



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

IN REPLY REFER TO:

JUN 6 - 2008

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EL DORADO LAFCO

CERTIFIED MAIL - 7006 3450 0002 4647 0884

FC 08583

Jose Henriquez
550 Main Street, Suite E
Placerville, CA 95667

Dear Mr. Henriquez:

We are in receipt of your Freedom of Information Act (FOIA) request dated May 19, 2008, regarding the Verona Band of Homeless Indians, El Dorado County APN No. 319-100-37. This request has been assigned FOIA No. 08583 for processing. Please cite this number in any future correspondence or communications with the Pacific Regional Office regarding your request.

You have requested the following:

Copies of any and all documents involving the Bureau of Indian Affairs (BIA) approval of conditions imposed by the El Dorado Local Agency Formation Commission (LAFCO). At the time the latter agency approved the annexation of the Shingle Springs Rancheria (assessor's parcel number 319-100-37) into the El Dorado Irrigation District (EID) for the provision of potable water. LAFCO conditionally approved the annexation on July 7, 1988 and the Certificate of completion, which technically finalizes the annexation, was filed and recorded on March 9, 1989. The time lines for LAFCO action were between 1987 to 1989, which BIA's consent would have been given at the latter end of that timeline.

We were unable to locate any responsive documents at this office for which you have requested. Please be advised that this is not a refusal to disclose documents but rather a notification that there are no documents to disclose. The records you are requesting may be in a system of records at the Central California Agency. The address for where you may submit your request is as follows:

Central California Agency
650 Capital Mall, Suite 8-500
Sacramento, California 95814

TAKE PRIDE
IN AMERICA 

The fee incurred in processing your request was under \$30.00, so you will not be charged a fee under 43 CFR 2.16 (a) 2.

Under law we are required to advise you of your appeal rights whenever informing you that we believe that we have no records responsive to your FOIA request. Therefore, if you have additional information (not provided in your request letter) that would lead you to believe that documents responsive to your request are, indeed, on file in files maintained by the Bureau of Indian Affairs, you may file a FOIA appeal by writing to

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U.S. Department of the Interior
Office of the Solicitor
1849 C Street, N.W., Mail Stop 6556-MIG
Washington D.C. 20240
Attn: FOIA Appeals Office

JUN 1 2008

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Your appeal letter must be marked, both on its envelope and at the top of its first page, with the legend "FREEDOM OF INFORMATION APPEAL". Your appeal letter should be accompanied by a copy of your original FOIA request and an indication of where you believe responsive documents might be filed within the Bureau of Indian Affairs. Your appeal letter must be received by the FOIA Appeals officer no later than 30 workdays after the date of the final response letter.

Should you have any questions, please contact Lorrae Dietz, Alternate Freedom of Information Act Coordinator, at (916) 978-6071.

Sincerely,

Acting



Regional Director

cc: Freedom of Information Act Coordinator
Superintendent, Central California Agency

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

550 Main Street Suite E • Placerville, CA 95667

Phone: (530) 295-2707 • Fax: (530) 295-1208

lafco@co.el-dorado.ca.us

www.co.el-dorado.ca.us/lafco

May 19, 2008

Doug Garcia, FOIA Coordinator
United States Department of Interior
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way Room W-2820
Sacramento, CA 95825

Subject: **** **FREEDOM OF INFORMATION ACT REQUEST** ****

Land held by for the use and benefit of the Sacramento Verona Band of Homeless Indians, El Dorado County APN 319-100-37

Dear Mr. Garcia,

This is a request under the Freedom of Information Act. I request that a copy of the following documents containing the following information be provided to this agency:

Copies of any and all documents involving the Bureau of Indian Affairs (BIA) approval of the conditions imposed by the El Dorado Local Agency Formation Commission (LAFCO) at the time the latter agency approved the annexation of the Shingle Springs Rancheria (assessor's parcel number 319-100-37) into the El Dorado Irrigation District (EID) for the provision of potable water. LAFCO conditionally approved the annexation on July 7, 1988 and the Certificate of Completion, which technically finalizes the annexation, was filed and recorded on March 9, 1989. The timelines for the LAFCO action were between 1987 to 1989, which BIA's consent would have been given at the latter end of that timeline.

As I understand it, BIA consent is required before a tribe may enter into a legal agreement with a public or private entity. In addition, California State Law requires landowner consent to any LAFCO proceedings. Our records are missing the BIA consent of either the LAFCO proceedings or to the conditions this agency imposed on the annexation. This request was originally submitted to the Central California Agency and a member of its staff recommended that I submit this same request to the Pacific Region Office.

PLEASE NOTE: In 1987, the Shingle Springs Band of Miwok Indians (Tribe) entered into an agreement with EID, to which the BIA consented. We have that consent of file and a copy of the consent to that agreement would not satisfy this request. If BIA believes that it does, then LAFCO respectfully requests that BIA provide sufficient information and documentation to support that belief.

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COMMISSIONERS

Public Member: Francesca Loftis • Alternate Public Member: Norm Rowett

City Members: Carl Hagen, Ted Long • Alternate City Member: Roberta Colvin

County Members: Ron Briggs, James R. Sweeney • Alternate County Member: Helen Baumann

Special District Members: Ken Humphreys, Harry J. Norris • Alternate Special District Member: Michael Cooper

STAFF

José C. Henríquez, Executive Officer • Erica Sanchez, Policy Analyst

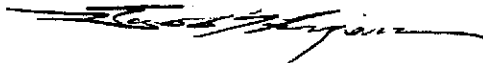
Denise Tebaldi, Interim Commission Clerk • Andrew Morris, Commission Counsel

In order to help determine my status to assess fees, I am the Executive Officer of El Dorado LAFCO, a California State agency that governs the boundaries of local governments, with notable exceptions. This request is made for purposes of information gathering and not for commercial use.

