



Picayune Rancheria
of the

CHUKCHANSI INDIANS

711 Lucky Lane, Coarsegold, CA 93614

Mailing Address: 46575 Road 417, Coarsegold, CA 93614

Dec. 13, 2024

President Joseph R. Biden

The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

President Biden,

We, the undersigned, are the elected Tribal Council of the Picayune Rancheria of Chukchansi Indians writing in opposition to the proposal to establish the Range of Light National Monument.

Our tribe has deep ancestral ties to the lands both neighboring and encompassed by this proposed monument, and we believe that any decision to designate this area as a national monument should involve robust government-to-government consultation and meaningful consideration of not only our tribe's history, but of the profound repercussions it would have on our way of life today.

Unfortunately, no such consideration has been paid by advocates of this proposal and the Picayune Rancheria of Chukchansi Indians have been engaged in no tribal consultation on this proposed designation.

As the original inhabitants of this land, we have a unique and profound connection to the Sierra Nevada, including the region sought by activists to be incorporated into a new national monument.

The creation of a national monument in this region has the potential to impact not only ancestral lands utilized by Chukchansi tribal members dating back more than a century, but also inhibit modern economic development by current tribal members, restrict access of our members and visitors, while also restricting critical wildland maintenance and wildfire protection at a time when blazes in the region are more devastating than ever.

Currently, more than 600,000 acres of land in the Sierra Nevada region – including a considerable portion of the proposed territory – are already designated wilderness areas subject to a wide range of environmental protections to maintain natural resources and protect habitats.

Given this, establishing the Range of Light National Monument would be exceedingly duplicative while penalizing self-sufficient tribes such as Chukchansi as we attempt to honor our heritage and build a better future for our children and grandchildren.

Most importantly, we have deep and abiding concerns that an action under the Antiquities Act to establish Range of Light National Monument may trigger the Federal Government's mandatory

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tribal consultation requirements with the Picayune Rancheria of Chukchansi Indians along with neighboring affected tribes who have historically utilized lands within and neighboring the proposed area.

First, as you know, The United States [] has a unique trust relationship with and responsibility to protect and support Tribal Nations. In recognition of this unique legal relationship, and to strengthen the government-to-government relationship, Executive Order 13175 of November 6, 2000 (Consultation and Coordination With Indian Tribal Governments), charges all executive departments and agencies [] with engaging in regular, meaningful, and robust consultation with Tribal officials in the development of Federal policies that have Tribal implications.

2022 WH Memorandum, § 1.

The 2022 WH Memorandum establishes “uniform minimum standards to be implemented across all agencies regarding how Tribal consultations are to be conducted”. *Id.* Some key principles include exchanging information and dialogue between official representatives, requiring that information received from Tribes be given meaningful consideration, striving for consensus with Tribes or a mutually desired outcome, including officials with decision-making authority regarding the proposed policy that has Tribal implications, making sure officials have adequate time to communicate, and advising Tribal Nations how their input influence the decision-making. *Id.* at § 2.

During consultation, the goal is to “have Tribal leaders and Federal representatives engage in respectful dialog based on mutual understanding of the issues to reach a common agreement pursuant to the principles [of seeking consensus].” 512 DM 5, §5.4(E). To accomplish this goal, the federal agency is responsible for providing adequate notice prior to the consultation.

Notification should include sufficient detail of the topic to be discussed to allow Tribal leaders to determine if they want to accept the offer to consult and, if so, provide an opportunity to fully engage in consultation. Adequate notice entails providing: (a) A description of the topic(s) to be discussed; (b) The scope of the proposed Departmental action under consideration; (c) The purpose of the Departmental action under consideration; (d) a timeline of the process, and possible outcomes of the Departmental action under consideration; (e) Department Bureaus and Offices that will participate in the consultation and the development and implementation of the Departmental action under consideration.

[] The notice should also give Tribal leaders the opportunity to provide feedback prior to the consultation, including time to request technical assistance and/or clarification on how the consultation process conforms to the requirements in [512 DM 5].

512 DM 5, § 5.5(A)(2).

The 2022 WH Memorandum also requires the head of the federal agency to “provide appropriate, available information on the subject of consultation including, where consistent with applicable law, a proposed agenda, framing paper, and other relevant documents to assist in the consultation process” 2022 WH Memorandum, § 5(iv).

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Unfortunately, no such government-to-government consultation on the issue of establishing Range of Light National Monument has occurred.

Currently, Chukchansi holds a memorandum of understanding with the Federal government for use of Sierra National Forests to gather traditional materials including food, fiber, and housing materials.

Additionally, members of the Chukchansi tribe post-contact have and continue to utilize the affected boundaries of the proposed Range of Light National Monument to recreate and gather for traditional practices.

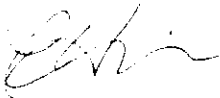
As such, we believe this proposal should be rejected due to its deliberate evasion of impacts on tribal communities and failure to engage in thorough tribal consultation.

Any proposed changes to these lands in the Sierra should be informed by mandated, robust tribal consultation and thoughtfully consider of appropriate alternatives – such as placing proposed wilderness areas into trust in the name of affected tribes or engaging in memoranda of understanding with the affected tribes for co-stewardship of to-be-determined lands.

In the interest of protecting the ancestral lands, communities, and economies of Sierra Nevada tribes including Chukchansi, we respectfully request that you reject utilizing Antiquities Act authority to designate Range of Light as a National Monument and engage in robust tribal consultation before undertaking any action to redesignate lands affecting our tribal members.

Thank you for your attention to this important matter.

Sincerely,



Tracey Hopkins
Tribal Council Chairwoman



Michael Wynn
Tribal Council Secretary

Cc: The Honorable Deb Haaland
The Honorable Tom Vilsack
The Honorable Alex Padilla
The Honorable Adam Schiff
The Honorable Tom McClintock
The Honorable Alexandra Macedo

The Honorable David Valadao
The Honorable John Duarte
The Honorable Jim Costa
The Honorable Vince Fong
The Honorable David Tangipa

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