

Sirs/Madams:

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6/6/09

2009 JUN 12 P 1:43

Re: Cayuga Indian
Land Claim

I need to ~~write~~ ^{write} anonymously
due to recent retribution cases in this
County (Seneca NY).

The fierce and embarrassing
inciting against the Indian Land Claim
can only harm any future negotiations
with the tribes which may benefit this
county.

Seneca County is a poverty zone which
should welcome entrepreneurship and job
creation at every level. The poverty and
lack of opportunity in this area was not
caused by the Native Americans.

Our county tax dollars are being
spent to promulgate fear and hatred
through scare tactics and misleading information.

The disgrace alone of Sullivan's march
through this area ought to engender sensitivity
to the issues.

As a former native of Seneca Falls NY it is
embarrassing to drive through the area and see
large signs of fierce unwillingness to negotiate.
It is reminiscent of the "Whites Only" waterfountains.
Enlightened negotiations are a must.

A Concerned Citizen of NYS.

Franklin Keel, Regional Director
Eastern Regional Office
Bureau Of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

Re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Director Keel,

I, Grant E. Abrams of 2219 Saxton Rd., Venice Center, NY find the DEIS as issued to be deficient in the following ways and oppose approval of this application:

Both Cayuga and Seneca Counties are already economically depressed areas. It is not in our best interest to have federal bureaucrats who have no ties to or concerns for the citizens of this area to be making decisions that will negatively impact our communities. Removing these properties from the tax rolls will only serve to further burden the citizens of our counties. The businesses which the tribes wish to open will be competing against local business establishments with an unfair and illegal advantage.

There are currently no members of the Cayuga Indian Nation residing in this area and while we would welcome any who wish to move here as neighbors on equal standing with the rest of the community, we do not welcome the imposition by Washington bureaucrats of a segregated, privileged and sovereign community within our borders.

Not here, Not now, Not ever!

Respectfully submitted,

Name Printed....Grant E. Abrams

Name Signed.... 

Date signed....16 June 2009

Cynthia S. Aikman
17 Liberty Street
Auburn, NY 13021

RECEIVED

June 30, 2009

2009 JUL -6 A 10: 08

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

DIA-ERO
REGIONAL DIRECTOR

"DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project"

Dear Mr. Keel:

An Environmental Impact Statement is meant to provide impartial presentation and consideration of significant impacts and be supported with analysis. Further, an EIS must evaluate the degree to which a proposed action complies with other local laws. With regard to the comments that follow, impact is defined as a change that results from the proposed activity.

Once 'in trust', the areas under consideration will no longer be subject to laws and regulations created for the protection of the environment and the checks and balances placed on market behavior.

Environmental Health

The Cayuga Indian Nation operates gas stations. Recently in New York State, retailers of gasoline were required to remove old fuel storage tanks and any contaminated soil and replace the tanks with new fuel storage containers. Fuel stations are monitored and required to operate under regulations that protect the environment. The proximity of the Cayuga Indian Nation fuel stations to Cayuga Lake raise questions regarding the impact of unregulated and therefore potential for gasoline leaking into Cayuga Lake.

A small parcel of land owned by the Cayuga Indian Nation is located in Montezuma. Also in the public trust is the Montezuma National Wildlife Refuge. While the DEIS indicates no *planned* use for the parcel at this time, once 'in trust' the CIN is not subject to laws and regulations created for the protection of the environment. We are extremely proud of the role that Montezuma National Wildlife Refuge has played in the restoration of Bald Eagles to the skies of Central Upstate New York. Any decision that places the Refuge or its inhabitants at risk is of significant concern.

Economic Impact

The DEIS refers to a traffic study completed during the time frame since the gaming facility has been closed. When open in the past, the small facility indeed attracted numerous visitors who arrived by automobile and filled the facility parking lot. A final EIS must at least study and describe any impacts that result in operating the businesses currently owned by the CIN.

Banking staff in our region report regret and sadness due to the damage compulsive gambling has inflicted on many of our families. Customers who frequented the small gaming facility in Cayuga County have turned to their banks to liquidate their savings, foreclosure on their homes, and ask for referrals to public agencies to request assistance to pay for prescription medicines and home heating bills.

A requirement in the 'land in trust' process is that the CIN must be in compliance with existing laws. The Cayuga County Sheriff took possession of 1,500,000 cigarettes. Cigarettes are being sold and sales tax was and is not being paid. Sales tax on 1.5 Million cigarettes is \$40,000. This "load" of cigarettes is delivered every two weeks to the CIN. At this rate \$1,040,000 in sales tax goes unpaid to State and Local governments.

Thank you for your consideration,


Cynthia S. Aikman

Walter M. Aikman, PhD
17 Liberty Street
Auburn, NY 13021
17 June 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, Tennessee 37214

"DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project"

Dear Regional Director Keel,

I am fortunate to instruct community college students in the biology and conservation of our region's natural resources. Today's students often come equipped with digital extensions such as cell phones and mp3 players, and also bring a kind of media savvy that, when it comes to matters of the conservation of natural resources and the protection of the environment, borders on cynicism. In short, many young people today share a media-informed bias that there is little our society can do to protect our environment, manage our natural resources sustainably, or modify our conduct to be more in harmony with nature.

My experience however, is that after a short time reviewing the past century of success Americans have had in harmonizing our modern economy with the laws of nature, students become more confident of our collective ability to shape the contours of a sustainable future, what Churchill once called our "broad, sunlit uplands." When they visit the Montezuma National Wildlife Refuge and learn how Bald eagles were brought back from the brink of extinction in New York they come to a more concrete appreciation and understanding of the progress Americans have made in the last one hundred years in conserving wildlife and protecting the natural environment.

It is for this reason I oppose granting the Cayuga Indian Nation lands Trust status, because I am convinced it will undermine and retard our progress in conserving wildlife and protecting the environment. The Draft EIS does not adequately address the negative externalities of gaming; it does not honestly describe the negative impacts the untaxed development and operation of Cayuga Indian Nation owned facilities will have on existing businesses in the community; and it ignores the many ways Trust status will erode American natural resource conservation and environmental protection efforts, programs, and policy. Trust lands occupied by the Cayuga Indian Nation will not have to comply with local, state and federal environmental protection laws, and thus the continuity and integrity of our many natural resource conservation and environmental protection laws and programs will be undermined, retarded, and negated.

When you consider how many new natural resource conservation and environmental protection programs are just getting off the ground in response to newly appreciated and understood threats,

it is alarming to realize how rapidly the collective American progress in natural resource management and environmental protection will be thwarted. Beyond the measures of success Cayuga and Seneca County residents have made in watershed protection, soil and wetland conservation, water quality control, and sustainable food production, Americans in general have devised a natural resource conservation and environmental protection framework that is the envy the world over. Following are four ways recent efforts to address new natural resource conservation and environmental protection concerns will be undermined by granting the Cayuga Indian Nation Trust status.

1. Montezuma National Wildlife Refuge

Montezuma National Wildlife Refuge is part of an international partnership to conserve migratory wildlife. Partners include the NYS Department of Environmental Conservation, Ducks Unlimited, The Nature Conservancy, and the Friends of the Montezuma National Wildlife Refuge -- all of this work is part of the North American Waterfowl management plan based on an international agreement with Canada and Mexico. Trust lands that claim sovereign rights will not be subject to the local, state, national and international laws and treaties that serve as the framework for wildlife and conservation at the Montezuma National Wildlife Refuge. Indeed, when a private firm recently tried to build and operate a landfill for their industrial wastes in the Town of Tyre in Seneca County (and not less than two thousand feet from the Western edge of the Refuge), many residents fought the siting of the facility not only because it would impact the quality of their lives, but because it would threaten the Refuge. But it was the local law preventing the construction and operation of solid waste management facilities in the Township that halted construction. Local people and local laws protected the Refuge. Trust land held, managed, and occupied by the Cayuga Indian Nation will have no obligation to protect the Montezuma National Wildlife Refuge.

2. Invasive species of plants and animals.

There is justified concern about the arrival of invasive species of plants and animals into New York State's ecosystems. Invasive plants and animals disrupt native ecosystem dynamics and place our wild heritage at risk by damaging native species of plants and animals, their habitats, and the natural resources we all value. For example, the Asian Longhorn beetle and the Emerald Ash borer have arrived in New York State, and efforts in 2008 and 2009 by the NYS Department of Environmental Conservation to prevent or slow the movement of these aliens include the adoption of new firewood use, transport and sale regulations. If the Cayugas achieve sovereign Trust status for their lands, they will not need to comply with these new and necessary regulations and place all our farm, commercial, and urban forest lands at increased risk to these very damaging invasive insects.

3. Management and disposal of fractured (frac) water from gas drilling

Increased demand for natural gas has led to a dramatic increase in drilling activity throughout the Eastern United States, including the Finger Lakes region. At this time the NYS Department of

Environmental Conservation is reviewing the current practices of drilling operators who use pressurized water injection techniques to increase gas well yields. Numerous examples of environmental impacts resulting from improper management and disposal of the chemically laden water used in this practice have caused alarm across the region. As a result of these concerns to our surface land management activities, including agriculture, forest management, wildlife management, outdoor recreation, and housing development, the state has initiated a review of the injection practices and the compounds contractors are adding to the water they do inject. Under the current vision articulated by the Bureau of Indian Affairs, the Trust land residents in Cayuga and Seneca Counties will not have to comply with any local or state environmental regulations meant to protect our surface land, waters, and wetlands.

4. Outdoor burning

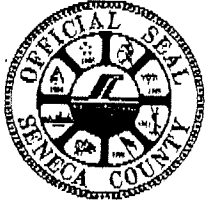
Burning of residential and agricultural wastes causes significant threats to human health and the environment since the combustion temperatures are too low to safely incinerate the huge number of dangerous chemicals that are the many products we use in the modern economy. As a result of these concerns, the NYS Department of Environmental Conservation is conducting a review of the practices and is in the process of promulgating new regulations governing the practice of backyard burning as well as the combustion of agricultural wastes, especially the plastic sheets used to cover hay and silage. Changing the solid waste management practices in our rural communities is very controversial, since imposing and enforcing new regulations will place expensive and inconvenient measures on rural communities. Naturally there is some level of heated discussion about the topic and as the solution to this challenging problem unfolds, our ability as New Yorkers to solve the problem together will progress since most of us recognize the legitimate concerns behind the rules and regulations under discussion. Unfortunately, under the current vision articulated by the Bureau of Indian Affairs, the Trust land residents in Cayuga and Seneca Counties will not have to comply with any local or state environmental regulations meant to control or limit such burning and as a result the overall progress Americans -- New York State residents included -- to manage and protect the environment will be undermined.

Respectfully,



Walter M. Aikman, PhD
17 Liberty Street
Auburn, NY 13021
17 June 2009

"DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project"



Seneca County
BOARD OF SUPERVISORS

1 DIPRONIO DRIVE
WATERLOO, NEW YORK 13165

PHONE: 315-539-1700
FAX: 315-539-0207

BIA-ERO
REGIONAL DIRECTOR

2009 JUN 31

RECEIVED

A 9:50

Where to Find DEIS

You may find the DEIS on the Counties' website www.NoCayugaLandIntoTrust.Net. The Bureau of Indian Affairs (BIA) has provided copies of the DEIS for viewing at the following locations during normal business hours:

Lakeside Trading
2552 Route 89
Seneca Falls, NY 13148

Lakeside Trading
299 Cayuga Street
Union Springs, NY 13160

Seneca Falls Library
47 Cayuga St.
Seneca Falls, NY 13148

Springport Free Library
171 Cayuga St., P.O. Box 501
Union Springs, NY 13160

How to Comment on the DEIS

Option One:

You may mail, hand carry or telefax written comments on the DEIS to:
Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214
Telefax: 615-564-6701

Please include your name, return address and the caption, "DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project," on the first page of your written comments. Note: Comments must be received by the Bureau of Indian Affairs by Monday, July 6, 2009. Emails will not be accepted.

Option Two:

You also may submit written comments and/or make verbal comments to the Bureau of Indian Affairs at its public hearing scheduled for:
Wednesday, June 17, 2009, New York Chiropractic College, Seneca Falls.

Option Three:

You may also submit comments on the DEIS to the Counties' website, noted above, (no later than June 26) and we will forward them to the Bureau of Indian Affairs on your behalf.

Option Four:

You may also submit written comments by mail or email to a member of the Seneca and Cayuga Counties' Task Force on the Cayuga Indian Land Into Trust Application (no later than June 26) who will forward them to the Bureau of Indian Affairs on your behalf.

- Chairman*
L. Chuck Laflier
Seneca Falls
- Majority Leader*
James H. Mooney
Town of Waterloo
- Minority Leader*
Peter W. Same
Town of Seneca Falls
- Finance Director*
Edward L. Barto
Town of Fayette
- Town of Covert*
Michael G. Reynolds
- Town of Junius*
Ron Serven
- Town of Lodi*
Lee Davidson
- Town of Ovid*
David Dresser
- Town of Romulus*
David M. Kaiser
- Seneca Falls*
James E. Terryberry
- Town of Tyre*
Patricia Amidon
- Town of Varick*
Robert W. Hayssen
- Waterloo*
Robert Shipley
- Waterloo*
Gary Westfall
- Clerk*
Margaret E. Li
- Deputy Clerk*
Barbara J. Carr

Cynthia S. Aikman
17 Liberty Street
Auburn, NY 13021

June 30, 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

"DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project"

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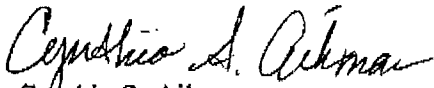
Page 2 of 2

"DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project"

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17 June 2009

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545 Marriott Drive
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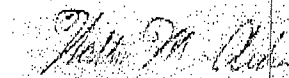
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4. Outdoor burning

Burning of residential and agricultural wastes causes significant threats to human health and the environment since the combustion temperatures are too low to safely incinerate the huge number of dangerous chemicals that are the many products we use in the modern economy. As a result of these concerns, the NYS Department of Environmental Conservation is conducting a review of the practices and is in the process of promulgating new regulations governing the practice of backyard burning as well as the combustion of agricultural wastes, especially the plastic sheets used to cover hay and silage. Changing the solid waste management practices in our rural communities is very controversial, since imposing and enforcing new regulations will place expensive and inconvenient measures on rural communities. Naturally there is some level of heated discussion about the topic and as the solution to this challenging problem unfolds, our ability as New Yorkers to solve the problem together will progress since most of us recognize the legitimate concerns behind the rules and regulations under discussion. Unfortunately, under the current vision articulated by the Bureau of Indian Affairs, the Trust land residents in Cayuga and Seneca Counties will not have to comply with any local or state environmental regulations meant to control or limit such burning and as a result the overall progress Americans -- New York State residents included -- to manage and protect the environment will be undermined.

Respectfully,



Walter M. Aikman, PhD
17 Liberty Street
Auburn, NY 13021
17 June 2009

"DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project"

RECEIVED

2009 JUN 15 A 8:04

**Francis H. Allenza
15 W. Elizabeth Street
Waterloo, New York 13165
(Seneca County)**

**BIA-ERO
REGIONAL DIRECTOR**

June 13, 2009

**Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, Tennessee 37214
[Telefaxed this day to 615-564-6701]**

**Re: Cayuga Nation Land Into
Trust Application**

Dear Sir:

First of all, government officials and many of its citizens of Seneca and Cayuga Counties should voluntarily cease from wasting taxpayer funds in the guise of saving taxpayer funds and attempting to instill fear via pandering to monetary issues. The Cayuga Indian Nation will eventually prevail on this issue; if not via the Land Trust by some other means.

At times, the opposition cite two older U.S. Supreme Court cases holding that the Cayuga's are not a Nation. As I recall, these cases are distinguishable from the case at hand. In years past, President Andrew Jackson ignored a U.S. Supreme Court decision favorable to Indians and began a massive movement and transfer of Indians. At the time there was no entity with authority or willingness to take on Jackson. Our entire American History is shameful in this regard. We have split tribes by scattering them (e.g. Potawamoni) and then argue they are not a Nation because they are not together.

All land in America belongs to the American Indian. In the 1970's, Title Companies placed an exception in all New York title policies for the rights of Indians to the land, clearly recognizing the issue.

To: Franklin Keel-page2

The continued expenditure of taxpayer funds to oppose the Land Trust or any other vehicle to achieve a similar purpose, instead of proceeding with a calmer negotiating process, is wasteful and counterproductive. The moral issue should also be recognized. The sins of the past are not past but are in a state of pitiful continuance.

I urge you to accept the application.

Very truly yours,


Francis H. Allenza

Tom and Karen Anglim
45 Mynderse Street
Seneca Falls, New York 13148

June 13, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition
Project

Dear Mr. Keel:

This letter contains our comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. We oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

An approved trust application will result in a tax shifting that will place greater and greater tax burden on fewer property owners, particularly as properties taken into trust are inevitably developed. This unfair tax burden will inhibit private sector investment and job growth in the region and burden current non-Cayuga Indian Nation businesses and residents remitting such taxes.

The development and all but certain expansion of Cayuga Indian Nation lands including Cayuga Indian Nation operations, retail facilities and gaming will increase the demand on community services provided by local and state governments. Certain of these services will continue to be undertaken by local governments without the payment of any taxes or assessments for properties which are the subject of Cayuga Indian Nation applications and/or future applications.

The Cayuga Indian Nation enjoys a significant economic advantage over competing businesses in operating its commercial enterprises and not charging or collecting state taxes.

Cayuga Nation sovereignty over the subject lands will result in a patchwork of jurisdiction over the lands. The Cayuga Indian Nation lands are a part of a larger community, all connected by water, sewer, school and other

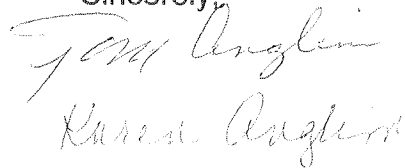
community services and resources. Without the ability to apply regulatory laws to Cayuga Indian Nation trust property, State and local governments would be unable to protect the property and health of residents in the overall community with whom the Cayuga Indian Nation shares a common environment.

The inability of the State to enforce state environmental laws that protect or reduce adverse impact to scarce and irreplaceable natural resources ranging from our lakes, rivers, and groundwater, to our air and soil will in essence prevent the State from protecting the environment for all and increase the likelihood of damage and destruction of such scarce resources adversely impacting all members of our communities.

The Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, we request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively we urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust.

Thank you for the opportunity to submit our comments and concerns into the public record.

Sincerely,

Handwritten signatures of Tom Anglim and Karen Anglim in cursive script.

Tom Anglim
Karen Anglim

CC:

✓ Chuck Lafler, Chairman, Board of Supervisors
40 Stevenson St.
Seneca Falls, NY 13148

Peter Same, Board of Supervisors
11 John Street
Seneca Falls, NY 13148

EDGAR E. BACKLUND
4608 Rte 89
Seneca Falls, New York 13148
ebacklund@rochester.rr.com

June 16, 2009

Franklin Keel, Regional Director
Eastern Regional Office – Bureau of Indian Affairs
545 Marriott Drive – Suite 700
Nashville, Tennessee 37214

Dear Mr. Keel:

Re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

While I could address the subject of "reverse discrimination" relative to the unfair business practices, I would like to address the practice of the Cayuga Nation buying land with their illegally obtained money and the consequences thereof.

With unlimited amounts of money the Nation is able to purchase available property at inflated prices, which increase the value of surrounding land with attendant higher land assessments, and land assessments in New York are already inflated. A case in point is the recent purchase of 151 acres in the Town of Varick purchased for \$785,000 (assessed value - \$220,500). Needless to say, this purchase price will affect assessments in the Town of Varick.


At present the Cayuga Nation wants to place 129 acres in the Town of Seneca Falls into trust. If this is allowed they will undoubtedly want to put more ill obtained land into trust. At present, the Cayuga Nation owns 895 acres in Seneca and Cayuga Counties. After artificially increasing the land values putting the land in Trust, the land is removed from tax roll and landowners are left with higher taxes. By converting the land to federal title the land becomes exempt from state and local taxation, local land use regulations, local law enforcement, and could not be taxed for community services such as fire, police protection, education and road maintenance. Not subject to existing zoning ordinances the Nation could do with the land what it would. The trust process removes land from local jurisdiction, places the land under federal authority, thereby reducing the balances intended by the Constitution.

To sum it up: if the Cayuga Nation continues to buy land at inflated prices and is allowed to place it into trust, we non-Indian landowners face higher assessments, higher taxes and our local and state governments would have no jurisdiction over the land or its uses.

The ramifications of this proposal ultimately affect all Americans everywhere in the 50 states. How could we possibly explain to our children the handing over of our basic and equal rights under the Constitution? It seems discriminatory to provide special immunity to the few at the expense of the many.

Thank you for your consideration.