As a fellow public agency, I request a waiver of all fees for this request. Disclosure of the requested information to LAFCO is in the public interest because it is likely to contribute significantly to the public understanding of the annexation proceedings from 20 years ago and is not primarily in my or my agency's commercial interest.

Thank you for your consideration of my request. Please call me at 530-295-2707 if you have any questions regarding this letter.

Regards,



José C. Henríquez
Executive Officer
550 Main Street, Suite E
Placerville, CA 95667
530-295-2707
www.co.el-dorado.ca.us/lafco



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Central California Agency
650 Capitol Mall, Suite 8-500
Sacramento, CA 95814

IN REPLY REFER TO:
Real Estate Services
08J51-FOIA013

JUN 13 2008

RECEIVED
M 11
JUN 13 2008
EL DORADO LAFCO

Mr. Jose' C. Hernandez, Executive Officer
El Dorado LAFCO (Local Agency Formation Commission)
550 Main Street, Suite E
Placerville, California 95667

Dear Mr. Hernandez:

This is in response to your Freedom of Information Act (FOIA) request control No. 08J51-FOIA013, dated May 16, 2008, and received in our office on June 5, 2008.

You requested "copies of any documentation involving the Bureau of Indian Affairs (BIA) approval of the conditions imposed by the El Dorado Local Agency Formation Commission (LAFCO) at the time the latter agency approved the annexation of the Shingle Springs Rancheria (assessor's parcel number 319-100-37) into the El Dorado Irrigation District (EID) for the provision of potable water. LAFCO conditionally approved the annexation on July 7, 1988 and the Certificate of Completion, which technically finalizes the annexation, was filed and recorded on March 9, 1989. The Timelines for the LAFCO action were between 1987 to 1989, which BIA's consent would have been given at the latter end of that timeline. PLEASE NOTE: In 1987, the Shingle Springs Band of Miwok Indians (Tribe) entered into an agreement with EID, to which the BIA consented. We have that consent of file and a copy of that consent would not satisfy this request. If BIA believes that it does, then LAFCO respectfully requests that BIA provide sufficient information and documentation to support that belief."

Upon staff review of our files for Shingle Springs Rancheria, we were not able to locate any documents per your request.

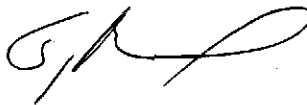
Under law, we are required to advise you of your appeal rights whenever informing you that we believe that we have no records responsive to your FOIA request. Therefore, if you have additional information (not provided in your request letter) that would lead you to believe that documents responsive to your request are indeed, on file in files maintained by the Department of the Interior, you may file a FOIA appeal by writing to the FOIA Appeals Officer, U.S. Department of the Interior, 1849 C Street, N.W., Mail Stop 6556-MIB, Washington, D.C. 20240. Your appeal letter must be marked, both on its envelope and at the top of its first page, with the legend "FREEDOM OF

INFORMATION APPEAL.” Your appeal letter should be accompanied by a copy of your original letter FOIA request (a copy of which is enclosed with our response, for your convenience) and a indication of where you believe responsive documents might be filed within the Department of the Interior. Your appeal letter must be received by the FOIA Appeals Officer no later than 30 workdays after the date of the final response (this letter).

This concludes our response within the Department of the Interior.

If you have any questions, please contact either Ms. Teresa Lone Wolf, Realty Specialist, at (916) 930-3773 or Ms. Angela Pittman, FOIA Coordinator, at (916) 930-3766.

Sincerely,



**Troy Burdick
Superintendent**

Enclosures

bc: FOIA Coordinator, CCA

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LOCAL AGENCY FORMATION COMMISSION

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lafco@co.el-dorado.ca.us

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COPY

2008-05-16-FOIA 013
FREEDOM OF INFORMATION REQUEST
RECEIVED 5-16-2008
EXPIRATION DUE 10-16-2008

May 16, 2008

VIA HAND DELIVERY

Angela Pittman, FOIA Coordinator
United States Department of Interior
Bureau of Indian Affairs, Central California Agency
650 Capitol Mall, Suite 8-500
Sacramento, CA 95814

Subject: **** **FREEDOM OF INFORMATION ACT REQUEST** ****
Land held by for the use and benefit of the Sacramento Verona Band of Homeless Indians, El Dorado County APN 319-100-37

Dear Ms. Pittman,

This is a request under the Freedom of Information Act. I request that a copy of the following documents containing the following information be provided to this agency:

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STAFF

José C. Henríquez, Executive Officer • Erica Sanchez, Policy Analyst

Denise Tebaldi, Interim Commission Clerk • Andrew Morris, Commission Counsel

EL DORADO LAFCO

ANGELA PITTMAN

FOIA Request to BIA

May 16, 2008

Page 2 of 2

As a fellow public agency, I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to the public understanding of the annexation proceedings from 20 years ago and is not primarily in my commercial interest.

Thank you for your consideration of my request. Please call me at 530-295-2707 if you have any questions regarding this letter.

Regards,



José C. Henríquez
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