' upholds the U.S. Department of the Interior's decision to place tribal land in federal trust.**

**SACRAMENTO—OCT. 7**—A federal judge in Washington, D.C., on Monday issued a comprehensive final order dismissing the remaining claims contesting the U.S. Department of the Interior's authority and decision to place Wilton Rancheria's tribal land in Elk Grove, CA., into federal trust.

District Court Judge Trevor N. McFadden granted the Motion for Summary Judgment brought by the Department of the Interior and Wilton Rancheria against Stand Up for California, which has waged a legal campaign to stall or stop Wilton Rancheria's project to build a resort and casino on approximately 36 acres of land in Elk Grove. The land was taken into federal trust in February 10, 2017, by the Department of the Interior.

"We are gratified by the judge's ruling to decisively reject dishonest arguments put forth by well-funded special interest groups that have tried at every turn to stop our project," said Wilton Rancheria Chairman Raymond (Chuckie) Hitchcock. "We will continue to move ahead with our plans to build the resort and casino, which will create thousands of jobs and represents the investment of hundreds of millions of dollars by Wilton Rancheria in the City of Elk Grove and Sacramento County."

"Our Tribe was landless for nearly six decades," Hitchcock added. "It is time to put to rest once and for all these groundless claims so we can create a brighter future for our children, grandchildren and generations to come."

Wilton Rancheria has agreed to invest \$186 million in the first 20 years of the project with the City of Elk Grove and Sacramento County to support police, schools, roads and other services. The project will also enable the Tribe to invest in medical care, housing and educational opportunities for its members.

In an earlier ruling, the judge granted summary judgment to the Department of the Interior and Wilton Rancheria, rejecting Stand Up's challenge to the government's authority to place the Tribal land in trust. As for the remaining claims, Judge McFadden wrote in his opinion: "Finding that the Department complied with the relevant statutes when it acquired the Elk Grove site, the Court will grant summary judgment for the Department and Wilton and deny it for the Plaintiffs."

On the issue of Stand Up's challenge to Wilton Rancheria's standing as a recognized tribe, the judge found "no basis to invalidate the Department's land acquisition for Wilton; it rests on the tripartite authority of the entire federal government"—that of the executive branch, Congress and the judiciary.

Judge McFadden found that Stand Up lacked standing to challenge Wilton Rancheria's title to the Elk Grove site. And he ruled that the site qualified as "restored land," with the



Tribe having “significant historic connection” to the location, which, moreover, is in close proximity to the historic Wilton Rancheria.

He also ruled that the Department of the Interior had complied with the National Environmental Protection Act (NEPA), rejecting Stand Up’s challenges based on alleged threats to the water supply and public safety, and the impact on traffic.

The judge also rejected Stand Up’s argument that the public was denied meaningful opportunity to participate in the site selection process, saying, “The record tells a different story.”

Judge McFadden points out that the Tribe held a “town-hall-style meeting” and that numerous public comments about the choice of the Elk Grove site demonstrated that citizens were aware of Elk Grove as an option to an earlier-considered site in nearby Galt. “Indeed,” the judge writes, “Plaintiff Lynn Wheat encouraged the Department to ‘consider carefully’ the Elk Grove site *instead* of the Galt site...It strains the limits of credulity for Stand Up to argue that the public was unaware Lynn Wheat might get her wish.”

Late last year, the Chairman of the National Indian Gaming Commission (NIGC) signed and approved the management agreement between Wilton Rancheria and Boyd Gaming to build a resort and casino on the Tribe’s trust land in Elk Grove. This approval followed adoption of the federal Bureau of Indian Affairs’ 2016 Final Environmental Impact Statement (FEIS), a lengthy and thorough process that spanned several years with extensive public input.

In July 2017, Governor Jerry Brown and Chairman Hitchcock signed a Tribal/State Gaming Compact, which was ratified unanimously by the State Senate and Assembly. The following January, the Department of the Interior published in the Federal Register notice of its approval of the gaming compact.

Wilton Rancheria’s tribal status was terminated in 1958, and the Tribe was finally restored, without land, in 2009, after a long-fought campaign by tribal elders. Wilton Rancheria is the only federally recognized tribe in Sacramento County. In November 2011, the Tribe adopted its modern Constitution, and since that time, tribal leadership has worked to improve the lives of its members and positively serve the community from its offices in Elk Grove.