Sincerely,


Edgar E. Backlund
Landowner, Town of Varick

cc: NYS Governor Paterson, Congressman Michael Arcuri, Congressman Dan Maffei, U.S. Senator Chuck Schumer, U.S. Senator Kirsten Gillibrand, N.Y. Senator Michael Nozzolio, N.Y. Assemblyman Gary Finch, N.Y. Assemblyman Brian Kolb, Cayuga County Legislature, Seneca County Board of Supervisors

DEIS Comments, Cayuga Indian Nation of New York Trust
Acquisition Project

Eugene Bruce Bell
77 Columbus Street
Auburn, 13021

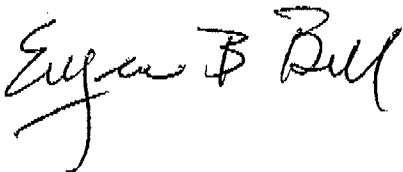
To: BIA

I want to comment about the land that the Cayuga Indian Nation wish to place in trust. Many people are concerned about the lost of sales tax, mainly on the sale of cigarettes. This is actually a moot reason because I think that one day soon cigarettes will be greatly reduced for sale or even banned for sale in some states. What will these municipally do then. Raise taxes of course.

The Indian Nations have been discriminated against enough. This goes back many years when the white man took their property from them. I don't want to get into that. Every person who studied U.S. history is aware of it.

All they want is a means of support for their people and to be self sufficient. I think they may even create more jobs than cause to be lost. I'll bet any land they do acquire or be forced to buy will be treated with the respect they have always given to their Mother Earth.

Thank-you,
Eugene B Bell

A handwritten signature in cursive script that reads "Eugene B Bell". The signature is written in black ink and is positioned below the typed name.

June 23, 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

Subject: DEIS Comments, Cayuga
Indian Trust Acquisition Project

I would like my name to be
added to the list of Seneca County
residents who are opposed to placing
land in trust for the Cayuga Indians.

I have been a resident of Seneca
county for 70 years.

Thank you,
Robert Betzler

Robert Betzler
8682 Co Rd 142, PO Box 137
Interlaken, NY 14847-0137

RECEIVED

2009 JUN 26 P 1:45

FRANKLIN
REGIONAL DIRECTOR

From the desk of: Alyssa Bromka, 5733 Route 89, Romulus, N.Y.

Draft Environmental Impact Statement COMMENTS

CAYUGA INDIAN NATION OF NEW YORK TRUST APPLICATION PROJECT

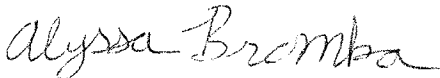
June 28, 2009

To: Franklin Keel, Eastern Regional Director of the Bureau of Indian Affairs

The purpose of my letter is to express the concern I have with the Cayuga Indian Nation's Draft Environmental Impact Statement and its application to the Bureau of Indian Affairs for its land to be placed into federal trust and thus made sovereign.

I was born, have grown up, and continue to reside in Seneca County, Town of Romulus on Cayuga Lake. I take great pride in my home and the area I live in. My parents have worked hard to help maintain our property and quality of life here. I am concerned though about the Cayuga Indian Nation's DEIS and application for land into trust. I do not feel it is fair that the residents of Seneca and Cayuga counties have to obey the law(s) and the Cayuga Indian Nation may not have to. If their purchased properties are exempt from taxes as well as Seneca County and NYS Rules, I believe these areas and the area I live in will deteriorate. I do not believe granting the Cayuga's their application will benefit the residents of Seneca County. I will no doubt one day become a property owner here. This whole issue is of concern both to me and to future generations of this area. Therefore, I ask that you do not allow the application to be approved.

Thank You,



Alyssa Bromka

RECEIVED
2009 JUL -6 P 3:36
PIA-ENO
REGIONAL DIRECTOR

RECEIVED

2009 JUN 16 P 1:07

BIA-ERO
REGIONAL DIRECTOR

Steven Bromka
112 Sunset Dr
Romulus, NY 14541
12 June 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains my comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. I oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

- Governmental entities that derive revenue from property to maintain infrastructure and community services include the relevant counties, towns and villages and local school, fire, sewer and water districts.
- Sales at gas stations and cigarettes sales undoubtedly suffer when competing enterprises are charging lower prices by refusing to collect required taxes. By virtue of Cayuga Indian Nation enterprises not remitting sales and excise taxes they are able to offer their customers lower prices, therefore attracting more customers and substantially undercutting their competitors.
- States, counties, towns and villages will lose any ability to regulate activities on the trust properties, including any activities that take place on such properties that impact the environment and natural resources including the air, soil and water.

The Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, I request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively I urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit my comments and concerns into the public record.

Sincerely,


Steven G. Bromka

Steven Bromka
112 Sunset Dr
Romulus, NY 14541
12 June 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

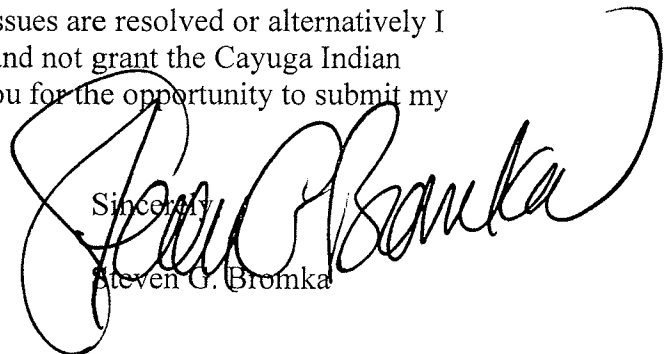
RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains my comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. I oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

- Governmental entities that derive revenue from property to maintain infrastructure and community services include the relevant counties, towns and villages and local school, fire, sewer and water districts.
- Sales at gas stations and cigarettes sales undoubtedly suffer when competing enterprises are charging lower prices by refusing to collect required taxes. By virtue of Cayuga Indian Nation enterprises not remitting sales and excise taxes they are able to offer their customers lower prices, therefore attracting more customers and substantially undercutting their competitors.
- States, counties, towns and villages will lose any ability to regulate activities on the trust properties, including any activities that take place on such properties that impact the environment and natural resources including the air, soil and water.

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Sincerely,

 Steven G. Bromka

CC: Mr. Chuck Lafter
Chairman, Board of Supervisors

DEIS COMMENTS: CAYUGA INDIAN NATION OF NEW YORK ACQUISITION PROJECT

June 16, 2009

A. Harold Brown
Jean O. Brown
28 Grove Street
Union Springs, NY 13160

Cayuga County
New York State

RECEIVED

2009 JUN 17 P 12:15

BIA-ERO
REGIONAL DIRECTOR

Franklin Keel
Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

Dear Mr. Keel:

We do not believe that land in Seneca and Cayuga counties should be taken into federal trust for the Cayuga Indian Nation making them sovereign Indian territory.

We are firm believers in being fair. We also believe all United States Citizens should have equal treatment. It is our understanding that Indians (native Americans) are United States Citizens. Therefore, they should not be given any special privileges or deprive other citizens of any privilege they are given.

If all citizens were allowed to put "land in trust", who would finance the roads, law enforcement, schools, fire protection, and any other community endeavor. Land in trust would place an extra burden on the individual community, county, state, and nation because of the loss of revenue. If a large portion of land is put in trust in a small community, it destroys the community's revenue base.

We can trace our ancestry back to the American Revolution. We think we are "natives" of this country.

Sincerely,

A. Harold Brown
Jean O. Brown

Cc: N.Y. Assemblyman Gary Finch

May 21, 2009

Dear Mr. Keel,

Subj: DEIS COMMENTS, CAYUGA INDIAN NATION OF NEW YORK TRUST ACQUISITION PROJECT

In reviewing the DEIS, submitted by the BIA, I have concluded the finding on the report that placing the land in trust would have little impact, to be deficient in substance.

First off, several plus generations have passed since the land was passed off by the Indians. Undoubtedly no one at this time in history really knows all the details of what transpired.

If this land is put into trust it will only be the start of what will be trusted in the future. With sales and excise taxes not being collected, more funds will be available to purchase additional lands which will then be mentioned to put into trust. This will create a loss in tax funds for the state, counties, schools, towns, and villages.

Additionally, it will be impossible for non-Indian establishments to compete with Indian stores not collecting and paying excise and sales taxes. All must compete equally to have businesses treated fairly.

In conclusion, I say absolutely no to the placement of the 130 acres and any other land in trust. I will also be contacting state and federal representatives to make sure this doesn't happen.

Sincerely,

Melvin J. Bishart
PO Box 61
Union Springs, NY 13160

REGIONAL DIRECTOR
BIA-ERO

2009 JUN 29 P 2:07

RECEIVED

July 3, 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriot Drive, Suite 700
Nashville, TN 37214

RECEIVED

2009 JUL -6 A 8:12

BIA-ERO
REGIONAL DIRECTOR

Re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

I am writing to object to land being put into trust per your draft environmental impact statement. It is time to stop the programs that divide this nation and start treating all Americans equally. The BIA has outlived its usefulness and should be abolished. You cannot keep this nation together and strong by dividing it into numerous nations. At a time when America is in competition with countries around the world, all Americans need to be treated equally and work together as one nation.

Now for the immediate problem of the land-in-trust issue:

- 1) Cayuga and Seneca counties cannot afford to have any land taken off the tax rolls.
- 2) Creating sovereign land will allow the Indians to build casinos, use farm land without following established regulations, build housing developments without following zoning rules and open businesses that put tax-paying businesses in an unfair position causing most to close (as witnessed in Oneida County).
- 3) Our police, fire and highway departments, which depend on taxes to operate, will be expected to cover this land and that will put more taxes on taxpayers to pay for these services.
- 4) Our schools will be expected to educate students from these trust lands at no cost to the Indians and, again, the tax-paying citizens will have to pick up the tab. Any promise by the government, state or federal, to subsidize schools with these students will just be more expense for the taxpayers - from the other pocket!
- 5) Any increase in Indian-run convenience stores raises the availability of cigarettes and alcohol to underage children. I have first-hand knowledge of this from the Union Springs store selling to my grandchildren. Not only is the state losing millions of dollars of taxes on cigarettes, but these stores prey upon the lower-income sector of our society by selling cigarettes at a substantially lower price than regulated stores thereby allowing people to continue smoking when they might otherwise quit because of the cost. Then, in later years, the taxpayers will be expected to pick up the medical expenses for health problems caused by these cigarette sales while having never received any tax money to help offset this cost.

It is unfair that the requests of the vast majority of tax-paying citizens of Cayuga and Seneca counties, as witnessed at the June 17, 2009 meeting in Seneca Falls, are disregarded. Please do the right thing and correct this draft statement to accurately portray the impact of putting this land in trust.

Barbara Carter, 2900 Center Road, Scipio Center, NY 13147 Phone: 315-364-8146



SENECA FALLS SAVINGS BANK

June 16, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RECEIVED
2009 JUN 22 A 10:11
BIA-ERO
REGIONAL DIRECTOR'S

19 Cayuga Street
Seneca Falls, NY
13148-0111
Phone (315) 568-5855
Fax (315) 568-2247

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

297 Grant Avenue
Auburn, NY
13021-0155
Phone (315) 255-0147
Fax (315) 258-8113

Dear Mr. Keel:

This letter contains our comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land-into-Trust Application. We oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects for the reasons set forth in this letter.

59 Washington Street
Waterloo, NY
13165
Phone (315) 539-9216
Fax (315) 539-9217

Perhaps first and foremost, the Cayuga Indian Nation claims in their DEIS that there is adequate statutory authority to proceed with its trust application; however, it would appear that the trust application is not valid given the United States Supreme Court decision in *Carciere v. Kempthorne* which determined that the U.S. Department of Interior could not take new land into trust for the Narragansett, as the Tribe was not federally recognized under the 1934 Indian Reorganization Act (the "Act"). During the Supreme Court trial, a list of 258 tribes recognized by the federal government under the Act was provided, and the Cayuga Indian Nation was not included. As such, the Department of Interior does not appear to have the authority to place land into trust on behalf of the Cayuga Indian Nation, negating the land-into-trust application altogether.

342 Hamilton Street
Geneva, NY
14456-1050
Phone (315) 789-8100
Fax (315) 781-2324

Certainly, if the DEIS is considered despite the potential legality issues, the Cayuga's claims that "taking the property into trust will have little or no impact on town, county or state services" and "It is not likely that significant additional development will occur on the portions of the Property that are already developed for the uses set forth in [the application]" should be carefully considered.

10 Osborne Street
Auburn, NY
13201-0155
Phone (315) 252-0495
Fax (315) 252-6269

Despite the Cayuga's claim to the contrary, a significant number of Cayuga, Seneca and Wayne County citizens will be immediately affected adversely if the land is placed into trust as once placed into trust, the land becomes exempt from local property taxes, special district charges and other fees shared by users of the community infrastructure such as roads, sewers and more. In addition, the Cayuga Indian Nation is not collecting New York sales and excise taxes (and therefore not remitting taxes to the state) legally due on the sale of taxable goods to non-tribal members, creating greater burden on the State and Local tax revenue streams.

152 Cayuga St.
Union Springs, NY
13160-0066
Phone (315) 889-5102
Fax (315) 889-5192

LOAN DEPT.
60 Fall Street
Seneca Falls, NY
13148-0111
Phone (315) 568-5855
Fax (315) 568-5771

An approved trust application (and any future applications that may be granted) will result in a tax shifting that will place greater and greater tax burden on fewer property owners, particularly as properties taken into trust are inevitably developed or are continued to be developed. This unfair tax burden will inhibit private sector investment and job growth in the region and burden current non-Cayuga Indian Nation businesses and residents remitting such taxes.

For example, in just a few years time, we have seen the devastating effect that the two Cayuga Indian owned gas stations have had on local businesses due to the unfair advantage provided by the Cayuga Indian businesses choosing not to collect and remit gasoline and cigarette taxes. Indeed, there were no less than five local, non-Cayuga Indian Nation businesses that were either driven out of business or near bankruptcy until relief was obtained through actions taken by the Seneca and Cayuga County District Attorneys.

As noted earlier, land in trust is not subject to tax levies that support infrastructure and various services provided to local communities (i.e., infrastructure maintenance, police protection, fire protection, emergency services, etc.); however, trust properties will continue to use community infrastructure (roads, emergency services etc.). The development and all but certain expansion of Cayuga Indian Nation lands, including Cayuga Indian Nation operations, retail facilities and gaming, will increase the demand on community services provided by local and state governments. Certain of these services will continue to be undertaken by local governments without the payment of any taxes or assessments for properties which are the subject of Cayuga Indian Nation applications and/or future applications.

States, counties, towns and villages will lose any ability to regulate activities on the trust properties, including any activities that take place on such properties that impact the environment and natural resources including the air, soil and water. Cayuga Nation sovereignty over the subject lands will result in a patchwork of jurisdiction over the lands, which is inconsistent with the community that has since developed over the past two hundred years. The Cayuga Indian Nation currently held lands are a part of a larger community, all connected by water, sewer, school and other community services and resources. Without the ability to apply regulatory laws to Cayuga Indian Nation trust property, State and local governments would be unable to protect the property and health of residents in the overall community with whom the Cayuga Indian Nation shares a common environment. Land use, environmental and other regulatory laws are only effective if they are applied uniformly over an area. The patchwork removal of the proposed lands from state and local jurisdiction threatens the regulatory scheme as a whole. In addition to the practical benefits of comprehensive state laws, rules and regulations instituted and implemented by elected representatives, the preservation of governance at the local level preserves and advances important values, among them democracy and the sharing of community burdens and benefits. States, counties, towns and villages will lose the ability to require enforcement of fire and building codes on buildings constructed or existing on trust lands. Land use and zoning regulations are indispensable tools in the community planning process. Zoning allows municipalities to make the most efficient use of the community's available land, while working toward the development of a balanced and cohesive community. If trust status is granted to the Cayuga Indian Nation properties, the properties granted trust status will not be subject to land use and zoning laws and the Cayuga Indian Nation can develop such properties without regard to land use conflicts or conflicts with an overall community plan.

New York and its municipalities enforce environmental laws to prevent damage to our natural resources and to prevent detrimental affects to all who share in the same environment. If the Cayuga Indian Nation lands are taken into trust they would be exempt from such state, county and local environmental laws, thereby posing a significant potential risk of damage or potential damage to our natural resources thereby adversely impacting residents of the counties because we all share in the same environment, and such trust status and lack of regulatory control presents threats or potential threats to our natural resources.

The inability of the State to enforce state environmental laws that protect or reduce adverse impact to scarce and irreplaceable natural resources ranging from our lakes, rivers, and groundwater, to our air and soil will in essence prevent the State from protecting the environment for all and increase the likelihood of damage and destruction of such scarce resources adversely impacting all members of our communities.

The Cayugas make mention that they plan to use the property for many uses, including gaming facilities in the DEIS, but they also note that the gaming operations have been temporarily closed and "is therefore not considered in the analysis of the current effects of the Nation's business activities." Given that the Cayuga's plan to begin the gaming operations if the land is placed into trust, it seems very inconsistent that the potential effects of the gaming operations are not considered in the DEIS. This is especially true given the known and observed effects that gaming operations have on communities throughout the United States. The nature of such gaming operations will surely have a measurable effect on the area which should have been included in the DEIS.

Further, there are many acres of land located in Seneca and Cayuga Counties not included in the current land-to-trust applications and previously stated Cayuga intentions to acquire more land in Seneca and Cayuga Counties. We believe the Cayuga Indian Nation will make application to have the additional land currently owned and future land acquired placed in trust. In addition, it is our belief that the Cayugas will then develop the properties resulting in increased economic and social effects that truly should be considered in the DEIS, especially since such intentions to develop properties have been expressed by the Cayugas and is consistent with actions taken by Indian nations throughout the Northeast. The Cayuga Indian Nation's failure to state its future development plans or potential plans exacerbates the concern that the future acquisition of additional lands will result in future land-into-trust applications which will remove more lands from the obligations of taxation and assessments and remove more properties and businesses conducted on those properties from all state, county and local regulatory control.

The DEIS as prepared for the conveyance of lands into trust by the Cayuga Indian Nation of New York is inadequate because it does not undertake an adequate analysis of the issues highlighted in this letter.

The DEIS lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, we request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved

or alternatively we request that the "no action alternative" be selected and the Cayuga Indian Nation application to have lands conveyed into trust be denied in all respects.

Thank you for the opportunity to submit our comments and concerns into the public record.

Sincerely,



Menzo D. Case
President & CEO

cc:

Chuck Lafler, Chairman, Board of
Supervisors
40 Stevenson St.
Seneca Falls, NY 13148

District Attorney Richard Swinehart
Seneca County Office Building
1 DiPronio Drive
Waterloo, NY 13165

Peter Same, Board of Supervisors
11 John Street
Seneca Falls, NY 13148

County Attorney Frank Fisher
Seneca County Office Building,
1 DiPronio Drive
Waterloo, NY 13165

David Dresser, Board of Supervisors
7302 Wyers Point Rd.
Ovid, NY 14521

County Manager Suzanne Sinclair
Seneca County Office Building,
1 DiPronio Drive
Waterloo, NY 13165

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

RECEIVED
2009 JUN 22 P 2:0
BIA-ERO
REGIONAL DIRECTOR

Re: DEIS Comments, Cayuga Indian Nation of New York Trust
Acquisition Project

I, Eleanore F. Casey of 2232 East Seneca St., Ovid, NY 14521
voice my opposition to the CIN Trust Application.

First, the DEIS is lacking by omission, neglect and half truths. Trust land will place the area in a divisive "them and Us" situation. The CIN will live on sovereign land and be exempt from local property taxes, sales and excise taxes and be free of all local, county, and state laws, while we will be subject to all laws, taxes and fees and at the mercy of unfair business practices. It is reasonable to assume that this will lead to discord. As CIN buys more land and applies for trust status, the situation will only become more adverse and conflict is a definite possibility.

2. Gaming, which the CIN would have us believe is the basis of their native culture, brings bankruptcy, divorce, broken homes and an excessive strain on welfare.

3. In 1924 all Indians were given citizenship and whether or not they choose to accept it, they cannot justify their continual whining about "Need". The same options and opportunities are available to them as to all citizens, so the choice is theirs. Lakeside Trading in both Cayuga and Seneca County, the produce stand at the corner of State Route 89 and East Bayard Street Extension and the ice cream stand opposite Lakeside Trading make it obvious that they are adept in the operation money-making businesses. Therefore, there is NO NEED for trust land.

4. It is common knowledge that illegal aliens bent on terror, drug dealers and escaped criminals are welcome on reservations. As we are already learning, money buys anything.

5. CIN has warned us that their objective is to put 64,000 acres in trust. At what point will our roads, Cayuga Lake, the NYS Barge Canal, high voltage electric lines, natural gas pipe lines and telecommunication cables come under the regulation of CIN? That will be the time when both the suppliers and the non-Indians will pay dearly for the use.

6. Future trust applications will likely encircle highways so that, unaware, residents and visitors alike will find themselves on reservation land where they will be victims of tribal law. How will our civil rights be protected under these circumstances.

Finally, nothing in this study shows that there will be "little or no impact". Your decision was made to favor Trust Land before the study was even considered. In truth, our community is headed into the tragedy of a crumbled economy, boarded up windows, trashed buildings, dwindling non-Indian population and your determination to ruin this country---one reservation after another.

