



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

MAR 27 2025

The Honorable Shawn Davis  
Chairman, Scotts Valley Band of Pomo Indians  
1005 Parallel Drive  
Lakeport, California 95453

Dear Chairman Davis:

This letter is a correction and re-issuance of my March 26, 2025, letter, which contained a typographical error regarding the acreage of the Vallejo Site.

On January 10, 2025, Principal Deputy Assistant Secretary – Indian Affairs Wizipan Garriot issued a decision to take a 160.33-acre parcel in the City of Vallejo, California (Vallejo Site) in trust for gaming purposes for the Scotts Valley Band of Pomo Indians (Tribe). That decision included two determinations: (1) an Indian Lands determination that the Vallejo Site is eligible for gaming under the restored lands exception of the Indian Gaming Regulatory Act and the Department of the Interior's (Department) 25 C.F.R. Part 292 regulations (Gaming Eligibility Determination) and (2) a determination that the Vallejo Site may be taken into trust pursuant to the Indian Reorganization Act and the Department's 25 C.F.R. Part 151 regulations (Trust Determination). The Gaming Eligibility Determination replaces a 2019 Indian Lands Opinion that was remanded to the Department on September 30, 2022 (2022 Remand).

This letter is to inform you that, while the Trust Determination still stands and the Vallejo Site remains in trust, the Department is temporarily rescinding the Gaming Eligibility Determination for reconsideration.<sup>1</sup> This action is taken pursuant to 43 C.F.R. § 4.5, which provides the Secretary of the Interior (Secretary) with broad authority to review and reconsider any decision of the Department. The Secretary is concerned that the Department did not consider additional evidence submitted after the 2022 Remand. During the pendency of this reconsideration, neither the Tribe nor any other entity or person should rely on the Gaming Eligibility Determination.

To aid in our reconsideration, we invite the Tribe and other interested parties to submit evidence and/or legal analysis regarding whether the Vallejo Site qualifies as restored lands under 25 U.S.C. § 2719(b)(1)(B)(iii) and 25 C.F.R. Part 292. To ensure that we have all the relevant materials, any documents submitted to the Department after the 2022 Remand should be resubmitted. Submissions should be provided to the Director, Office of Indian Gaming, at 1849 C. Street NW, MS-3543, Washington, DC 20240, or at [IndianGaming@BIA.GOV](mailto:IndianGaming@BIA.GOV). The deadline for submissions is Friday, May 30, 2025.

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<sup>1</sup> Because the Department is only temporarily rescinding the Gaming Eligibility Determination, this letter does not represent the consummation of the Department's decision-making process and is not final agency action. *See* 25 C.F.R. §§ 2.101, 2.301.

Again, please note the March 26, 2025, letter contained a typographical error regarding the acreage of the Vallejo Site and is now corrected in this letter.

Sincerely,



Scott J. Davis  
Senior Advisor to the Secretary of the Interior  
Exercising by delegation the authority of the  
Assistant Secretary - Indian Affairs

cc: Chairman Anthony Roberts, Yocha Dehe Wintun Nation  
Chairman Charlie Wright, Kletsel Dehe Wintun Nation of the Cortina Rancheria  
Chairman John Williams, United Auburn Indian Community of the Auburn Rancheria  
Mayor Andrea Sorce, City of Vallejo  
Chairman Mitch Mashburn, Solano County Board of Supervisors  
Acting Chair, National Indian Gaming Commission