



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 6/21/2021

Agenda Placement: 5A

Napa County Legislative Subcommittee Board Agenda Letter

TO: Napa County Legislative Subcommittee
FROM: REBECCA CRAIG for Minh Tran - County Executive Officer
County Executive Office
REPORT BY: Nelson Cortez, STAFF ASSISTANT II - BOS - 7072991478
SUBJECT: Senate Bill 1901 - Carcieri Fix

RECOMMENDATION

County Executive Officer requests discussion and possible direction on Senate Bill 1901 - A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian Tribes, and for other purposes.

EXECUTIVE SUMMARY

On May 27, 2021, Senator Jon Tester introduced S. 1901 that aims at reversing a major 2009 Supreme Court decision in *Carcieri v. Salazar*.

As of June 17, 2021, the text of the bill was not in print.

The purpose of this item is to inform the Subcommittee of the new bill and possibly receive direction on future action.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Napa County's Legislation Platform (page 9) on this issue:

Tribal Recognition/Fee to Trust

Issue

In 1968, the Napa County Board of Supervisors had the forethought to preserve open space and prevent further development of agricultural lands by enacting the nation's first agricultural preserve. Federally-recognized Native American tribes possess tribal sovereignty and are not subject to state or county laws. Trust land is exempt from local land use regulations and is eligible for casino operations. Hence, if Napa land were taken into trust, Napa County's agricultural preserve and its economic fabric would be impacted.

Action

1. Support efforts to ensure that land within Napa County's exterior boundaries are not taken into trust and thus become exempt from local land use regulations.
2. Support efforts to enact legislation and regulations to require any group seeking federal tribal recognition to follow established federal administrative procedures in proving tribal standing.

SUPPORTING DOCUMENTS

None

Recommendation: Approve

Reviewed By: Helene Franchi