Sincerely,

A handwritten signature in cursive script that reads "Eleanore F. Casey". The signature is written in dark ink and is positioned above the typed name.

Eleanore F. Casey

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains my comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. I oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects. The Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, I request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively I urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit my comments and concerns into the public record.

Sincerely,



Paul P. Cerza
11 Chapin St.
Seneca Falls, NY 13148

REGIONAL DIRECTOR
BIA-ERO

2009 JUN 29 P 2:12

RECEIVED

John Chomyk
6618 Butera Drive
Auburn, New York 13021

June 14, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RECEIVED
2009 JUN 22 A 10:40
EIA-EPD
REGIONAL DIRECTOR

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains my comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. I oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

It is inequitable to allow a group to sell goods and not collect sales tax and yet benefit from services provided by the taxpaying public. Should this go through, and a possible gambling operation be established, an additional drain on (local) County provided services would occur. Local, tax paying business owners, will suffer a loss of livelihood from services provides in the land established by trust. In a time when resources are already tight and county governments are looking at services that enhance their citizen's quality of life, but may not be mandated, to allow a probable further loss of resources like sales taxes, would be catastrophic. I must add, that I have lived in Cayuga County over fifty years and can recall perhaps one possible person of native Indian origin in my graduating class of almost 700 and certainly have not seen them as a committed, contributing group within and to this County since then. To enact the land into trust makes no sense in this county.

The Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, I request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively I urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit my comments and concerns into the public record.

Sincerely,



John Chomyk
(315) 252-0438

cc: Peter Tortorici, Chairman, County Legislature
19 Union Street
Auburn, NY 13021

cc: George Fearon, County Legislature
160 Genesee Street
Auburn, NY 13021

cc: Raymond Lockwood, County Legislature
1877 State Rte 326
Auburn, NY 13021

cc: Dave Axton, County Legislature
8160 State St. Rd.
Port Byron, NY 13140

Stephanie K. Church
6415 Short Road
Cayuga, NY 13034

June 30, 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, Tennessee 37214

Re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

The DEIS is incomplete and insufficient. It does not adequately explain the need to take land into trust. The Cayuga Indian Nation has existed for 200 years (although not necessarily with federal recognition). They have clearly demonstrated that they don't need the federal government's help to purchase land and existing businesses. Just because they want to be treated as special and above the law, it doesn't mean they should be.

The DEIS does not explain why this Land into Trust application for no-contiguous parcels is not considered checker-boarding, which the US Supreme Court ruled against in its Sherrill decision.

The DEIS overestimates the positive impacts of land into trust and largely ignores the negative effects. These economic, social and environmental negative impacts include:

- decreased tax revenues
- increased demand for community infrastructure and services
- increased pollution from inadequately maintained fuel tanks
- increased criminal activity
- unregulated land use and environmental activities

We want to believe that people are fundamentally good, but we have laws and regulations because that is not always the case.

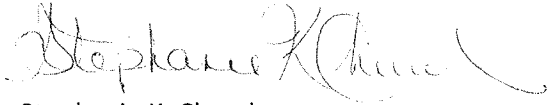
The DEIS is deficient in that it only reviews current use. It makes no provisions for future use and development. Should land into trust status be granted, the Cayugas would be free to develop land as they see fit, be it as a casino, or a 5,000 head hog farm with runoff to the lake, or a landfill to rival Seneca Meadows. Forever is indeed a long time and future use should be considered in the DEIS.

In particular, the DEIS does not adequately address mechanisms to protect our most valuable natural resource, Cayuga Lake. As part of a recent revision to our town's Comprehensive Plan, over 90% of our residents state it is either important or very important to protect Cayuga Lake. The Cayuga Lake Inter-Municipal Watershed Organization, comprised of municipalities throughout the watershed, has developed a Restoration and Protection Plan for the lake. A copy of the RPP is enclosed. Yet, the DEIS offers no mitigations to protect this beautiful and economically vital resource.

In short, the DEIS assumes the best and offers no mitigations for the worst. This leaves our communities of tax-paying, law-abiding, United States citizens with no way to preserve our own heritage and defend our future from this onslaught of greed.

I look forward to seeing these, and the concerns of the other members of my community, addressed in the Final Environmental Impact Statement. The recommendation of the Final Environmental Impact Statement should be option 2, No Action.

Best regards,



Stephanie K. Church

Enclosures

RECEIVED
2009 JUL -6 P 1:41
DIA-ERO
REGIONAL DIRECTOR

Franklin Keel
Regional Director
Bureau of Indian Affairs

June 22, 2009

-Cayuga Land into Trust Application-

The Bureau of Indian Affairs in the Interior Department acts as a Trustee for Indian Land and money held in the trust pay the United States.

The Bureau provides public services where needed-such as education, welfare aid, hospital, health centers and law and order.

This is all that I can find in "The Encyclopedia of U.S Government Benefits" dated 1968 allowing for some minor changes. The Bureau of Indian Affairs fully participates in the affairs of the native American. That being so-now here.

The Cayuga Indian Nation leader Clint Halftown would like to put in trust 129 acres out of 895 acres in their estate. With all the tax free services they get; why ask for more? I believe since the State of New York passed into laws a tax on liquor, beer and gaming facilities and demand payment from the Indians. This is an easy way out. The U.S government will be responsible for the land and money held in trust why New York State will not have the right to collect this tax. This is what I believe.

Benjamin A. Chrzanowski
4485 Rte. 89
Seneca Falls, N.Y
13148

"
JULIS COMMENTS CAYUGA INDIAN NATION OF NEW YORK
TRUST ACQUISITION PROJECT"
WORLD WAR II VETERAN

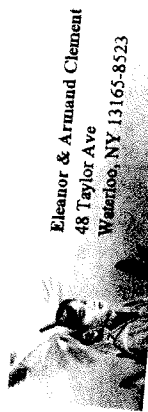
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2009 JUN 26 P 1:40

131-150
REGIONAL DIRECTOR

THE MORE ATTENTION
TO OUR OTHER NEEDS.

WE HAVE TURNED INTO A
MILSTAKE S + N.Y. STATE
ISN'T TOO FAR BEHIND.
MOST OF THE REST OF
THE WORLD DOES NOT
LOOK TOO KINDLY ON US.
SOMEBODY BETTER WAKE
UP ~~OUR~~ GRANDCHILDREN AND
SKEAL-GRANDCHILDREN DO
NOT DESERVE THE SITUA-
TIONS POLITICS HAVE CREATED.
-- RESPECTFULLY --



Eleanor & Armand Clement
48 Taylor Ave
Watford, NY 13165-8523

2
DEIS COMMENTS
CAYUGA INDIAN NATION NYS
TRUST ACQUISITION PROJECT

WE ARE SENIOR CITIZENS OF
POLISH-ITALIAN DESCENT. WE
ARE CONCERNED ABOUT THE
GOVERNMENT'S HANDLING OF,
NOT ONLY THE INDIAN PROBLEM,
BUT ALL OF THE OTHER, PRES-
ENTLY ARISE THIS NATION
TODAY.

WE START WITH THIS COUNTRY
WAS FOUNDED BY DESTROYING
THE NATIVES WHO LIVED HERE
FIRST. DO YOU CALL THAT HUMAN-
ITARIAN, DEMOCRATIC OR RE-
SPECTFUL. OF OTHERS AS THIS
COUNTRY BUILT ABOUT WITH
EVERY WORK OF MOST POLI-
TICIANS.

WHY DO WE NOT SEE ADIUK-
TISEMENS + COMMERCIALS
IN POLISH, ITALIAN, FREACH SE
IT'S ALL IN SPANISH / IS THIS
OUR IDEA OF EQUALITY?

WE BELIEVE THE TRUE
NATIVE AMERICANS ARE ENTITLED
TO WHAT THEY HAVE ACCOMPLISHED
AND OUR GOVERNMENT SHOULD

JUNE 7, 2009

MR. FRANKLIN KEEL
REGIONAL DIRECTOR
EASTERN REGIONAL OFFICE
BUREAU OF INDIAN AFFAIRS
545 MARIOT DRIVE
SUITE 700
NASHVILLE, TN 37244

DEAR MR. KEEL:

PLEASE NO LAND IN TRUST.

THE INDIANS FOUGHT WITH THE BRITISH AND LOST THE LAND
WHEN DEFEATED. THEY SHOULD ALSO OBEY THE LAWS OF
THE UNITED STATES. THEY SHOULD ALSO PAY TAXES FOR I
HAVE TO AND I AM ALSO A NATIVE AMERICAN, BORN HERE
AND A CITIZEN.

HOW CAN THEY BE NATIVE WHEN THE BEARING STRAIGHT WAS
LAND THEY CROSS AND ENTERED AND SLEW THE CAVE MAN
IN TAKING OVER THE LAND. THE INDIANS ALSO ABANDONED
THE LAND AND WENT TO CANADA AND AFTER COUNTRIES
THEY CAME BACK AND WANT THE LAND BACK. WHAT ABOUT
SO LONG AGO THAT IT IS ALL OVER WITH.

THEY OPERATE A BUSINESS, DO NOT PAY TAXES, PROPERTY
TAXES ETC. PROPERTY IS TAKEN OFF THE TAX ROLLS
AND COST US MORE AND THEY ARE THE GAINERS.

THEY ARE ON AMERICAN SOIL SO THEY SHOULD OBEY THE
LAWS OF THE USA.

SINCERELY,

Albert Colacino

ALBERT A. COLACINO
8462 OLD LAKE ROAD
LODI, NEW YORK, 14960

SENECA COUNTY TELEPHONE # 1-607-582-6448

Michelle A. Cole
3813 Gusty Lane
Seneca Falls, NY 13148

RECEIVED

2009 JUL -6 A 10: 31

BIA-ERO
REGIONAL DIRECTOR

June 19, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

In re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

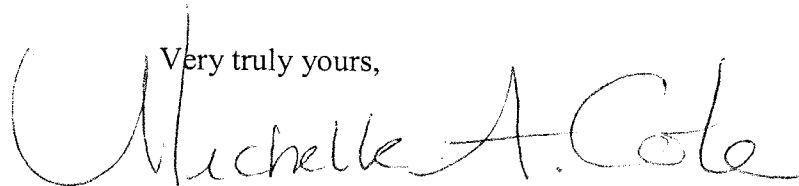
I regret that I was unable to attend the public hearings on the above issue. Accordingly, please accept this letter as my comments on the above. I am opposed to the Land Into Trust Application and urge BIA to deny the application in all respects. My reasons are as follows:

1. Land placed in such a trust is exempt from local property taxes. Such a tax shift would have a significant adverse affect on the remaining tax payers and affected communities, towns, county, villages, school districts, etc. Such a tax shift will undoubtedly inhibit private sector investment and job growth, result in a decline in the quality of education and limit opportunities afforded to residents. Federal and State governments must eventually come to the realization there is a limit to taxation without causing actual harm to taxpayers. The above will result in the area becoming unattractive to those who wish to relocate, etc.
2. Land placed into such a trust will not support normal governmental services such as police and fire protection, emergency services, and governmental infrastructure maintenance. The historical trend is for increasing lands to be placed in such trusts resulting in an ever increasing tax burden on the lands which are not placed in trust. The trust properties continue to derive benefit from infrastructure and governmental services without equitable contribution to the costs of same.
3. Lands placed into such a trust are not subject to equal or adequate federal, state, county or local regulatory jurisdiction. Failure of regulatory jurisdiction may result in adverse environmental impact, there are examples in other similar trusts where the trust properties are not administered in such a way as to protect the health, safety and welfare of the communities at large, including both native Americans and non-native Americans.

4. The Cayuga Indian Nation has demonstrated by its past conduct an unwillingness to support jobs and the economic well being of non-Indian owned businesses. They have done so by offering lower prices to consumers undercutting fair and reasonable competition, and enjoy an un-level playing field in terms of business enterprise. Federal and State agencies charged with the responsibility of enforcing laws which would collect the appropriate sales and use taxes from non-Indians have been woefully remiss in their charged duties and responsibilities. Once again, all to the detriment of the non-Indian enterprises and non-Indian residents and taxpayers.
5. On information and belief, the DEIS fails to clearly articulate the Cayuga Indian Nation's long term objectives relative to acquisition and development of real property. Without clearly and definitively noted future development plans, the long term future impacts of creation of a trust cannot be reasonably and effectively analyzed.

Based upon the foregoing, I request that the BIA withdraw the DEIS and urge the BIA to adopt the "no action alternative", denying the Cayuga Indian Nation's application for lands into trust.

Very truly yours,

A handwritten signature in cursive script that reads "Michelle A. Cole". The signature is written in black ink and is positioned above the printed name.

Michelle A. Cole

MAC/lac

cc: Charles Lafler, 40 Stevenson Street, Seneca Falls, NY 13148
David Dresser, 3702 Wires Point Road, Ovid, NY 14521



7/2/09

Re: DEIS Comments
Cayuga Indian Nation of NY
Trust Acquisition Project

Dear Sirs:

I oppose the land-in-trust
to the Cayuga Indian Nation,
a separate nation cannot live
within another nation, separate
laws, taxation, etc is complete
injustice. We should all remain
citizens of the USA, work together
for the honor of being Americans.

Thanks for listening to a
76 year old woman who loves
my country - as is.

Sally H Cook

RECEIVED

2009 JUL -6 P 3:47

WATERO
REGIONAL DIRECTOR

June 12, 2009

RECEIVED

2009 JUN 15 P 2: 33

BIA-ERO
REGIONAL DIRECTOR

Carl S Cuipyllo
6007 Lake Street
Cayuga, New York 13034
Telephone 315-252-4945

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, Tennessee 37214

DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr Keel:

The following are my comments on the DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project. Please incorporate a response to each in the Responsiveness Summary.

SECTION 00, EXECUTIVE SUMMARY, SECTION A, FOURTH PARAGRAPH

The purpose of the Proposed Action is to address the Nation's need for cultural and social preservation, political self-determination, self-sufficiency, and economic growth as a federally recognized Indian tribe.

Comment:

All these needs are guaranteed as citizens of the USA. No additional privileges are required to fulfill these needs.

SECTION 00, EXECUTIVE SUMMARY, SECTION B, PURPOSE AND NEED

To generate revenues to fund tribal programs and services, the Nation acquired several properties on the Nation's ancestral lands in Cayuga and Seneca Counties. Included among its acquisitions were two existing convenience stores/gas station businesses in Union Springs and Seneca Falls. The Nation operates these businesses for tribal revenue generation purposes. The Nation has generated additional revenues at these sites through the operation of two Class II gaming facilities. These business operations are the sole source of tribal revenues.

Comment:

The tribe also receives revenue from the Federal Government. Tribal members are eligible for all benefits available to any other US citizen including Social Security, Medicare / Medicaid, Worker's Compensation Insurance, Welfare, and so on.

SECTION 00, EXECUTIVE SUMMARY, SECTION B, PURPOSE AND NEED

Transfer of lands into trust is a real estate transaction which would convey legal title to the subject properties to the United States. If the Nation's fee-to-trust application is approved by BIA, the subject properties will be held by the United States for the use and benefit of the Nation to ensure the cultural preservation, expression and identity, self determination, self-sufficiency and economic independence of the Nation as a federally recognized Indian tribe.

Comment:

These functions are permissible without transfer into Federal Trust.

SECTION 00, EXECUTIVE SUMMARY, SECTION C, ALTERNATIVES, ALTERNATIVE 2: NO ACTION

Under this alternative, the BIA would take no action, and the Nation's properties would not be taken into trust by the United States.

Under this alternative, the Nation would continue use of its properties for multiple purposes, including the continuation of existing uses.

Comment:

The Nation is doing well as evidenced by their ability to buy properties in Union Springs, Seneca Falls and Montezuma. There is no need to further enable the tribe.

SECTION 00, EXECUTIVE SUMMARY, SECTION D, EXISTING CONDITIONS.

At the Union Springs LakeSide Trading operations, the Nation currently maintains a workforce consisting of 17 employees. In addition to paying wages and salaries to employees, the Nation's Union Springs gas station, car wash, and convenience store make expenditures in the order of \$440,176 per year to purchase of goods and services. The direct effect on the local economy from the Nation's Union Springs activities, measured as economic output or demand, is estimated at approximately \$864,398 annually. The total annual economic activity that results from the Nation's existing operations is estimated at \$1.8 million in New York State. Of that, \$1.2 million would occur in Cayuga County.

Comment:

These figures do not take into account the loss of tax revenue to the existing government entities or the additional costs for the stress on the infrastructure that will be borne by those existing government entities.

SECTION 00, EXECUTIVE SUMMARY, E. POTENTIAL EFFECTS OF THE ALTERNATIVES

ALTERNATIVE 1: THE PROPOSED ACTION

Under this alternative, which involves placing the Nation's property into trust, no changes are proposed to existing resources. Under this alternative, existing land uses would continue, and the properties would continue to be used as currently used. This alternative would result in the reopening of the existing, but temporarily closed, gaming facilities at the Seneca Falls and Union Springs Enterprise Properties. As a result of this alternative, no new development or construction is planned, and therefore there would be no change to land and water resources, living resources, cultural resources, or resource use patterns.

Comment:

*Gambling is incongruous with the existing cultural climate as exhibited by the present prohibition of such activity. In addition the Haudenosaunee is philosophically opposed to casino gambling and high stakes bingo within its territories. Gaming is predicated upon fostering greed and unrealistic visions about striking it rich. There is a reason why casinos are constitutionally banned in New York State. In the past, casinos corrupted the people. New York has chosen gambling as a way to generate income for itself and the Haudenosaunee feel that this is socially irresponsible. The Haudenosaunee is morally opposed to casino gambling and high stakes bingo within the territory of the Haudenosaunee. Our Original Instructions, Great Law of Peace and Spiritual Teachings are very clear on this matter. The Haudenosaunee way of life is predicated upon values and beliefs that will be undermined by the greed and corruption that casinos bring. The culture of casinos would violate the principles and values that the Haudenosaunee have inherited from their ancestors. Casino culture destroys the social, cultural and spiritual fabric of the Haudenosaunee people, and will lead to more serious disruption of the overall health and welfare of the Haudenosaunee people. Excerpted from: **HAUDENOSAUNEE STATEMENT ON HIGH STAKES GAMBLING** April 2005*

SECTION 00, EXECUTIVE SUMMARY, E. POTENTIAL EFFECTS OF THE ALTERNATIVES ALTERNATIVE 1: THE PROPOSED ACTION

The annual operations of the LakeSide Trading and reopened LakeSide Entertainment gaming businesses are projected to have direct employee compensation in the two counties equal to about \$1.3 million. Including indirect and induced activity that occurs off-site, the total employee compensation from the operation of the project are estimated at about \$1.8 million in the two counties, and \$3.8 million in New York State.

Under this Alternative, the direct effect on the local economy, measured as output or demand, from the annual operation of the Proposed Action is estimated at \$3.1 million, an increase of approximately \$1.3 million over existing operations. Including activity that occurs off-site, the total effect from the annual operation of the Proposed Action on the two counties' economy is

estimated at \$4.2 million. The total effect on the New York State economy is estimated at \$7.5 million annually.

Comment:

This statement fails to acknowledge that there is no actual creation of wealth for the local economy, but is simply a redistribution of the money already in the area. Operation of the convenience stores employed people before the purchase by the Nation, therefore the Nation has not created any jobs.

SECTION 00, EXECUTIVE SUMMARY, E. POTENTIAL EFFECTS OF THE ALTERNATIVES ALTERNATIVE 1: THE PROPOSED ACTION

As trust land, the Nation's property would not be subject to local or county taxation, and would therefore not contribute to the funding of these services through the property taxation system. The Nation, however, would assume the full range of jurisdiction over the subject properties. Further, the Nation intends to explore cooperative agreements with regards to community service providers, including emergency services, to ensure that the Nation's properties and patrons of its businesses are adequately protected. No cooperative agreements were in place prior to the Nation's land-into-trust application; however, the Nation does intend to fully explore such agreements.

Comment:

An intention is not a guarantee and the Nation is under no legal obligation to follow through on its intentions.

SECTION 00, EXECUTIVE SUMMARY, E. POTENTIAL EFFECTS OF THE ALTERNATIVES ALTERNATIVE 2: NO ACTION

Under this alternative, in which the Nation's property would not be placed into trust, the property would continue to be used as it is now and there would be no changes to the existing conditions as described above. In addition, under this alternative, the status quo with respect to jurisdictional issues and disputes between the Nation and State and local governments would continue.

With respect to the Nation's Enterprises, the Nation's gas station and convenience stores, Lakeside Trading 1 and 2, would continue in operation but the Nation's Class II gaming facilities would remain closed. Whereas the Nation previously derived the vast bulk of its

income from its gaming facilities, the vast majority of its revenues now come from the sale of cigarettes and gasoline.

Comment:

We disagree that status quo would remain. Since the land would remain under local jurisdiction local rules and regulations would apply. There should be no dispute.

**SECTION 00, EXECUTIVE SUMMARY, E. POTENTIAL EFFECTS OF THE ALTERNATIVES
ALTERNATIVE 3: ENTERPRISE PROPERTIES INTO TRUST**

Under Alternative 3, which would place the Nation's property in Seneca Falls and Union Springs into trust, the property would continue to be used as it is now with the reopening of the two gaming facilities at the Seneca Falls and Union Springs sites. As a result of this alternative, there would be no changes to onsite land and water resources, living resources, cultural resources, or resource use patterns.

Comment:

We disagree with this point. As gambling is now not allowed in the area for cultural reasons this would be a major change to the local culture.

SECTION 00, EXECUTIVE SUMMARY, SECTION F. MITIGATION

No significant adverse impacts were identified as a consequence of either Alternative 1, the Proposed Action, or Alternative 3. Therefore, it is concluded that the Proposed Action and Alternative 3 would not result in any significant adverse impacts needing mitigation of any form.

Comment:

The EIS is in error in finding that there would be no adverse impacts. The introduction of commercial gambling into the area would forever and irreversibly change the social and cultural character of the area. Another significant impact is that the land into trust without the creation and maintenance of international borders would create two classes of local residents, one class subject to local rules and regulations and one immune from them. Functionally these people would occupy the same land but would be subject to two entirely different sets of rules. Cultural friction would ensue.

CHAPTER 1: PURPOSE AND NEED SECTION B: BACKGROUND AND HISTORY

The transfer into federal trust of the Nation's Cayuga and Seneca County properties would provide cultural resource protections.....

Comment:

The US constitution already provides that ethnic and cultural entities be allowed to embrace the activities and institutions that make their cultures unique. There is no need for a redundant action.

CHAPTER 2, ALTERNATIVES ALTERNATIVE 2: NO ACTION

Under this alternative, analysis of which is required under NEPA, the BIA would take no action, and the Nation's properties included in Table 2-1, above, would not be taken into trust by the United States.

Under this alternative, the Nation would continue use of its properties for multiple purposes, including the continuation of existing uses (e.g., convenience store and gas station operations, a car wash, and related activities).

Comment:

The no action alternative should be chosen as the Nation has clearly demonstrated its ability to succeed within the existing structure. They may, and have, operated successful businesses, there is no prohibition to their establishing cultural centers under the current structure. They may pursue any of the activities which define their culture. They may acquire property for the purposes of culture, religion, business and everything else required to maintain their cultural integrity. Their recent acquisitions prove this.

Chapter 3.4: Hazardous Materials

Comment:

The environmental site assessments performed at these locations refer to NYS guidelines, standards and objectives. Since NYS standards would no longer apply to these parcels they should be reviewed by the USEPA and evaluated according to the USEPA rules, regulations and guidance values. Site evaluations should include the proposed USEPA Petroleum Bulk Storage inspection schedules and remedies available should there be an environmental problem.

CHAPTER 3.8 SOCIOECONOMIC

The BIA Eastern Regional Office considers the Cayuga Nation to be an environmental justice community. The BIA considers the Nation historically disadvantaged minority with limited income potential due to general biases of the greater population within the region and State.

Comment:

We strongly disagree with the BIA position that the Cayuga Nation is disadvantaged. We strongly disagree that there is a general bias against the Cayugas. Insinuation of this bias is in fact accusing the local population of being racist. The Cayugas are as welcome as any other race, creed or religion. In fact, by allowing the Cayuga's to reside in the area without regard to the local rules regulations and customs the BIA is setting up a dynamic conducive to friction between people. It is not the race that is the issue it is the unequal application of laws based solely on race as is being proposed by the BIA. In President Obama's inaugural speech he states, "...that the lines of tribe shall soon dissolve..." They must and the BIA must not perpetuate ethnic divides. The Cayuga's income earning potential is similar to all other local residents as evidenced by the patronization of Cayuga enterprises by the local populace.

CHAPTER 3.8 G

Comment:

The premise is that the Nation has a positive economic effect on the area when in fact the money generated by Nation enterprises is gleaned from the local economy and simply redistributed with the lion's share going to the Nation. The convenience stores operated by the Nation existed and created jobs before the Nation's ownership. The gaming activities draw from the local area and create no actual wealth. Section 4.8 A of this document acknowledges that the draw for the gaming facilities is local.

This section does not address the job loss of business that have closed due to unfair competition from the Nation.

CHAPTER 4.4

Comment:

Again, the environmental impact must be analyzed by and according to the USEPA.

CHAPTER 4.8 A

The Proposed Action is intended to further the lifestyle, cultural values and objectives of the Nation by advancing the Nation's goal of reestablishing tribal presence in its former homeland. This former homeland holds cultural and religious significance for its people. In addition, by enabling the Nation to continue operating and resume operations at businesses which were created to generate a source of revenue to be used to better the life of the Nation's membership, the Proposed Action will further the Nation's goal of economic self-sufficiency.

Comment:

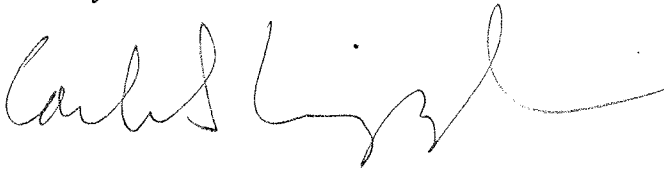
All cultures, races creeds and religions are free to establish a presence in the area. There is no institutional bias against any group. A distinct political entity is not required to embrace one's culture. The Nation may operate business enterprise within the local structure as can anyone else. There are no prohibitions specifically aimed at the Nation.

CHAPTER 4.8 B. ALTERNATIVE 2: NO ACTION

Comment:

The Nation's objectives obviously go beyond re establishing their culture. The Nation has been successful in the present situation can continue to acquire property for residence, culture and business. There is no need to enable the Nation beyond the current conditions. The no action alternative should be chosen.

Sincerely:

A handwritten signature in cursive script, appearing to read "Carl S Cuipylo".

Carl S Cuipylo, Cayuga, New York

cc:

Peter Tortorici

Raymond Lockwood

David L. Dresser, Ph.D.

7302 Wyers Point Road
Ovid, New York 14521
June 25, 2009

Mr. Franklin Keel
Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

RE: DEIS Comments: Cayuga Indian Nation of New York
Trust Acquisition Project

Dear Mr. Keel:

As Chair of the Indian Affairs Committee of the Board of Supervisors of Seneca County I write to convey my conclusion that the Draft Environmental Impact Statement (DEIS) prepared by AKRF for the Cayuga Indian Nation (CIN) is seriously flawed and that the Bureau of Indian Affairs should adopt the No Action alternative contained therein. There are many reasons why the DEIS is deficient and there are many reasons why the Department of the Interior should not take land into trust for the CIN in Cayuga and Seneca counties. I will attempt in this letter to summarize my objections to the proposed action.

1. **1. The DEIS does not respond to the counties' initial comments to these applications.**

Harris Beach, Attorneys at Law for the counties, submitted a 22-page letter on February 10, 2005, with the following objections: 1) No statutory or constitutional authority exists to grant these applications, 2) Taking the Nation's property in trust would be directly at odds with the Supreme Court's teaching in Sherrill, and 3) 25 C.F.R. Part 151 criteria do not support the Nation's applications.

The letter explained that "The legislative intent of Section 465 supports a denial of the Nation's applications," that "Section 465 does not apply to New York tribes," and that "Section 465 constitutes an unconstitutional delegation of legislative power." It went on to explain that "The Nation has failed to demonstrate any need for the lands to be taken into trust," that "Using the Nation's properties for the purpose of Indian gaming violates federal and local law," that "Removal of the properties from the tax rolls would have significant adverse impacts on the Counties and local municipalities," and that "Serious jurisdictional problems and conflicts will arise if the Nation's applications are granted."

None of these concerns were adequately addressed in the DEIS. Some seventeen Exhibits supporting the concerns expressed in the letter were also largely ignored in the DEIS.

2. The Indian Reorganization Act does not justify taking New York Land in Trust

On page S-1 of the Executive Summary, the DEIS states that “the Nation acquired several properties on the Nation’s ancestral lands in Cayuga and Seneca Counties.” In the first place, the ancestral lands of all of the Iroquois (Haudenosaunee) tribes are in Canada, specifically in the vicinity of Montreal. Secondly, and more to the point, if these were ancestral lands they are not currently reservation lands, yet these applications are being treated, incorrectly, as “on-reservation” applications.

The Indian Reorganization Act (IRA) of 1934 was designed primarily to restore to Indian tribes land they had lost under the allotment policy set up by the Dawes Act of 1887, whereby tribal land was deeded to individual Indians, who subsequently lost ownership of it due to death, divorce, bankruptcy, or other misfortune. The IRA authorized Congress up to \$2,000,000 per year to buy back land that had been lost to tribes due to allotment. No New York land was lost to the Cayugas, or any other Iroquois tribe, due to allotment. The Cayuga reservation land was sold to the State of New York in 1789, with acreage reserved for the use of the tribe that was soon abandoned, for which the tribe received payment in 1795 and 1807, and subsequently.

The inapplicability of the IRA to the Cayuga Indian Nation was recently illustrated by the ruling of the U. S. Supreme Court in *Carcieri vs. Salazar* (2009). The decision was that the Narragansett tribe of Rhode Island could not be granted land in trust because it was not a federally recognized tribe under federal jurisdiction in 1934 when the IRA was passed. Neither was the Cayuga Indian Nation. All New York tribes were and are under state not federal jurisdiction, as was established in another pertinent U. S. Supreme Court ruling (*Kennedy vs. Tyler* (1925)).

3. The DEIS ignores the CIN’s illegal sale of untaxed gas and cigarettes

On pages 3.8-23 and 24 the DEIS falsely states, “because the Nation is a sovereign tax-exempt entity, no sales are paid on the Nation’s purchases or collected on sales made by the Nation.” In fact, the U.S. Supreme Court has repeatedly ruled that states may compel tribes to collect taxes on sales to non-Indians, and New York tax law requires it, under sections 284e for gasoline and 471e for cigarettes, even on qualified reservations. On December 9, 2008, Supreme Court Judge Kenneth Fisher ruled that the counties were within their rights to seize untaxed cigarettes being sold at the Nation’s LakeSide Trading stores in Seneca Falls and Union Springs because the stores were not on qualified reservations.

Four successive governors in the State of New York have exercised a policy of forbearance with respect to the collection of sales and excise taxes on tribal sales to non-Indians, even off qualified reservations, such as at SaveOn gas stations and convenience stores in Madison and Oneida counties. This policy, however, does not change the law, in fact Governor Paterson signed a new law on December 15, 2008 requiring wholesalers to

certify to manufacturers, under penalty of perjury, that they would not sell unstamped/untaxed cigarettes to retailers, such as Lakeside Trading.

The DEIS, by ignoring the sale of untaxed gasoline, cigarettes, and other products by the CIN, is actually condoning the purchase of land for trust with illegal profits. We find this to be disgraceful. It is no excuse to say that sales tax collection is a state responsibility, as if you could wipe your federal hands clean of collusion with the tribe. With these illegal profits the CIN has already purchased some 765 more acres in the counties than are included in these applications, with intent to apply for more trust land.

The DEIS conspicuously omits reporting the CIN's expenditures for cigarettes and gas in Tables 3.8-25, 26 and 27, thus hiding, apparently deliberately, the enormous profits made by the Nation from the illegal sale of these products. It also is remiss in not reporting the negative impact of these sales on competing non-Indian enterprises, driving several out of business and greatly reducing the profits of others. After cigarettes were confiscated from Lakeside Trading stores in Seneca Falls and Union Springs, competitors reported a three- to four-fold increase in cigarette sales and enjoyed increased derivative business as well.

4. The DEIS assumes no negative impact from the resumption of gaming.

AKRF has made no study of the impact of gaming when it was conducted in the counties prior to the passage of a local law declaring it a nuisance. The DEIS says on page 5.1 that "There is no consensus as to the relationship between Indian gaming and problem gambling," but it reports only the positive economic impacts of gaming. It avoids mention of the negative social and financial effects upon individuals and families. By way of mitigation it says, "The Nation would provide information to its patrons regarding gambling addiction counseling services available in the area."

There is another serious negative impact on the counties from the resumption of gaming that would occur if the proposed alternative is accepted. With the enormous profits that would be made from renewed gaming, the CIN would be in a position to buy more choice property to put into trust and take off the county, town, school and perhaps village tax rolls. Much of this could be or become income-producing property supporting businesses that would unfairly compete with non-Indian businesses, especially if sales and excise taxes are not collected from non-Indian customers. This cumulative or multiplier effect was not considered by AKRF for either the resumption of gaming or the resumption of tax-free sales to non-Indians and is perhaps the most serious shortcoming of this DEIS.

5. The DEIS does not give sufficient attention to the jurisdictional issues involved.

The DEIS downplays environmental effects on water and air quality, land use and zoning, traffic and noise, health and safety, infrastructure (water, sewer, and roads), and social services. In this respect it disregards the central teaching of the U. S. Supreme Court's decision in the Town of Sherrill vs. the Oneida Indian Nation (2005) that placing

checker-boarded land into trust would have “disruptive practical consequences” in terms of governance.

For example, no mitigation is suggested to protect the public from leakage or spillage of gasoline at either the Nation’s Seneca Falls or Union Springs gas stations, either of which would threaten drinking water which comes from Cayuga Lake. The inapplicability of local and state building codes would threaten the safety of patrons, as well as police, firefighters, and emergency personnel who might be called to the scene. The traffic study conducted for the DEIS was conducted in September, hardly peak season for the adjacent state park in Seneca Falls, nor was the study conducted when gaming was in progress. No provision is made for compensating jurisdictions responsible for water, sewer or road construction or maintenance.

These are only a few of the regulatory issues raised by land going into federal trust. The seriousness of these omissions is multiplied by the position taken in the DEIS that the Nation has no plans to expand its existing operations. It avoids discussion altogether of the possibility of the Nation purchasing or starting other businesses, which it has already begun to do with the acquisition of an ice cream parlor, a fruit and vegetable stand, and several farms. Such short-sightedness opens the credibility of the DEIS to question and gives every appearance of bias.

* * *

The prospect of land being taken into trust for the Cayuga Indian Nation in Seneca and Cayuga counties threatens the social fabric and certainly the economic future of these communities, especially when one considers the likelihood, indeed the threat, of future trust applications. We acknowledge that the Cayuga Indian Nation is a landless tribe, but that does not give the federal government the right to impose a reservation, and a checker-boarded one at that, on counties which have seen no Indian presence in over 200 years.

The DEIS acknowledges that there are no members of the Cayuga Indian Nation currently living in either Cayuga or Seneca County. It also makes the astounding statement on page 4.8-2 that “It is not expected that members of the Cayuga Nation would relocate to the project area.” The only conclusion one can reach from this is that the purpose of the Nation’s land into trust application is the economic exploitation of Cayuga and Seneca counties through property tax exemption, gaming, and the untaxed sale of gasoline, cigarettes, and other products to non-Indians. For a department of the federal government to endorse this is unconscionable. This DEIS does just that.

The innocent citizens of Cayuga and Seneca counties must be held harmless. The only action that does so among the three alternatives listed in the DEIS is Number 2: the No Action alternative. I strongly urge the Bureau of Indian Affairs to recognize its responsibility to the citizens of Cayuga and Seneca counties and choose this alternative. There are other ways to advance the well-being of the Cayuga Nation, such as a Class III casino in Sullivan County without land being taken into trust in Cayuga and Seneca and

Cayuga counties. Endorsement of the BIA's preferred alternative will only lead to a protracted legal battle, which, for reasons mentioned above – namely Carcieri vs. Salazar - I predict the Department of Interior will lose. In this case, the right thing to do is also the prudent thing to do.

Thank you for considering the arguments advanced in this letter.

Sincerely,

A handwritten signature in cursive script that reads "David L. Dresser". The signature is written in dark ink and is positioned above the printed name.

David L. Dresser

Catherine F. Dressing
120 State Street
Seneca Falls, New York 13148
315-568-9213
pdressin@rochester.rr.com

RECEIVED

2009 JUN 12 P 1:45

BIA-ERO
REGIONAL DIRECTOR

June 5, 2009

Franklin Keel, Regional Director
Eastern Regional Office, Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

" DEIS Comments, Cayuga Indian Nation
of New York Trust Acquisition Project "

As a 40 year resident of Seneca Falls I object totally to the placement of any of our lands into trust. The negative impacts would be many and would be devastating to our fragile, small town communities.

First, and most dramatically, in a time when our local budgets are strained to provide basic services, removing properties from the tax rolls would punish those who are already among the most highly taxed in the nation. Surely, over time, additional properties would enter the privileged "no tax" trust status. The prognosis is very grim indeed for local residents and taxpayers. It is unfair. It is regressive . It is un-American!

Second, Indian businesses would not pay taxes. Therefore, they will sell goods and services at lower prices resulting in a totally unfair business landscape where local businesses, often struggling now, would be forced out of business due to a government granted advantage to the Indians. Over time, our access to goods and services will be harshly transformed; imagine being able to choose only between Indian businesses and Walmart?? This is unfair. It is repugnant. It is un-American!

Other impacts of "land into trust" are numerous, but I will let others detail their concerns about those. However, my above two concerns are overwhelming in their potential to destroy life as we have known it in rural, small town America. Please do not let this happen.

Thank you,



Catherine Dressing

June 9, 2009

DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Gentlemen,

I am writing this letter to ask you not to place land in Cayuga and Seneca Counties in trust for the Cayuga Indian Nation.

They have set up a gaming hall in the middle of a residential neighborhood approximately ½ block from a school and seem to have no consideration for the area or the people living in it. They have so intimidated the New York officials in the past with threats, that the Governors, for the past several years have left uncollected millions in tax revenue due the State from cigarette and gas purchases from non-Indians. It is hard for me to realize that making a Country with-in a Country could lead to anything but severe problems. Many residents of New York State are leaving due to the cost of living and increase in taxes and by taking more land of the tax rolls you are only making the problem worse

Sincerely,



Vera E. Dellonte

236 Cayuga St.

Union Springs, New York

13160

RECEIVED
2009 JUN 15 A 9:09
BIA-ERO
REGIONAL DIRECTOR

A large black graphic of a fax machine is centered on the page. The word "FAX" is printed in white, bold, capital letters across the front of the machine.

FAX

For: Franklin Keel, Regional Director

Fax number 1(615) 564-6701

From: Theodore L Dykoschak and Helen M Dykoschak
10 Capitol St. Auburn, NY 13021

Fax number (315) 253-0581

Date: July 6, 2009

Regarding: DEIS Comments, Cayuga Indian Nation of New York
Trust Acquisition Project

Number of pages:

Comments: We strongly oppose the granting of land in trust to the Cayuga Indian Nation. We, as citizens of **Cayuga County and New York State**, cannot afford to have the tax base shrink. We welcome the Cayuga Indian Nation to compete equally with the other businesses in Cayuga County.

7556 County Road
Interlaken, N.Y, 14847
June 17,2009

RECEIVED

2009 JUL 22 P 2: 14

Mr.Franklin Keel
545 Marriott Drive
Nashville,TN, 37214

JUL 20 2009
REGIONAL DIRECTOR

Dear Director Keel:

Although we don't live in the contested area, we do live in Seneca County. We are very concerned about the possibility of putting land into trust for the Cayuga Indian Nation.

We strongly dispute the draft report by the AKRF of White Plains. We feel that 129 acres of land into trust would have a terrible impact on our county. The CIN would be using all infrastructure without paying for the construction or use.

We have noticed that the CIN has been buying property (former Bodine's, the miniature golf property on Rte. 89, and the restaurant across the highway from the Seneca Falls Lakeside Trading store/gas station). We fear that if trust application is granted, the CIN will sue for all properties they purchase into Trust. While there is no objection to the purchase of properties provided real estate taxes are paid. These taxes support the environmental, education, and highway services provided by the county.

The impact of the CIN stores has already destroyed some businesses which cannot compete with their tax-free merchandise. The idea of a Nation within a Nation is distasteful. Our ancestors fought a Civil War to prevent this kind of secession. We protesters are prepared to live as friendly neighbors with "one nation, under God, indivisible, with liberty and justice for all".

A lesson from the Amish and Mennonites who have settled in our counties could be taken to heart by the CIN. Without relinquishing their religious principles, they pay taxes, work hard, obey federal and state laws as to education, certification of products sold, and are kind friends and neighbors. Their farms are the cleanest and most productive in the area. They work together and help each other without destroying the tranquility or businesses of their neighbors.

Please do not grant any more Land in Trust to the Cayuga Indian Nation. Also insist that taxes be paid on gasoline and cigarettes to all non-Indian customers. This is imperative to save our county from the devastating effects of any more "Land in Trust".

Sincerely,

Betty Engineri
Paul J Engineri Sr.

RECEIVED

JUN 22 P 2:09

449 Waterloo-Geneva Road
Waterloo NY 13165-1207
June 18, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

REF: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

After attending last's night meeting at the Chiropractic College, I am compelled to write a letter expressing my feelings on this meeting. I feel that is meeting was simply a show put on by the BIA so you could claim to have considered everything and made your decisions impartially.

Your representatives were clearly not interested in what was being said. At times, your timekeeper was observed rolling his eyes at comments being made. At other times he was yawning. To say the least, he came across as disinterested and unprofessional. There was obvious bias in favor of Mr. Halftown and his attorney.

I have enclosed printouts of three local news reports of last nights meeting. I believe these reports to be an unbiased account of the meeting as these reporters saw it.

I have absolutely no confidence that an agency of my government will act in the interest of the general population of Seneca and Cayuga counties for the greater good. I can see no justification for the economies of our two counties to be torn apart to benefit approximately 150 tribe members of the Cayuga Nation of New York.

I do not see how you can possibly consider granting approval of the Cayugas' application for Trust Lands based on all of the current litigation pending in the courts. There is the very real possibility that the Cayugas will be facing felony tax evasion charges.

This Trust application is so full of misrepresentations and half-truths. To begin with, the Cayugas are basing a claim of a federal reservation on the 1794 Treaty of Canandaigua. Article 2 of the Treaty of Canandaigua states:

Article 2. The United States acknowledge the lands reserved to the Oneida, Onondaga, and Cayuga nations, in their respective treaties with the State of New York, and called their reservations, to be their property; and the United States will never claim the same, nor disturb them, or either of the Six Nations, nor their Indian friends, residing thereon, and united with them in the free use and enjoyment thereof; but the said reservations shall remain theirs, until they choose to sell the same to the people of the United States, who have the right to purchase.

How can you possibly interpret that statement to mean the Federal government made the state reservations into Federal Reservations. In all honesty, the only thing that states is the Federal government acknowledges the existence of the lands the State of New York set aside for the tribes. It plainly states the "**United States will never claim the same, nor disturb them...until they choose to sell the same to the people of the United States, who have the right to purchase.**"

As you should know the Cayugas did in fact sell that land to NYS and has been paid several times for it.

There is a series of letters at this website http://thorpe.ou.edu/sol_opinions/p1976-2000.htm from the **Dept. of the Interior**. Of particular interest is the last paragraph of the rather lengthy letter dated February 3, 1969 that clearly states that "None of the ten reservations presently located within the State, including St. Regis, was created by federal treaty, statute or executive order."

1986

DEPARTMENT OF THE INTERIOR

FEBRUARY 3, 1969

III

With regard to the immediate problem at hand, that of the protest lodged by the Mohawk Indians of the St. Regis Reservation, we cannot furnish any detailed information. The United States has had minimal contact with the Indians of New York since it granted both civil and criminal jurisdiction over Indians on Indian reservations in the State of New York to the State. The Act of July 2, 1948 (62 Stat. 1224; 25 U.S.C. 232) (criminal jurisdiction); the Act of September 13, 1950 (64 stat. 845; 25 U.S.C. 233) (civil jurisdiction). None of the ten reservations presently located within the State, including St. Regis, was created by federal treaty, statute or executive order. The State of New York furnishes virtually all governmental services to New York Indians.

We stand ready to assist in this matter in any way possible, and would be pleased to participate in a meeting with other concerned agencies.

RICHMOND F. ALLAN,

Acting Solicitor.

Enclosure

Theses two documents that I have referenced are readily available for review. How can you possibly ignore the truth of these documents and accept the twisted information provided by Mr. Halftown in his application for trust. How can you possibly decide that the Cayuga Nation of New York qualifies for trust status? They never had a Federal Reservation in NYS. They were not a federally recognized tribe in 1934. On top of that, there is the possibility of pending charges of illegal activity on the land. How, in good conscience, can you even consider granting trust lands under these circumstances?

I am opposed to any trust lands for the Cayuga Nation. Therefore, I request that the Cayuga Nation's application for trust lands be denied.

Sincerely,



Parthenia Sue Excell

Enc. 3

CC:

Mr. Lafler, Chairman, Board of Supervisors

Dr. Dresser, Board of Supervisors

Mr. Same, Board of Supervisors

County Attorney Fisher

County Manager Sinclair

District Attorney Swinehart

4432 Route 89
Seneca Falls, NY 13148
June 17, 2009

Dear Mr. Keel,

We are opposed to the Bureau of Indian Affairs taking land into trust for the Cayuga Indian Nation! We believe that:

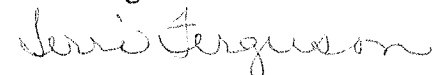
- * no sector of our great nation should be allowed to become sovereign. We are a nation of EQUALS!
- *no sector should be removed from the property tax rolls, that allow us to pay for emergency services and road maintenance, and yet still benefit from these services. Our taxes will go sky high as we support ourselves and the trust land citizens. (Oops! If they are not living under our Constitution, then they aren't citizens of the United States of America, are they?)
- *trust businesses will have an unfair advantage over businesses that still have to pay sales, excise and property taxes. Businesses may relocate to other areas where the taxes are lower. The entire economy of the counties will be negatively impacted.
- *Cayuga and Seneca Counties will not be able to enforce environmental laws and land use ordinances. Will our beautiful Finger Lakes stay healthy?
- *gaming is immoral and will damage the social fabric of our counties. We do not want this negative influence on the area's children.

NO SOVEREIGNTY!

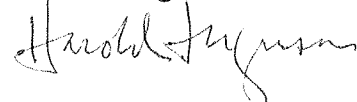
NO LAND IN TRUST!

Sincerely,

Terri Ferguson



Harold Ferguson



REGIONAL DIRECTOR

617-410

2009 JUN 22 P 2:09

11/11/09

Dave Fitzgerald
2421 Lower Lake Road
Seneca Falls, NY 13148
July 1, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

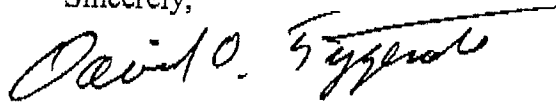
I urge the Bureau of Indian Affairs to deny the Cayuga Indian Nation's Land into Trust Application. The submitted document does not thoroughly assess nor mitigate the following potential impacts to the community.

- **Environmental:** The fact that Land In Trust is not subject to Environmental laws is quite concerning. The fact that they store large quantities and dispense gasoline is of concern. Their current facility is several hundred yards up hill from Cayuga Lake, which not only is the main tourist attraction but also supplies drinking water to tens of thousands.
- **Tax and related implications:** The fact that land in trust land is exempt from local property taxes and other charges for infrastructure places a double hit on tax payers to make up for not only the taxes they don't pay but increased infrastructure needs from the land-in-trust residents/owners. Additionally, current businesses will now have a price disadvantage as they will have to charge customer taxes and the Indian businesses will not. This will likely result in businesses closing, subsequently more residents moving to more business attractive regions and again exacerbating the tax burden shouldered by lesser remaining residents. I am particularly concerned on the impact of the schools with an increased population of Indians and the aforementioned decreased tax pool. Indians would need to be educated by our system without paying into the system in any way. If they use the schools they need to pay for the schools, If they use the Roads, they need to pay for the roads, If they need law enforcement they need to pay for law enforcement.
- **Future:** As stated previously, the current land in trust properties would likely adversely impact our businesses, community and environment. This could be even more exacerbated should the current land in trust be used as precedence for additional properties to be put in their name. New York is already one of the highest states in which to do business. This will only make our businesses increasingly less competitive in a tough global economy. Additionally it will

make it more challenging to attract businesses and talent to our high operating cost geography.

It is your responsibility to ensure all aspects of an application are considered thoroughly and adverse implications mitigated to the fullest extent. I do not believe the Cayuga Nation has provided a comprehensive statement for the Bureau to accept their application. As such, I request you do not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit my/our comments and concerns into the public record.

Sincerely,

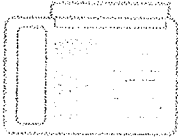
A handwritten signature in black ink that reads "David D Fitzgerald". The signature is written in a cursive style and is positioned above the printed name.

David D Fitzgerald

F A X

Home:

2421 Lower Lake Road
Seneca Falls, NY 13148
315-568-6415
Email lisakfitz@hotmail.com



To:

Franklin Keel, Regional Director

Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, Tennessee 37214

Fax number: **615-564-6701**

From: Lisa Fitzgerald

Fax number: 315-568-5737

Date: 7/1/2009

Regarding:

Cayuga Land In Trust

Phone number for follow-up:

Mobile: 315-729-1544

Work: 315-568-7470

Comments:

DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Following please accept my request for not accepting the Cayuga Land In Trust application.

RECEIVED
2009 JUN 31 A 8:05
BIA-ERO
REGIONAL DIRECTOR

Lisa Fitzgerald
2421 Lower Lake Road
Seneca Falls, NY 13148
July 1, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

I urge the Bureau of Indian Affairs to deny the Cayuga Indian Nation's Land into Trust Application. The submitted document does not thoroughly assess nor mitigate the following potential impacts to the community.

- **Tax and related implications:** The fact that land in trust land is exempt from local property taxes and other charges for infrastructure places an double hit on tax payers to make up for not only the taxes they don't pay but increased infrastructure needs from the land-in-trust residents/owners. Additionally, current businesses will now have a price disadvantage as they will have to charge customer taxes and the Indian businesses will not. This will likely result in businesses closing, subsequently more residents moving to more business attractive regions and again exacerbating the tax burden shouldered by lesser remaining residents. I am particularly concerned on the impact of the schools with an increased population of Indians and the aforementioned decreased tax pool.
- **Regulatory:** Land in Trust is not subject to follow the regulatory requirements of the government. These regulations are in place to provide safe environments for our citizens & environment and allow for effective planning of land use. Just for example, as a member of the Bridgeport Fire District Board of Commissioners I am concerned that suboptimal infrastructures could be in place in the land in trust areas and our firemen could be in harms way should they attempt to assist nor do I want the consequences of our firemen declining to assist on the grounds of their safety and land in trust residents/visitors being harmed. Furthermore, depending on what is built in the land in trust, their impact on the community is far more reaching than just their land and governing bodies must be involved to mitigate adverse effects on the community and environment beyond the land in trust property segments.
- **Future:** As stated previously, the current land in trust properties would likely adversely impact our businesses, community and environment. This could be even

RECEIVED

2009 JUN 29 A 8:11

Rev Patricia Foley
P.O. Box 74
Union Springs, N.Y. 13160
6-22-09

BIA-ERO
REGIONAL DIRECTOR

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, Tennessee 37214

Dear Mr Keel,

Re: DEIS Comments, Cayuga Indian Nation of
New York Trust Acquisition Project

It is our definite feeling that the draft Environmental Impact
Statement (DEIS) document will create many negative problems
for the Cayuga & Seneca County residents.

The impact of this trust has not been fully researched to see
the consequences it can bring to these areas.

As a return of two wars I feel it is undemocratic to go forward
with this draft.

It will be a hardship to residents and businesses to carry the
burden of taxes and other expenses and the environment could
be negatively impacted.

We urge the Bureau of Indian Affairs to withdraw the DEIS
until further study and we ask that the BIA adopt the
"No Action & Alternative" and do not grant the Cayuga Indian
Nation application for lands into trust.

Thank you for your concern.

Sincerely

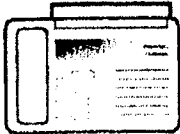
Patricia Foley

cc: Cassi Frazee

Village of Union Springs
Senator Michael Holzolic

F A X**Naval Hospital Lemoore**

937 Franklin Ave.
Lemoore, CA 93246
Phone: 559-998-4461
Fax: 559-998-4249



To: *Bureau of Indian Affairs*
Fax number: *(615) 564-6701*

From: **Pediatric Clinic Naval Hospital Lemoore**
Fax number: **559-998-4249**

3 **Pages (Including cover sheet)**

Date: *July 6, 2009*

Regarding:

Cayuga Indian Nation of NY

Phone number for follow-up:

(579) 998-2581 or (579) 923-5723

Comments:

This fax may contain confidential health care information covered under HIPAA. Permission to use or disclose this information has been granted by law or by the patient. Further use or disclosure without the patient consent or as otherwise permitted by law is prohibited."

Dale and Grace Freier
110 State St
Seneca Falls, NY 13148
July 6, 2009

Mailing address:
3221 B Dauntless Drive
NAS Lemoore, CA 93245
(While currently in active duty military service)

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains our comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. We oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

States, counties, towns and villages will lose any ability to regulate activities on the trust properties, including any activities that take place on such properties that impact the environment and natural resources including the air, soil and water.

Trust properties will continue to use community infrastructure (roads, emergency services etc.), yet those properties (and activities on them) will be exempt from sharing in the cost to maintain such infrastructure and pay for services occupants of trust properties will continue to use.

New York derives substantial revenues from sales taxes and excise taxes due on sales of taxable goods, including gasoline and tobacco products. The Cayuga Indian Nation is not collecting New York sales and excise taxes (and therefore not remitting taxes to the state) normally due on the sale of taxable goods to non-tribal members. Non-collection of these taxes has and will continue to create ongoing reductions in such tax collections and reduction in local share of those taxes paid to our communities.

Given that we understand that the Cayuga Indian Nation has indicated it seeks to acquire more lands and that it reportedly has many acres of land located in the counties that are not part of the current land to trust applications, we believe the Cayuga Indian Nation will

continue acquire properties within what it contends is the reservation area, make application to have such additional lands held in trust and then develop or further develop such properties resulting in increased losses of future tax and assessment revenue.

An approved trust application (and any future applications that may be granted) will result in a tax shifting that will place greater and greater tax burden on fewer property owners, particularly as properties taken into trust are inevitably developed or are continued to be developed. This unfair tax burden will inhibit private sector investment and job growth in the region and burden current non-Cayuga Indian Nation businesses and residents remitting such taxes.

The Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, we request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively we urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit my/our comments and concerns into the public record.

Sincerely,



Dale and Grace Freier

Douglas Freier
3792 Post Rd.
Geneva, NY 14456
315-585-6309

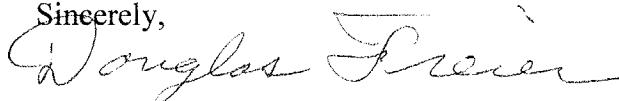
“DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project”

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214
Telefax: 615-564-6701

Mr. Keel,

I'm a life long property owner and farmer in the town of Fayette, Seneca County, NY. We can not afford any land in trust. In today's economy everyone needs to do their equal share. We must be united and work together

Sincerely,



Douglas Freier

RECEIVED
2009 JUL -6 P 3:44
BIA-ERO
REGIONAL DIRECTOR

RECEIVED

2009 JUL -6 P 3:45

BIA-ERO
REGIONAL DIRECTOR

Elisabeth Freier
3792 Post Rd
Geneva, NY 14456
315-585-6309

“DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project”

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214
Telefax: 615-564-6701

Mr. Keel,

As a 20 year member of the Seneca County Soil and Water Conservation Districts Board of Directors I am very concerned about our environment. I am also a farmer, a farmer's wife, a farmer's daughter and two farmers sister. We have a responsibility as stewards of the land to take care of it and nurture it as we do our children. Allowing the land to be put into trust for any Indian tribe would not be the responsible thing for us to do. After land is put into trust there would be no way to stop the Indians from doing whatever they please on this acreage. What they say and what they may do are two different things. We have to go by what has been done in the past on other sovereign Indian land. It hasn't all been good. After it goes into a trust it will be too late to enforce the laws that have been put into place to protect our environment. As farmers we don't always like these laws. It would be easier and less costly in many cases to ignore them, but we can't if we want this land to be productive for future generations. This is the way we make our living. We don't want to damage or destroy our soil, our water or our air.

Land into trust is not just an environmental issue. It is also a financial one. If the Indians would like to live among us they should share the financial responsibilities as well. Undermining other local businesses by not collecting sales taxes is not the sign of a good neighbor. Paying twice as much as a piece of land is valued at doesn't sound like an Indian nation that is strapped for cash as some would lead us to believe.

In closing I am not in favor of putting this land into trust and believe our environment would be adversely effected by doing so.

Sincerely,



Elisabeth L. Freier

Lon A. Fricano
321 Backus Road
Cayuga, New York 13034

RECEIVED
JUN 22 P 2 10
REGIONAL DIRECTOR

June 18, 2009

Mr. Franklyn Keel, Regional Director
Eastern Regional Office
545 Marriott Drive, Suite 700
Nashville, TN 37214

DEIS Comments: Cayuga Indian Nation of New York Acquisition Project

Dear Mr. Keel:

I write in opposition to the Cayuga Indian Nation (CIN) application to take land into trust in Cayuga County. I have personally witnessed the negative impact the CIN has had on this community already. Our small village lost its gas station and convenience store due to the unfair competitive edge given to Native American business enterprises. In return for we, the taxpayers, subsidizing their existence, they reward us with open disrespect to our community. Do you think it is proper to open a gambling hall right next door to a small town High School? Would you like a gambling facility next to the school where your children go?

In their facility they allow smoking, in contravention of New York State (and many other State's) Law. The secondary smoke pollution in their facilities is so intense that it permeates the air outside their building. With over 1000 people dying from cigarette smoking every day in this country, can you imagine the impact on health care costs not to mention the human cost of this disregard for human life?

Our community is a small one. Our County has only 81,000 residents. We are a blue collar working culture with almost no manufacturing and a great deal of agriculture. Sales taxes in this county are critical to providing the necessary services and infrastructure that we need. Land into trust applications remove property from the tax roles, unfairly shifting additional tax burdens on hard working middle class citizens, trying to raise their families and maintain a home. Our taxes are already higher than many other areas in New York State, due to our low population density and limited business environment. Any additional loss of tax revenues will have a demonstrably negative impact on our quality of life.

I'm sure you know that gas stations represent significant environmental risks. We live in a sensitive and critically important watershed area. No one should be allowed to conduct any potentially environmentally devastating business without the oversight and regulation of State agencies. Given the sorry state of our planet and fresh water supplies, how can you or anyone else think it acceptable to prevent proper regulation and supervision of

volatile chemicals that can do irreversible damage to the environment and to human beings and other living animals? What harm can regulation possibly do?

Why does the CIN even need to take land into trust? They had enough money to buy a huge stone mansion for "offices". They bought large and expensive tracts of land and purchased two thriving gas stations. It seems they are very well monied. Why do they need unfair advantages over other Americans that operate businesses? With the exception of their gambling operation, I welcome Native Americans and their business efforts, providing they pay taxes like I do. Do they not use the roads? Do they not use the utility infrastructure? Do they not use fire, EMS and police services?

If they wanted land into trust to establish primitive, isolated living areas for their members, devoid of these services and benefits, I might feel differently. But with CIN members driving their big SUV's to their stone mansion to survey their lucrative businesses, I must protest. I am not a second class citizen. Land into trust makes me a second class citizen and shifts the economic burden of supporting tribal operations onto me. This is patently unfair and un-American. This is especially so when you realize they already have considerable wealth.

The truly sad and ultimate betrayal of this situation becomes known when you realize that the majority of CIN members **do not share in the wealth the tribal leadership is accumulating**. As "wards" of the Federal Government, our responsibility is to see that the families of this and other tribes receive proper education, nutrition, health care and the freedom to follow their dreams. We have no obligation under any statute to facilitate or promote the development of vast wealth which is enjoyed and manipulated by a few while the rest remain in relative poverty, prisoners on reservations subject to gang rule. Sadly, Native Americans continue to be used as pawns by political and economic interests that use and abuse them. This, unfortunately, is apparent facilitated and encouraged by the BIA through it's complicity with these forces.

Free the Native Americans from this 200 year old apartheid system. Stop the abuse and subversion of their lives, hopes and dreams. Let all native Americans off the reservations and into mainstream American life. They have been prisoners too long. So long in fact, that they now think this is normal. The damage to our community caused by land into trust pales by comparison with the damage that continues to be done to the CIN and others.

Sincerely,

A handwritten signature in black ink, appearing to read "Lon A. Fricano". The signature is fluid and cursive, with a large initial "L" and "F".

Lon A. Fricano

FRANKLIN & GABRIEL

LAW OFFICE
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7185 MAIN STREET
OVID, NY 14521

JAMES A. GABRIEL

STEVEN J. GETMAN
Of Counsel
BENJAMIN FRANKLIN
Retired

REGIONAL DIRECTOR

JUN 22 10:34
RECEIVED
June 17 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

In January of this year, we inaugurated a new President, Barack Obama, who promised in his campaign to do many things. I will deal with two that are of direct issue here.

In running for President, Mr. Obama promised, as part of his environmental platform, to build more livable and sustainable communities and to strengthen federal environmental justice programs. After being elected, he worked to give the states more, not less, control to adopt strict environmental standards, such as clean air regulations, which exceeded federal rules.

He also urged us, as Americans, to look beyond the old divisions of race and ethnicity.

With this in mind, I would like to remind the Bureau of Indian Affairs that the purposes of National Environmental Policy Act (NEPA) were originally expressed by Congress as follows:

The purposes of this chapter are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

42 USC § 4321 (emphasis added). The act further provides that NEPA is intended "to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the

social, economic, and other requirements of present and future generations of Americans[.]” Id. § 4331(a) (emphasis added).

NEPA was never intended to focus on environmental protection to the exclusion of economic and social considerations. It was intended to consider how to best create harmony between human use and enjoyment of resources and conservation for long-term use. However, NEPA is very clear that it is a use-oriented statute, and that economic and cultural considerations are important:

In order to carry out the policy set forth in this chapter, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may -

- (1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- (2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;
- (3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- (4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

42 USC § 4331(b) (emphasis added).

Now, let us consider how (if we put aside the old racial divides, as the President has urged, and take race or ethnicity out of the equation) the administration would respond to the following:

A business in an industry that takes in millions, if not billions, in sales in the state each year, wishes to locate in a rural community nestled between two large lakes.

- That business seeks to be exempt from state and local environmental laws and state and local land use laws.
- That business could seek to evade laws designed to protect children through Family Court;
- That business would not pay any local taxes to help sustain its community;
- That business would have government sanctioned abilities to unfairly compete with tax paying businesses;
- That business would be exempt from protecting its workers through the worker’s compensation laws;
- That business would be immune from many (if not most) forms of civil lawsuits which might arise from its activities thereby preventing access to the courts for many of its customers, business associates and employees.

June 17, 2009

Page 3

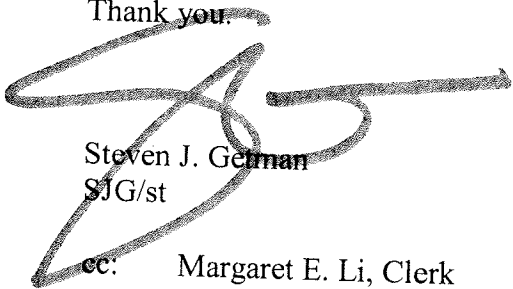
I would submit that, once we take race or ethnicity out of the fact pattern, this administration—if it lives up to its promises of social and environmental justice and the original intent of NEPA—would be strongly opposed to a grant of authority such as what is contemplated here.

Therefore, I ask this administration to live up to the original intent of NEPA and truly consider the social, economic and cultural effects of the trust application.

I also ask this administration to live up to the promise of the President and move forward with bridging the racial divide so that we are truly a colorblind, socially just, society.

Bring us together. End the racial divisions that plague our nation and our communities. Reject this claim and let us live as neighbors and true equals with the American dream and equal opportunity as a promise for us all.

Thank you.

A large, stylized handwritten signature in black ink, appearing to read "Steven J. German". The signature is written over the printed name and initials.

Steven J. German
SJG/st

cc: Margaret E. Li, Clerk
Seneca County Board of Supervisors

RECEIVED

2009 JUN 22 P 2: 12

Letitia K. Gilbert
5854 State Route 96, Apt 229C
Romulus, Seneca County, NY 14541
June 16, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

I have been a resident of Seneca County since 1965. Though I currently reside in an apartment, I also own property and pay real estate and school taxes as well as state and local sales taxes as applied to the goods that I purchase.

The Cayuga Indian Nation is currently running their business operations in Seneca and Cayuga counties without collecting sales taxes on the sale of cigarettes and gasoline to non-Indians. This lost revenue to the State of New York puts a greater tax burden on the residents of New York. Once these properties are placed into trust, they will become exempt from local property taxes, special district charges and other fees shared by the residents of each county. The removal of these properties from the tax rolls will have a direct adverse impact on the communities of Seneca and Cayuga Counties and the governmental entities that derive revenue from property taxes such as local schools, police, fire, sewer and water districts.

The Bureau of Indian Affairs does a disservice to the citizens of New York if they permit this land-into-trust situation to go through; and the Bureau of Indian Affairs does a disservice to the people of the Cayuga Indian Nation by encouraging the separation of the American Indians from the rest of America.

I oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application.

Sincerely,



Letitia K. Gilbert

Cc: County Manager Susanne Sinclair

**Law Office of
JOHN G. GROFF, ESQ.
One Hanover Square
Horseheads, New York 14845**

Nanette M. Wood, Legal Assistant

Nan-igrofflaw@stny.rr.com

Lori A. Coe, Legal Assistant

Lori-igrofflaw@stny.rr.com

Telephone (607) 739-3601

Fax (607) 739-5317

Not for service

June 19, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

In re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

I regret that I was unable to attend the public hearings on the above issue. Accordingly, please accept this letter as my comments on the above. I am opposed to the Land Into Trust Application and urge BIA to deny the application in all respects. My reasons are as follows:

1. Land placed in such a trust is exempt from local property taxes. Such a tax shift would have a significant adverse affect on the remaining tax payers and affected communities, towns, county, villages, school districts, etc. Such a tax shift will undoubtedly inhibit private sector investment and job growth, result in a decline in the quality of education and limit opportunities afforded to residents. Federal and State governments must eventually come to the realization there is a limit to taxation without causing actual harm to taxpayers. The above will result in the area becoming unattractive to those who wish to relocate, etc.
2. Land placed into such a trust will not support normal governmental services such as police and fire protection, emergency services, and governmental infrastructure maintenance. The historical trend is for increasing lands to be placed in such trusts resulting in an ever increasing tax burden on the lands which are not placed in trust. The trust properties continue to derive benefit from infrastructure and governmental services without equitable contribution to the costs of same.
3. Lands placed into such a trust are not subject to equal or adequate federal, state, county or local regulatory jurisdiction. Failure of regulatory jurisdiction may result in adverse environmental impact, there are examples in other similar trusts where the trust properties are not administered in such a way as to protect the health, safety and welfare of the communities at large, including both native Americans and non-native Americans.

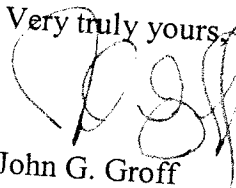
Mr. Franklin Keel

June 19, 2009

4. The Cayuga Indian Nation has demonstrated by its past conduct an unwillingness to support jobs and the economic well being of non-Indian owned businesses. They have done so by offering lower prices to consumers undercutting fair and reasonable competition, and enjoy an un-level playing field in terms of business enterprise. Federal and State agencies charged with the responsibility of enforcing laws which would collect the appropriate sales and use taxes from non-Indians have been woefully remiss in their charged duties and responsibilities. Once again, all to the detriment of the non-Indian enterprises and non-Indian residents and taxpayers.
5. On information and belief, the DEIS fails to clearly articulate the Cayuga Indian Nation's long term objectives relative to acquisition and development of real property. Without clearly and definitively noted future development plans, the long term future impacts of creation of a trust cannot be reasonably and effectively analyzed.

Based upon the foregoing, I request that the BIA withdraw the DEIS and urge the BIA to adopt the "no action alternative", denying the Cayuga Indian Nation's application for lands into trust.

Very truly yours,


John G. Groff

JGG/lac

cc: Charles Lafler, 40 Stevenson Street, Seneca Falls, NY 13148
David Dresser, 3702 Wires Point Road, Ovid, NY 14521

HARRIS BEACH
ATTORNEYS AT LAW

99 GARNSEY ROAD
PITTSFORD, NY 14534
(585) 419-8800

RICHARD E. RISING
MANAGER OF ECONOMIC DEVELOPMENT
DIRECT: (585) 419-8747
FAX: (585) 419-8811
RRISING@HARRISBEACH.COM

FAX 7/6/2009

File No.

Page 1 of 2

TO: Franklin Keel, Regional Director Fax No. 615-564-6701

FROM: Richard E. Rising
Manager of Economic Development

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

RECEIVED
2009 JUL -6 P 1:21
PIA-ERO
REGIONAL DIRECTOR

► This will be the only form of delivery

If this fax is incomplete, please contact HB USER at (585) 419-8800

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*DEIS Comments, Cayuga Indian Nation
of New York Trust Acquisition Project*

Richard Rising
Harris Beach PLLC
99 Garnsey Road
Pittsford, NY 14534

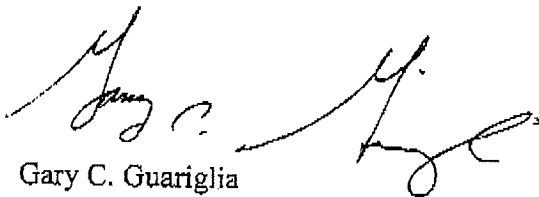
Dear Mr. Rising,

I am writing this letter to state that I am strictly opposed to the Cayuga Indian Land Into Trust application. I am opposed for the following reasons:

1. Taking land off of the tax rolls will shift more tax burden to citizens whom already pay some of the highest property taxes in the nation.
2. The tribe will require the use of public services such as police, fire, sewer, water etc. however, they won't be contributing to the tax base which pays for those services.
3. The tribe will have an unfair business advantage over local businesses that are required to pay and collect the appropriate taxes especially those for cigarettes, and gas sales.
4. The tribe has not created any jobs in the area but has increased unemployment by competing with local businesses that have to pay and collect local and state sales taxes.

Again, to reiterate my statement above I am strictly opposed to the Cayuga Indian Land Into Trust application.

Sincerely,



Gary C. Guariglia
3605 Honeysuckle Rd
Auburn, NY 13021

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

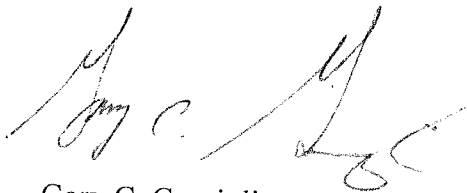
Dear Mr. Keel,

I am writing this letter to state that I am strictly opposed to the Cayuga Indian Land Into Trust application. I am opposed for the following reasons:

1. Taking land off of the tax rolls will shift more tax burden to citizens whom already pay some of the highest property taxes in the nation.
2. The tribe will require the use of public services such as police, fire, sewer, water etc. however, they won't be contributing to the tax base which pays for those services.
3. The tribe will have an unfair business advantage over local businesses that are required to pay and collect the appropriate taxes especially those for cigarettes, and gas sales.
4. The tribe has not created any jobs in the area but has increased unemployment by competing with local businesses that have to pay and collect local and state sales taxes.

Again, to reiterate my statement above I am strictly opposed to the Cayuga Indian Land Into Trust application.

Sincerely,



Gary C. Guariglia

G. Guariglia
3605 Honeycreek Road
Auburn, NY 13021

REGIONAL DIRECTOR
BIA-EPO

2009 JUL -6 P 3:43

RECEIVED

RECEIVED

2009 JUL -6 P 3:46

BIA-ERO
REGIONAL DIRECTOR

8 Hamilton
Auburn, NY 13021
July 2, 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

Dear Mr. Keel,

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

I am writing to voice my opposition to the BIA Draft Environmental Impact Statement that concludes there will be no adverse impact by placing land into trust in Cayuga and Seneca Counties.

Quite to the contrary, there will be huge implications to the environment, zoning applications as well as free trade and commerce in the area.

By not having to adhere to any environmental and zoning laws currently in place, there is the real possibility of adverse impact to our region that contains Cayuga Lake as its centerpiece. Our environment and zoning is dependent upon every one being treated equally in its application under the law.

The adverse reaction to free trade and commerce is already documented in recent studies pertaining to the unfair advantage of one group of individuals selling items without imposition of Sales Tax as opposed to those who must collect it. The economy of our region is dependent upon every merchant being treated equally under our tax structure with one not having an unfair advantage over another.

Other issues including and relating to taxes is our infrastructure, law enforcement, schools and county services. By taking land off the tax rolls, the implication is that the monies not collected by some would need to be made up by those who must still pay taxes. This will indeed present a negative impact on the economy of our region.

Placing land into trust in the far western regions of our country with wide open spaces is one thing, but trying to transplant this idea into a fully developed location such as central New York State is irresponsible. Furthermore, it is hard to believe that the BIA could come to the conclusion that a checkerboard type sovereign Indian Nation in Seneca and Cayuga Counties can not have any impact, environmental or otherwise, on our counties.

Thank you for your consideration.

Sincerely,

Mel & Jackie Guntow

RECEIVED

2009 JUN 29 P 1:43

BIA-ERO
REGIONAL DIRECTOR

June 25, 2009

Franklin Keel, Regional director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

Re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Director Keel,

I, Susan M. Haag of 1247 Rafferty Rd. King Ferry NY 13081 find the DEIS as issued to be deficient in the following ways:

The DEIS does not consistently deal with the issue of residency of the members of CIN. It states that "No members of the Nation are known to reside in Cayuga County/Seneca County" and that "the proposed action is intended to further the lifestyle, cultural values and objectives of the Nation by advancing the Nation's goals of re-establishing tribal presence in its former homeland". Yet on the very same page (4.8-2) the document makes a conflicting statement that "it is not anticipated that the members of the Cayuga Nation would relocate to the Project area". This does not address the issue of need. If in fact the members of the nation do not wish to relocate here, "need" is not the purpose of establishing a reservation.

The DEIS does not take into consideration that LakeSide Trading enterprises have driven other gas stations and convenience stores out of business and severely reduced the profits of others because the CIN has not collected the sales and excise taxes required by New York State law. Until October of 2008, I had lived in Union Springs for 20 years and frequently utilized the convenience store under various owners until it burned down. The owner would not rebuild because he could not compete with LakeSide's uneven playing field. A Big M employee told me that their revenues soared after the cigarettes were confiscated last November. The financial impact is enormous on local businesses and the DEIS does not address this reality.

As a teacher in the high school next to the shut down gaming facility, I have many concerns not addressed in the DEIS. The promotion of smoking and gambling among youth is troublesome and with the reduced tax revenue for services to address these problems, where is the money going to come from to pay for increased medical services for new smokers? Where is the money going to come from to deal with gambling addictions? While the CIN facilities were open, a number of students commented to me that they could buy rolling papers there, and they would get high in the parking lots because they knew no sheriff nor school official could come onto the property to "bust" them. Some would come to class high and the discipline issues as well as the academic issues would become serious problems. As recently as this spring, a former graduate told me about all this activity on the premises of both the gas station and the gaming hall.

Another kid ended up being suspended long term for drug use; he was so high that he told everyone in great detail how these facilities were very safe for kids to buy cigarettes, rolling papers and to do whatever they wanted on the premises. It is hard enough to teach teens these days; we do not need the added attraction of easy availability of vices right next to the school.

The DEIS does not adequately address the environmental concerns, especially with gas tanks in the watershed area that provides drinking water to many people and wildlife. If tanks have been inspected, there is no public record of these inspections. If a reservation were to be established, how would people know that their drinking water is safe? Again as a teacher nearby, what will be the costs of not following the recommended inspection protocols on staff and students alike?

The DEIS also minimizes the costs of schools, road, water, and sewer infrastructure, police and fire protection and other public services that would be provided to the subject properties without guaranteed reimbursement from the CIN. The residents who pay taxes for these services will be paying more unless there is some foolproof way to secure ongoing fair payment for the use of these services by the CIN. The establishment of a reservation in the midst of established communities can not work; the local citizens can not be expected to subsidize the commercial tax-exempt businesses of the CIN.

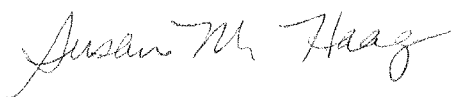
Lastly, the DEIS has failed to take into consideration the legal and practice consequences of checker-boarded sovereign parcels. This practice was clearly rejected by the U.S. Supreme Court in the Sherrill vs. Oneida case. It does not address any future prohibition of taking of more land than is now being claimed. It does not secure the fair use of highways, canals and other waterways, or utilities for all community members. We have seen the Onondagas block Route 81; because of the layout of the lakes, NYS sovereignty over the roads, waterways and utilities must be maintained. Additionally The DEIS has also failed to recognize the U.S. Supreme Court decision in Carcieri vs. Salazar which prohibited the Secretary of the Interior from taking land into trust for an Indian tribe, such as the CIN, which was not federally recognized and under federal jurisdiction in 1934.

I reject the preferred alternative contained in the DEIS and I call upon the BIA to reject all further fee-to-trust applications of the CIN in accordance with the Carcieri v. Salazar decision referred to above, and any other applicable law.

Respectfully submitted,

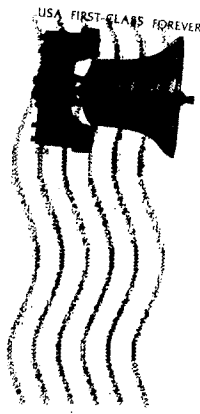
Susan M. Haag

June 26, 2009





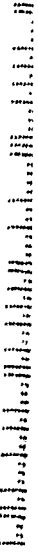
Roberta L. Halden
53 Auburn Rd.
Seneca Falls, NY 13148



SYRACUSE NY 132
05 JUN 2009 PM 1 L

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive Suite 700
Nashville, Tennessee, 37214
Realty

37214+5021



To Whom it May Concern: *Franklin Reed*

I am writing you in regard to the Indian's plans to put our land in Trust. Yes, I said *our* land. My family has owned land here since 1909 and still does. We have always payed our taxes. I have fished and hunted on our land over the years, always with a valid license, and have obeyed the regulations. Now, if the land goes to trust, my taxes will go up, and I could lose my property. Also, a land trust would allow the Indians to fish and hunt on our land anytime, anywhere, and in any amount. They would no longer be subject to our hunting and fishing laws. Furthermore, a land trust for the Indians would affect much more than private home owners. We would eventually see local businesses fail. If we lose Goulds Pumps and the remaining local businesses have to close, the town will dead. The trust will also pull tax revenue away from our schools and infrastructure. Their kids would go to our schools and the families would not have to pay their fair share, and the thought of the Indians not paying for the use and maintenance of the roads, sewers, etc. is unbelievable. The thought of them building unsafe buildings and businesses is wrong. The Indians say they are going to pay the counties money? I don't believe it for one minute. You can bet a casino will be built within a year, and we do not want a casino in this area. I have nothing against the Indians; it is a few powerful people who are greedy and want something for nothing. The Indians left and went to Canada, and now they want our land. No Way. There is no reason to have put land in trust. They can buy land and pay taxes like everyone else. We do not want to fight just to be treated with respect, and we do not want to be violated by people taking what is not theirs. Please do the right thing for Seneca and Cayuga Counties, and deny the land trust.

Yours Truly,
Roberta Halden
53 Auburn Road
Seneca Falls, New York 13148
315-568-5950

Real Estate Services

JUN 08 2009

BY: 

July 4th, 2009

Franklin Keel, Regional Director
Eastern Regional Office

Bureau of Indian Affairs
545 Marriot Drive, Suite 700
Nashville, Tenn 37214

Mr. Keel,

Please be advised as a property owner of real estate in Seneca County, New York, I have an opinion of the Cayuga Band of Indians having land put in trust.

I am 100% in favor of them ~~being~~ putting the land in trust. It is the right thing to do.

Brian Hawley
315 729 5952

RECEIVED

2009 JUL -6 A 8:02

BIA-ERO
REGIONAL DIRECTOR


July 1, 2009

DEIS Comments, Cayuga Nation of New York Trust Acquisition Project

We are writing to express our strong opposition to the Bureau of Indian Affairs draft impact statement to place 130 acres of land in Seneca and Cayuga Counties in to federal trust and urge the US Department of the Interior to deny the application for the following reasons:

- 1) It will take land off the tax rolls and create a greater strain on local government.
- 2) It is impossible for local businesses to compete with Native American businesses which collect no state taxes. It will cause local businesses to fail as has already been proven in the area.
- 3) The land would not be subject to state and local zoning laws. For example, the gaming operation in Union Springs with 100 slot machines is separated from the High School by only one building, the Fire Department, and students could easily go there on their lunch hour.
- 4) The impact statement ignores the environmental consequences of the land not being subject to state and federal regulations and could potentially put the local watershed and beautiful Cayuga Lake under greater stress.
- 5) It is well known that casino and gaming operations cause distress and heartache to many, and needed support will cause an extra strain on the social and mental health services. This is a rural area and does not support casinos and gaming operations.
- 6) The federal land trust system was designed for large areas of land where there are few people; it will not work well here in these populated counties.
- 7) If the land is put into trust, it will no longer have to adhere to state and local laws and regulations, yet police, fire, ambulance and other services will be expected.
- 8) The way land is purchased by intermediaries who pay exorbitant prices puts a burden on all other land owners and inflates their property values to the extent that some are unable to maintain property which has been family owned for generations.

In summary we would like to explain that we are not racists or ethno centrists. We would have no problem with any person or family of the Cayuga Nation who wished to purchase property at fair market value, would pay all taxes like the rest of us who live here, would establish businesses that would compete fairly with other businesses by paying the required taxes, and would agree not to build casinos or gaming operations which are hurtful to all. We request a negotiated settlement which takes these concerns into the final decision.

Respectfully,

Jeanne and Robert Herst
490 Dills Beach Road
Union Springs, NY 13160

2009 JUL -6 P 1:34
REGIONAL DIRECTOR

2009 JUL -6 P 1:34

RECEIVED

Herbert R. Holden, D.V.M.
2034 Gravel Road
Seneca Falls, NY 13148
(315) 568-9270

RECEIVED

Mr. Frank Keel, Regional Director
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

2009 JUN 22 P 2:13

W-683
REGIONAL DIRECTOR

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

After reviewing the above referenced document I find it incomplete and insufficient in a number of ways.

First, when there is no discussion as to how many acres may ultimately be offered for inclusion in a trust there is no way to assess the impact of this application. If or when additional applications are made there will certainly be a cumulative impact. Once a significant impact is identified what will be the remediation??

With regard to the collection of sales taxes and excise taxes on gasoline and cigarettes the ability of a segment of the population to ignore these in the conduct of their business certainly adversely impacts the rest of us who must pay those taxes and also pay the social costs associated with the resulting addictions. Those costs definitely constitute a major impact in a relatively rural area such as Seneca and Cayuga counties.


Not only will large amounts of taxes not be collected and therefore cause a greater burden on the rest of us but at the same time the services provided by those taxes will be used by the Cayuga Indian Nation. The DEIS notes that the Nation "intends to fully explore cooperative agreements for service, including emergency services" but the reality is there is no mandate for any agreements.

I am also concerned that there is no discussion of potential negative effects on the environment, most notably Cayuga Lake, that could arise as a result of the absence of local, county, and state regulation of any Cayuga lands.

Finally, I think the Bureau of Indian Affairs is attempting to extend to New York tribes trust benefits of the Indian Reorganization Act of 1934 that were never intended to be applied in New York.

I appreciate this opportunity to express my concerns.

Sincerely,


Herbert R. Holden, D.V.M.

cc:

Check Lafler, Chairman, Board of Supervisors
Peter Same, Board of Supervisors
David Dresser, Board of Supervisors
Frank Fisher, County Attorney
Suzanne Sinclair, County Manager

18-Jun-09

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriot Drive, Suite 700
Nashville, TN 37214

Dear Mr. Keel,

I am writing in response to the application by the Cayuga Indian Nation to place some of their land holdings into trust. From what I understand of the application, it appears that the focus is on the environmental impact of placing the land into trust. I cannot understand why the bigger picture is not being studied?

Why do we coddle this small group of people, and attempt to treat them as though they somehow need governmental assistance in order to survive? They have flaunted our laws, twisted our laws, and used every angle to their advantage in their quest to turn a profit. Their gas station operations alone, and their failure to collect and pay sales taxes to the state of New York have given them an unfair advantage over the other law abiding, tax paying businesses in the area. And the profits that they reap from the sale of non-taxed cigarettes to the ignorant citizens of Seneca and Cayuga counties have allowed the Cayuga's to go on a land buying spree.

Nobody believes for one minute that the placing of this "initial" 129 acres of land into trust will be the end of the process. The Cayuga's will continue to take the illegal profits from their activities, and purchase more land, and then apply to put that land into trust. Once this precedent has been established, there is no reason to deny future applications.

This process will destroy our community. Taxes on the citizens of Seneca and Cayuga counties are already out of control. By removing even more property from the tax rolls, your office will begin a snowball that can't be stopped. Those residents that can, will pack up and leave. Businesses will follow. We CANNOT allow a select group of people (the Cayuga's) to receive preferential treatment over the hardworking, tax paying citizens of these communities.

At times, I am embarrassed to be a resident of this area. This is a poor community, and the ignorant people that live here will patronize the Indian owned businesses in order to save a couple of dollars on a tank of gas, or pack of smokes. NO amount of reasoning with these people will convince them that their actions are enriching the very people that will take their money, buy up their property, and destroy their community.

I ask a question that apparently nobody seems to ask: "What is the IMPACT to the CAYUGA'S of denying this application?" How would they be harmed if we merely ask them to respect our laws, join our community, and be a part of the solution to economic growth, rather than an impediment to it?

If this application is granted, your office will create a separate nation within a nation. A group of people who will be despised for their adept ability to USE the laws that were set up to help them, to turn around and enrich themselves at the expense of the local residents. Granting this application will create hatred, dissension, and will have a serious negative economic impact to the affected communities.

I ask further, WHY do we continue to have this discussion with the Cayuga's? They have lost every lawsuit that they have brought against our communities. Years and years of legal battles, enriching nobody but the lawyers, and yet the tribe continues to try and find every angle that our government allows, in order to gain what they want. I ask only that they be told once and for all, join our community, compete fairly, and PAY YOUR TAXES. There is NO other solution.

Thank you for your consideration,



Stephen Hughes
3195 Noble Road
Seneca Falls, NY 13148

REGIONAL DIRECTOR

2009 JUN 22 10 28 10

RECEIVED

Jean Hudson
14 Hillview Drive
Union Springs, NY 13160
June 9, 2009

DEISComments
Cayuga Indian Nation of New York Trust Acquisition Project

Franklin Keel, Regional Director
Eastern Regional Office, Bureau of Indian Affairs
545 Marriot Dr., Suite 700
Nashville, TN 37214

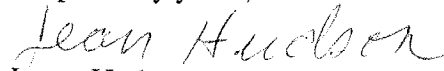
Gentlemen:

The impact of the Cayuga Indian Nation being given land in trust would be devastating to the village of Union Springs and detrimental to Cayuga County and the surrounding area.

Considering the resulting increase in village, town and county taxes, the loss of authority to monitor water pollution on beautiful Cayuga Lake, air and noise pollution, and traffic management it would mean the destruction of the area as we know it.

Please give these impact concerns more serious consideration.

Respectfully yours,


Jean Hudson

RECEIVED
2009 JUN 15 P 2:19
DIA-ERO
REGIONAL DIRECTOR

 Mrs. Jean Keefer
797 Kime Rd.
Geneva, NY 14456-9216

RECORDED
7/14/10
Jean Keefer, 797 Kime Rd.
DEIS Comments, Cayuga Indian Nation of
New York Trust Acquisition Project.

Dear Sirs: I do not want any land in NY
put into Federal Trusts for the Cayuga Indians.
They sold their original reservation land (three times).
They split, 10 OK - back to Canada, some stayed here.
The Supreme Court ruled they cannot claim land
for their reservation again.

Now, they want land under Federal Trusts.
There is no land in the 13 original States that comes
under Federal Trusts.

Again, no land put in Federal Trusts for
any Indian Tribes.

Thank you,
Jean Keefer

RECEIVED
2009 JUN 12 P 1:39
BIA-ERO
REGIONAL DIRECTOR

Fax sheet

From Anna H. Kelley
irishnak@aol.com

RECEIVED

2009 JUN 23 A 8:50

Mr. Franklin Keel, Regional Director
Eastern Regional Director
545 Marriot Drive
Suite 700
Nashville, TN 37214
Fax-615-564-6701

REG-110
REGIONAL DIRECTOR

RE: DEIS comments, Cayuga Indian Nation of New York Trust Acquisition Project.

Mr. Franklin Keel, Regional Director
Eastern Regional Director
545 Marriot Drive
Suite 700
Nashville, TN 37214
Fax-615-564-6701

RE: DEIS comments, Cayuga Indian Nation of New York Trust Acquisition Project.

Dear Mr. Keel,

I am writing in opposition to the land into trust acquisition for the Cayuga Nation of Indians. The Treaty Canandaigua of 1794 clearly states:

"Now, the United States acknowledges all the land within the aforementioned boundaries, to be the property of the Seneca nation; and the United States will never claim, the same, nor disturb the Seneca nation, nor any of the Six Nations, or of their Indian friends residing thereon, and united with them, in the free use and enjoyment thereof; shall remain theirs, until they choose to sell the same to the people of the United States, who have the right to purchase."

Article 4. The United States having thus described and acknowledged that lands belong to the Oneidas, Cayugas, and Senecas, and engaged never to claim the same, nor to disturb them, or any of the Six Nations, or of their Indian friends residing thereon, and united with them, in the free use and enjoyment thereof; now, the United States, each of them, hereby engage that they will never claim any other lands within the boundaries of the United States, nor ever disturb the people of the United States in the free use and enjoyment thereof.

This treaty clearly states that the Cayuga's had the right to sell their land to citizens of the State of New York and did just that.

They also say they will never claim any other lands within the boundaries of the United States. That shows that there is no such trust land for new Indian tribes. These New York Indians have been full citizens of New York since 1849, when at their request they became full citizens of the State. See SCOTUS, Kennedy v. Tyler.

Awarding trust land to the Cayugas is unwarranted, illegal and it would give the nation's businesses an unfair competitive edge over area tax-paying merchants and unfairly burden property taxpayers. Since the Caracciolo case, the Department of the Interior is fully aware of their inability to grant trust land except to those tribes who were federally recognized, living on their own land and under federal jurisdiction in 1934. It is time for the BIA to stop this illegal action of attempting to take away the sovereignty of States and granting said land to Indian tribes.

Granting trust land to the Cayugas would hurt local businesses and jobs, erode the tax base and harm the environment because the trust land would be free from environmental regulations. This illegal action effects the civil rights of every citizen of New York State.

And the SCOTUS opinion in the Hawaii case clearly states that no land can be taken out of the sovereign State and given to an Indian Tribe or anyone else. This protects state's rights as guaranteed by our Constitution.

The Trade and Intercourse Act of 1834 clearly states that there is no "Indian Country" east of the Mississippi and there are no Indian reservations located anywhere within those boundaries.

I am sorry that I was unable to attend the DEIS meeting last Wednesday where I would have spoken the message that no land be placed into trust anywhere in New York State. When 1,000 people show up to object to the illegal action of the BIA, I think it is very telling and sends a

Thank you for including my comments in the public record.

Sincerely,

Anna H. Kelley
160 Lampman Ave/
Port Ewen, NY 12466
845-339-8301
irishnak@aol.com

Ms. Carol Kelley
14 Indian Hill Rd.
Plymouth, MA 02360
508-224-3885
~~ekocean@yahoo.com~~

RECEIVED

2009 JUN 16 P 1: 05

BIA-ERO
REGIONAL DIRECTOR

**"DEIS Comments, Cayuga Indian Nation of New York Trust
Acquisition Project,"**

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, Tennessee 37214
Telefax: 615-564-6701

Dear Mr. Keel,

I am writing to oppose the Cayuga Indian Nations New York land into trust acquisition.

The lands become exempt from local property taxes, special district charges, and other fees shared by the users of the community's infrastructure such as roads, sewers, and more. The exemption of the trust properties also applies to the payment of school district assessments and taxes. Trust properties will continue to use community infrastructure (sewers, roads, etc.), yet those properties (and the activities on them) will be exempt from sharing in the cost to maintain such infrastructure. All taxing jurisdictions and affected school districts will be deprived of necessary revenue if the land trust applications are granted. This is completely unacceptable because of the increased burden it places on every taxpayer to make up the difference that is not being paid by the Indian Nation.

All the Indian tribes in New York State gave up their sovereignty and accepted the civil and criminal jurisdiction of the State in 1849, at their request. **U.S. Supreme Court UNITED STATES v. TYLER, 269 U.S. 13 (1925) 269 U.S. 13 UNITED STATES ex rel. KENNEDY et al. v. TYLER, Sheriff, et al. No. 125. Argued April 21 and 22, 1925. Decided Oct. 12, 1925.**

Page 269 U.S. 13, 14

But, in deciding the case upon the merits, that court pointed out that as early as 1849 the state of New York, at the earnest request of the Indians themselves, had assumed jurisdiction over them and their lands and possessions within the state; that to that end state laws had been enacted for their civil government and the regulation of their internal affairs; that the peacemakers' courts on the several

reservations were created by state law; and that the courts of the state had uniformly held that the power of the state in respect of these matters had never been doubted or questioned, *and such sovereignty as the Indians may have formerly possessed had been merged and lost in the sovereignty of the state, under which they must look for protection of life and property.* In the absence of congressional action, the District Court concluded that these state laws and decisions, by long acquiescence on the part of the Indians, had become rules of property within the state and were controlling

“We are asked to enter upon a review of these matters and of the historical relations of the Indians to the nation and to the state of New York from a time long anterior to the adoption of the federal Constitution. The conclusion we have reached makes this unnecessary. It is enough for present purposes to say that the state of New York, as early as 1849, at the request of the Indians, assumed governmental control of them and their property, passed laws creating and defining the jurisdiction of the
Page 269 U.S. 13, 17
peacemakers' courts, administered these laws through its courts, and that Congress has never undertaken to interfere with this situation or to assume control.

The *Carcieri v Salazar* decision by the Supreme court of the United States clearly states that only those tribes “now” under federal jurisdiction in 1934” and living on federal reserved land are eligible to have land taken into trust. None of the New York Tribes are on the list presented to the court by the Department of the Interior in the *Carcieri* case and there has never been any federal public domain land in any of the original 13 states. Historically the Indian tribes of New York have been citizens of the State of New York and under the jurisdiction of the State since 1849.

Further the *Hawaii v Office of Hawaiian Affairs* (07-1372). a unanimous Supreme Court decision, concluded that federal public lands once they pass to a State cannot be restored to federal jurisdiction by a federal act that purports to change the nature of the original grant to the state.

This limitation protects the sovereignty of the state over the lands from federal encroachment.

The same limitation protects the lands that have always been under state jurisdiction by preventing the Secretary from claiming a federal statute can allow him to encroach or attempt to remove the land from state jurisdiction.

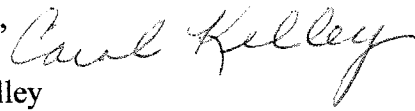
As Justice Alito opined "it would raise grave constitutional concerns" if Congress sought to "cloud Hawaii's title to its sovereign lands" after it had joined the Union. "We have emphasized that Congress cannot, after statehood, reserve or convey lands that have already been bestowed upon a state." Quote from March 31, 2009 article "Court rules against claim to Hawaiian Lands" in L.A. Times, by David G. Savage.

No land can be taken into trust by Congress or the Department of Interior.

The final Trade and Intercourse Act of 1834 clearly stated that there is no "Indian Country" east of the Mississippi River. All tribes recognized under the IRA live west of the Mississippi River.

The hearing which you are holding on June 17, 2009 is an abuse of power and a waste of taxpayer money. It should not even be held since there is no ability for the federal government to take land into trust where no federal public domain land has ever existed within the State of New York. That is the law.

Sincerely,

A handwritten signature in cursive script that reads "Carol Kelley". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Carol Kelley

Jack Khan
Galaxy Petroleum Inc. d/b/a Express Gas Plus
38 Auburn Rd.
Seneca Falls, NY 13148

RECEIVED

2009 JUN 22 P 2:15

REGIONAL DIRECTOR

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

RE: Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

These are comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. I oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects.

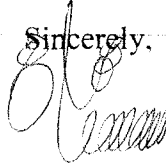
I own and operate a gas station and convenience store in Seneca Falls, New York. The Cayuga Indian Nation also has a gas station and store, Lakeside Trading, on a land claim site in Seneca Falls. Unlike the Cayuga Indian Nation's store, we collect all required sales taxes and excise taxes on cigarettes, gas, etc. Allowing the Cayuga Indian Nation to continue to sell products tax free gives them an unfair advantage over us and other local businesses who are just trying to survive. There is no reason why the non-Indian Nation customers of the Cayuga Indian Nation's store should not have to pay sales taxes on goods they purchase. We are simply asking that the Cayuga Indian Nation collect sales tax from their customers, just as we do, and forward those funds to New York State, just as we do.

The Cayuga Indian Nation bought the land, built their store, and now claims the store is exempt from collecting taxes simply because it is owned by them. What is to stop them from buying land anywhere and everywhere they desire, establishing more businesses, and then claiming they do not have to collect sales taxes or pay any property taxes on it? Allowing this land claim would be a dangerous precedent to set and will just allow for more land claims in the future.

The environmental impacts of the inevitable likelihood of the Cayuga Indian Nation making future trust applications, and acquiring more lands and expanding its operations (i.e., gasoline sales, convenience store operations, campgrounds and gaming) and the financial drain associated with the removal of additional properties from tax rolls must be considered.

I strongly urge the BIA not to grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit these comments and concerns into the public record.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jack Khan', written in a cursive style.

Jack Khan

cc:

Chuck Lafler, Chairman, Board of Supervisors
40 Stevenson St.
Seneca Falls, NY 13148

District Attorney Richard Swinehart
Seneca County Office Building
1 DiPronio Drive
Waterloo, NY 13165

RECEIVED

2009 JUL -6 P 3:49

BIA-ERO
REGIONAL DIRECTOR

July 2, 2009

13 Cayuga St.
Union Springs, NY 13160

Franklin Keel, Regional Director
Eastern Regional Office, Bureau of Indian Affairs
545 Marriott Dr., Suite 700
Nashville, TN 37214

Re: DEIS Comments, Cayuga Indian Nation of NY Trust Acquisition Project

Dear Mr. Keel:

We respectfully request that the above referenced application of the Cayuga Nation for land into trust be declined. We have resided in Union Springs for almost 20 years and have had the opportunity to witness first-hand the impact of the Nation enterprises on both the local economy and environment.

The Nation's failure to collect taxes has negatively impacted local businesses' ability to compete, resulting in their closure.

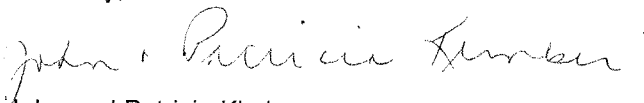
We live on Route 90, the main route through Union Springs, also the route on which the enterprises were located. The gaming facilities' hours of operation resulted in excessive and traffic levels traveling at high rates of speed at late hours of the evening and early into the morning. Houses in this area are set close to the highway. Therefore this level and speed of traffic created disruption and excessive noise during hours when most are asleep. Once this enterprise closed, this volume of traffic significantly reduced so we can say with certainty that the proximate cause of this disruption was indeed the gaming facility.

The increased traffic on both Routes 326 and 90 by drivers traveling to Union Springs to purchase cigarettes, and previously gas, has also resulted in excessive traffic levels driving at speeds above the legal limit. Many is the time I have had a car pass me on this road at a speed in excess of the limit only to again see the vehicle parked at Lake Side Trading. This road is narrow and winding and not designed for this type of speed or volume of traffic.

While these comments have focused on Union Springs, the same comments can be said of the remaining areas requested to be placed into trust. This is a rural, scenic area which attracts many travelers and visitors seeking the beauty and placidness of the area. These attributes are not compatible with the enterprises planned by the Nation.

Thank you very much for your consideration of this request.

Sincerely,



John and Patricia Kimber

Donatly Kine
3720 E Lake Rd

RECEIVED

2009 JUL -6 AT 05

BIA-ERO
REGIONAL DIRECTOR

DEIS Comments,

Seneca NY 14454

Cayuga Indian Nation of New
York Trust Acquisition Project,
our Kine Family, farmers in
Seneca Co, nr. Seneca Lake, have
been farming here for over 150 years.
We are against the Indians or
anyone claiming this is "my" land
and not of ours. Also saying they
^{have to} don't pay taxes, we can have
business here + not change or
pay taxes on gas sold or cigarettes
& the gas station is not even on Indian
land. By other words we can run
gas stations owners, who ^{have} abided the
law, put them out of business +
lose their life savings.

We truly have had 3 Indian ladies
come to our meetings to tell us not to give
the land to the Indians because reservations
are not good for the families, one lady
was a mayor in Mich, one a young lawyer from
Midwest. She was told ~~of~~ by the Indian
chiefs not to come to our meeting against

PT 89
Seneca
Falls

Indians taking over our land. Was xany
afraid, very afraid for her life. Sure enough
She was found dead a few wks. later. Why?
Another Indian lady traveled all the way from
state of Washington to New England. She
wrote a book on her experience and was against
what the so called Indians chiefs were being
responsible for. In Mich they got a lot on a lake,
then they got mixed with the town govt & police.
Pretty soon they got it to be law that none of
the Cottagers could have a boat hoist or boat
house on that lake. She wrote a book about
her experience and even tho she is a Indian, she
is truly against the wishes & demands of the
Indians all over this Country, I only mean the Bad ^{Indians}

I hope you heard of the meeting in Seneca
Falls, N.Y. 6-17-09 at the Chiropractic College.

The sym was filled with people
against the Indians. It started at 6:30 &
people only had 2 to 3 min to say why they agreed
with the Indians or not. This went on till
after 11 PM. I stayed till 9, only one group, a
prof of Cornell & 4 friends were in favor. I believe
they were the only ones ~~for~~ for. There was no
mistake we do not want the Indians
to be able to take land, pay no taxes, and putting
other businesses out of business. This can't & won't
work. Please do what is right. Donating Kime

DEIS Comments, Cayuga Indian Nation of New York
Trust Acquisition Project

To: Mr. Franklin Keel Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive Suite 700
Nashville, Tn. 37214

The BIA, Draft Environmental Impact Statement is very flawed and is purposely slanted towards the CIN. It does not cover all possible issues. The Environmental Impact Statement legislation is covered in the Uniform Commercial Code and it states "a court will prohibit the construction or improvement if no Statement has been filed. It will also do so if a Statement is so deficient or poor that in effect it is no Statement at all. Since the Land Trust for the CIN will be in effect for a long time, it should be well thought out so there are no social or economic problems for the neighbors and surrounding communities. Also there will be no way to apprehend criminals or terrorists that seek sanctuary on Indian Trust Land. And no way to enforce Business Law in Civil Courts in breach of contract issues committed by the Indians. The impact of Cayuga Trust Land on Community and County follows:

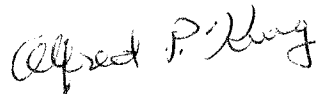
No property Tax to Town increases tax burden on rest of Citizens to pay for Road maintenance and construction, snowplowing, salting roads, Police protection, Ambulance services, Fire Dept. Services, Schools and School buses. Power lines may have to cross Indians Land to get to Communities and to supply the Indians themselves, so some sort of easement will be involvement. Other environmental issues are Building Codes and Inspections, Burning Trash, Sewer Disposal, water drainage, well contamination, Gambling (against Law, exception for Indian Casinos), Handle illegal drugs and grow Pot, Waste oil, no inground gas tank inspection for leakage, Weightst and Measures Test for the gas pumps to see if they are dispensing the correct gallon measures.

Not a fair system. The old Indian Treaties should be revisited to be brought up to today's standards. Indians are not poor by any means, if this Trust thing continues Indians will keep buying up properties and put the properties into Trusts and get richer and richer while the rest of us native Americans pay the Cayuga Taxes. They are also under the Constitution of the United States of America, and have all the benefits, we all have, so it should carry through to the States, Counties and Towns, and are bound by the Laws and Regulations we all must observe. They are using old animosities they have against the early settlers to leverage their way into commercial riches and land take over. They are perpetuating segregation as they don't seem to want to mingle with the population and share the burden of paying taxes for infrastructure they also use every day of every year.

As a Seneca County taxpayer and property owner and Farmer, I would not let the Cayuga Indian Nation put land or property into the Land Trust. As it will increase the tax burden on the remaining County people. The CIN is also using the Trust to leverage their way into buying and putting more land into Trusts in the future as stated in the newspaper by Clint Halftown until they get their 64000 acres originally claimed for. So again I would not grant them Land into Trust. As this is an unfair business practice.

Yours Truly,
Alfred P. King
2658 Ovid-Lodi Townline Rd.

Ovid, NY 14521



J.B.Collision & Auto Sales Inc.
3891 Route 89
Seneca Falls, NY 13148

“DEIS Comments; Cayuga Indian Nation of New York Acquisition Project.”

I, Robert Kirschke, owner of J.B.Collision
Oppose land into Trust.

This is unfair to all citizens. All people must be
equal by paying taxes, equal under the law,
equal in responsibility.

RECEIVED
2009 JUL -6 A 9:57
BIA-ERO
REGIONAL DIRECTOR

“ DEIS Comments; Cayuga Indian Nation of New York Acquisition Project.”

As Owner of ‘Canoga Self Storage’ John Kirschke, I
oppose land into trust
due to unfairness of tax exempt. I welcome the
Cayugas to live among us as neighbors and friends.
But they must live as equals; equal rights, equal
under the law, equal in paying taxes...

Canoga Self Storage
3891 Rte 89
Seneca Falls, NY 13148

REGIONAL DIRECTOR
BIA-ERO

2009 JUL -6 A 9:57

RECEIVED

To: Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

RECEIVED

2009 JUN 23 P 1: 28

BIA-ERO
REGIONAL DIRECTOR

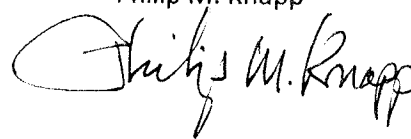
From: Philip Knapp
5150 Kings Corners Road
Romulus, N.Y. 14541

DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project.

- The BIA is biased in the DEIS of the land into Trust application of the Cayuga Tribe of Indians.
- The majority of the BIA are Indians. I believe the DEIS is biased in favor of the tribes. The BIA has a full time staff of paid people who have months to come up with the DEIS. The working people of Seneca and Cayuga counties have only 45 days to respond. The BIA employees care nothing about the people of Seneca and Cayuga counties, who have lived here for generations.
- The DEIS ignores the fact that the Cayugas own almost 900 acres in Cayuga & Seneca Counties at this time and will surely apply for all of it to be put into trust. The stated goal of the Cayuga Tribe and Clint Halftown is to purchase 64,015 acres to be put into trust.
- The DEIS does not realistically address costs of roads, water & sewer systems, police & fire protection, and other public services. The Cayugas will not pay their fair share.
- The Indian Reorganization Act of 1934 allows Congress to authorize spending to purchase land to be put into trust for an Indian Tribe. The IRA of 1934 does not authorize Indian tribes to buy land with illegally earned cigarette & gambling money and then have the BIA put it into trust for them. The DEIS ignores the law.
- Gambling is not an existing condition here. The NYS Constitution does not allow it, for good reasons. The social costs are too great. The DEIS does not realistically address the social costs and problems of gambling. The Cayuga tribe would be able to ignore the Constitution of New York State, monopolize profits from gambling, and the local governments would be responsible to pay for the social costs of gambling.
- The DEIS ignores the Carcier vs. Salazar decision. The Cayugas were not recognized or under federal jurisdiction in 1934. The Secretary of the Interior cannot take land into trust for the Cayuga tribe.
- The DEIS ignores the Kennedy vs. Tyler decision of 1925.

- The DEIS ignores the City of Sherrill vs. Oneida Indian Nation decision.
- The DEIS ignores the fact that the Cayuga Land claim was dismissed. According to an April 1959 memo to BIA directors, title to land acquired by the tribe outside of the reservation boundary shall be taken in fee. The land into trust application by the Cayugas is a back door Indian Land claim.
- The Cayuga Tribe already has use of land on the Seneca reservation near Salamanca.
- The DEIS has ignored the fact that terrorist organizations rely on Native American Indian reservations for tax free cigarettes. Drug traffickers, illegal immigrants, and other criminals hide out on Indian land. Criminals of all sorts will be encouraged to commit crimes in our counties and hide out on the trust land. Everyone acknowledges this, except the BIA.
- The Cayugas have already demonstrated that they are scofflaws and will not be good neighbors. The Lakeside Trading stores illegally sold untaxed cigarettes and continue to illegally sell untaxed gas and other merchandise. They will promote tobacco products to non- Indian minors, and encourage non- Indian minors to gamble & drink alcohol. I have no confidence that tribal police would enforce any laws fairly.
- The DEIS ignores the fact that the citizens of Seneca and Cayuga counties do not want to subsidize disruptive checkerboarding in our counties, where the U.S. Constitution would not apply.
- Many of the families living in Seneca and Cayuga counties have lived here for generations. Others have moved here more recently. We do not want to be surrounded by checker boarded properties and the divisiveness that will come with that. Property values will decline. People will want to move away from the area because trust land will not be under local jurisdiction. Air, soil, and water regulations, zoning and land use regulations, building codes, law enforcement, and other community standards will be ignored by the tribe. The DEIS ignores the disruption to our lives if we are forced to sell properties at a discounted price and move away to escape the double standard that will be created.
- The United States of America is indivisible, yet the BIA continually works to divide us. I believe that the BIA is an enemy of the people of the United States of America. The BIA ignores legal decisions. The BIA is biased in the DEIS. I want to see proof of an investigation by the IRS and the United States Department of Justice that the BIA does not accept bribes from Indian tribes.

Philip M. Knapp

A handwritten signature in black ink that reads "Philip M. Knapp". The signature is written in a cursive style with a large, looping initial "P".

To: US Dept. of Interior Bureau of Indian Affairs

From: Charles "Ford" Knight

3791 Gusty Lane

P.O. Box 328

Seneca Falls, N.Y. 13148

RECEIVED

2009 JUL -6 P 3:47

BIA-ERO
REGIONAL DIRECTOR

Re: DEIS Comments, Cayuga Nation of New York Trust Acquisition Project

Date: June 17, 2009

Our Federal Government was set up to protect the rights of all citizens and foster an environment that promotes the common good. Certainly Native Americans' stake is protected through the Bureau of Indian Affairs. The Federal Government and this particular agency have tried many strategies to help improve conditions for them. Many if not all early attempts failed miserably. Earnest officials in Washington have attempted to redress the injustices which befell Native groups since the Age of Discovery. Today the BIA has become a powerful advocate for all whom they represent. In a sense they have a niche in the federal bureaucracy. It is a self sustaining entity, along with so many other entities which are supported by our tax dollars.

Taxes are the revenue source for many government services. Many laws and agencies have been created by our Federal, State, and Local governments to address our shared needs and desires to promote the common good. Certainly there is a lot to argue over which which we want to keep and which we don't but they provide services which are universally accepted as integral in dealing with the issues we face in the modern world.

This tax support structure is an important environmental asset for our whole way of life. Not only here but for our entire country. Through a long and complicated process our economic system exists. Cash from all sources created through capitalist enterprise is re-allocated to finance all the services found in our culture. Approving Trust Status of Cayuga properties will adversely impact Seneca and Cayuga County's ability to finance these services. The lands put into trust will no longer provide tax revenue needed in our economic system and hundreds of millions of desperately needed dollars will be lost forever. Costs which have been covered in the past by our tax structure must still be covered regardless of whether the Cayuga's Trust status is approved. This additional tax burden would adversely affect the environment.

Does the BIA have any remedy to fix the adverse environmental impact which will be caused if trust status is granted? How can the interests of equal treatment and fairness allow the existence of a governmental agency like the BIA, ostensibly run by Native American Indians, and intent on securing rights and privileges for themselves while creating additional economic burdens on all other ethnic groups?

I have recently read that Clinton Halftown asserts that he and his tribe will prevail as their cause is morally correct. If the Cayugas acquire trust status on their properties the loss of tax revenue will be a serious long term negative impact. How can such an action be considered morally correct? It will produce economic hardship.

7/5/09

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

RECEIVED

2009 JUL -6 P 3:48

FRANKLIN KEEL
REGIONAL DIRECTOR

Dear Sir,

As a resident of Cayuga County, I am for the placing of land into trust and believe it is of little and therefore acceptable environmental and economic impact.

Moreover, in the interest of justice, because I've looked into the land claim, I know now that the Cayuga Indians have been patently unjustly and unfairly treated. Political influences have perverted justice. Even though a judge spent a great deal of time and effort to resolve the issue, his solution was misjudged by a higher court rather speedily on a specious argument that the Cayugas waited too long to complain. Which I don't think was true; and jurisdictional issues seemed unaccounted for as I recall.

It's time as Americans to live up to our ideals, promises, and rule of law and reason to remedy past oversights. The economic and environmental impact will be relatively minimal.

Our local government bodies, as is now custom across our nation, pervert our economic system by offering business of all kinds monetary/tax incentives to locate or keep businesses in our areas. These are not insignificant "environmental" or economic impacts. Yet they are often given. Fairness means we ignore a double standard!

Let us not ignore the ignorant, arrogant racial bigotry we see exhibited toward our Indian brethren.

I am an American, born and raised, not an Indian. I am an American military veteran. I have traveled and lived in other countries. We owe our legacy some decency like land into trust in this instance to our Native Americans and this is a way to do it.

William Keel

WILLIAM KEEL
108 STONDAERT AVE
AUBURN, NY 13021-1318

DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

VIA FAX

3120 Patton Avenue
Seneca Falls, NY 13148
July 6, 2009

RECEIVED

2009 JUL -6 A 8:17

BIA-ERO
REGIONAL DIRECTOR

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains our comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. We oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

There are several areas included in the DEIS for the Cayuga Nation's Land into Trust Application that are deficient, in error, and /or not addressed. Significant areas include:

- a. **Property Tax:** Funds collected through property taxes are paid to municipalities and school districts and are used to operate those entities. Since lands in trust are exempt from paying these taxes, the added burden must be carried by the property owners who do not share this advantage. The right to an education is a right we all share, however, lands in trust will not have to pay for the education that the rest of us must. This creates an untenable and extremely unfair economic burden. The only reason the property tax payments are up to date on the properties which are proposed to be placed in trust is because it is a requirement in order to qualify for consideration for a land trust. The Cayuga Nation owns several other properties which are, in fact, delinquent in tax payments, but because they are not now part of the request, they remain unpaid. The non-payment of property taxes is unfair, discriminatory and improper, and creates an untenable economic burden on all residents in the area who own non-trust land.
- b. **State Sales Tax Collection:** Native American enterprises refuse to collect state, county and local sales or excise taxes on the products/commodities they offer for sale. This gives them an unfair advantage over the businesses which, by law, must collect and pay these taxes because the Cayuga Nation's prices undercut the prices charged by tax-paying, law-abiding businesses. In fact, this unfair action has caused several businesses to go under as they could not compete with the Cayuga Nation prices. It is expected that if the land-to-trust application is approved, more and more local businesses will fail as they just can't compete. It must be noted that, if a New York business does not pay its sales and excise taxes, the owner is arrested and prosecuted and the business is boarded up. This does not and will not happen to a business operated on Trust Land. This is unfair, discriminatory and improper.
- c. **Regulatory Jurisdiction:** States, counties, towns and villages will lose any ability to regulate activities on the trust properties, including any activities that take place on such properties that impact the environment and natural resources including the air, soil and water.

- d. **Environmental Consequences:** If the Cayuga Indian Nation lands are taken into trust, they would be exempt from such state, county and local environmental laws, thereby posing a significant potential risk of damage or potential damage to our natural resources thereby adversely impacting residents of the counties because we all share in the same environment, and such trust status and lack of regulatory control presents threats or potential threats to our natural resources. This is unfair, discriminatory and improper.
- e. **Future Development:** We understand that the Cayuga Indian Nation intends to acquire more lands and that it has many acres of land located in the counties that are not part of the current land to trust applications. It is only fair to assume that the Cayuga Indian Nation will make application to have such additional lands held in trust and then develop or further develop such properties resulting in increased losses of future tax and assessment revenue. The environmental impacts of this along the impacts the financial drain associated with the removal of additional properties from tax rolls, including impacts to public infrastructure, social services and other services required must be considered.
- f. **Life, liberty and the pursuit of happiness:** Living in this area demands that we all be good neighbors to one another. Living next to a parcel which does not have to abide by the state, county and local laws set forth to assure compatible living conditions can create an untenable situation. Residential areas could be bordered with unregulated businesses which do not conform to state and local zoning requirements, thus affecting the quality of life and quiet enjoyment of property for all. Additionally, the value of properties could be greatly diminished. This too is discriminatory, unfair and improper.

The Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, we request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively we urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit our comments and concerns into the public record.

Sincerely,



Kathryn A. Lankford
Seneca County Resident & Property Owner



Carson W. Lankford
Seneca County Resident & Property Owner

cc:

Seneca County Officials

Chuck Lafler, Chairman, Board of Supervisors

Peter Same, Board of Supervisors

David Dresser, Board of Supervisors

District Attorney Richard Swinehart

County Attorney Frank Fisher

County Manager Suzanne Sinclair

New York State Officials

NY State Senator Michael Nozzolio

NY State Representative Brian Kolb

Federal Officials

US Senator Charles Schumer

US Senator Kristin Gillibrand

US Representative Michael Arcuri

Marvin W. Lay

Iva A. Lay

1022 Gravel Road
Seneca Falls, NY 13158
Phone 315-868-8562
mlay@rochester.rr.com

RECEIVED

2009 JUN 18 P 1:19

BIA-ERO
REGIONAL DIRECTOR

June 15, 2009

*Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214*

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains our comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land Into Trust Application. We oppose the land -into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including the reasons set forth in this letter.

1. The exemption from property taxes, special district taxes and payments to offset infrastructure operation and maintenance places an undue and unfair burden on the remaining taxable owners of properties in the area.

2. There are no restrictions on future expansion of Cayuga Indian Nation activities on the land if it is placed in trust.

3. The DEIS fails to properly investigate and analyze potential environmental impacts of activities which may take place on the land if it is placed in trust. Local, County and State regulations must apply to lands if placed in trust.

4. *The DEIS, in Chapter 5, does not identify an alternative which would mitigate the impact of the Cayuga Indian Nation not bearing it's share of the cost for operating and maintaining infrastructure, paying for community services (including schools) and contributing to local government.*

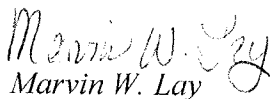
5. *The Cayuga Indian Nation application for Land into Trust does not meet the Indian Reorganization Act requirements because it contradicts the IRA's goal of avoiding designating scattered-site lands due to the negative effects on surrounding properties.*

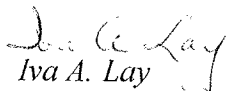
6. *There is a negative socio-economic impact of gaming on the general public. The DEIS conclusions do not substantiate the claims of economic benefit to the County and the State.*

7. *The DEIS should be withdrawn until critical information is provided and until decisions are rendered on cases currently before the New York courts.*

The Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, we request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively we urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit our comments and concerns into the public record.

Sincerely,


Marvin W. Lay


Iva A. Lay

30 Park Avenue
Auburn, New York 13021
July 2, 2009

RECEIVED

2009 JUL -6 P 3:47

JIA-ERO
REGIONAL DIRECTOR

Mr. Franklin Keel
Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, Tennessee 37218

DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

I am writing to express my agreement with the Bureau's finding that putting land into trust as the Cayuga Nation has requested would have minimal environmental impact.

As a resident of Cayuga County, I would like to distance myself from Cayuga County Legislators' claims that putting land into trust for the Cayuga Nation would have an adverse effect on municipal operations and tax collections, and on businesses in the county.

The need for more collaboration among municipalities and the county itself in order to provide services more efficiently has already been recognized. It has been documented that people can only be purchased in neighboring counties in order to avoid Cayuga County's high sales tax.

Thus, putting land into trust for the Cayuga Nation should be an alternative for Cayuga County to a still unaddressed problem in the county.

Sincerely, Grace K. LaTouche

96 East Bayard Street
Seneca Falls, NY 13148

July 2, 2000

Mr. Franklin Keel, Regional Director
Eastern Regional Office

Bureau of Indian Affairs

545 Marriott Drive, Suite 700

Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains our comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. We oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including the following reason.

New York and its municipalities enforce environmental laws to prevent damage to our natural resources and to prevent detrimental affects to all who share in the same environment. If the Cayuga Indian nation lands are taken into trust they would be exempt from such state, county and local environmental laws, thereby posing a significant potential risk of damage or potential damage to our natural resources. We believe this would adversely impact ourselves as residents of Seneca County as we all share the same environment, and such trust status and lack of regulatory control presents threats or potential threats to our natural resources.

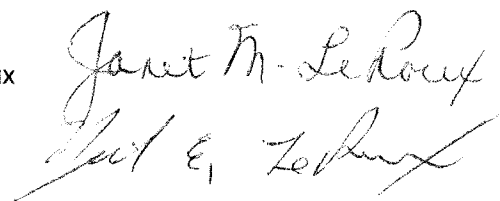
The Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter. We request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved. A preferable resolution would be for the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust.

Thank you for the opportunity to submit our comments and concerns into the public record.

Sincerely yours,

Janet M. LeRoux

Neil E. LeRoux



Handwritten signatures of Janet M. LeRoux and Neil E. LeRoux.

RECEIVED

2000 JUL -6 P 3:48

BIA-ERO
REGIONAL DIRECTOR

DEIS Comments, Cayuga Indian Nation of New York
Trust Acquisition Project

To BIA

We have been married 55 years and have owned land and farmed it all that time. We have paid all real estate taxes on it. We retired but own almost 1400 acres and still pay taxes on that. Our two sons and son-in-law farm and own and pay taxes on roughly 7000 acres. The Indians sell untaxed gasoline and cigarettes which is breaking the law and want to have the land they bought, put in trust so they don't have to pay the taxes on that or obey our laws. They make more money at what they do than any of us can because they don't collect or pay the tax and are putting lots of our people out of work because of that. We have several neighbors in Seneca Co. that have Indian blood and are upstanding citizens and do and pay everything that is expected of them. We do not want or need racial discrimination. The major ways the Indians are making money are vices and addictive - smoking and gambling.

We have four grandsons coming along who hopefully will want to follow in their parents' footsteps. In the last year or so the Indians have bought land in the Seneca Falls area and paid double the market price. How are our families going to compete? No farmer can afford to invest that much, agriculture wouldn't pay. The Indians have made so much in casinos, they can afford to pay any amount to unscrupulous sellers. Every owner of any amount of real estate should be interested enough and worried enough about their taxes and environment

to attend the meeting and speak out Wednesday
night.

Sincerely,

Rodman & Ellen Lott

2378 Yellow Tavern Rd.

Waterloo, N.H.

13165

Town of Fayette

DEIS Comments Cayuga Indian Nation of New York
Trust Acquisition Project

To BIA

We were married in 1954 and have farmed and owned land and paid taxes on it ever since, in Penna, Del, Fla. and now New York. When we bought land here in 1980, The real estate agent warned us about The Indian Land Claim, but we didn't think it was anything to worry about. Now 30 yrs. later we are ALL still worrying and some of our neighbors started 20 years before we did. The solution is so simple, I don't know why it isn't over and done with. The Cayugas were not a Federally recognized tribe in 1934 and so are therefore not eligible to have land put into trust. I dislike using the word "Nation" because we are "One Nation indivisible" not 250+ within Our Nation: The United States

Sincerely,

Radman & Ellen Lott
2373 Yellow Tavern Rd.
Waterloo, N.Y. 13165

Town of Fayette

June 22, 2009

RECEIVED

2009 JUN 29 A 8:06

BIA-ERO
REGIONAL DIRECTOR

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

Subject: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:


My husband and I were at the meeting Wednesday night (6/17/09) at the New York Chiropractic College. All the comments made against the Cayuga Nation putting their land into trust were accurate.

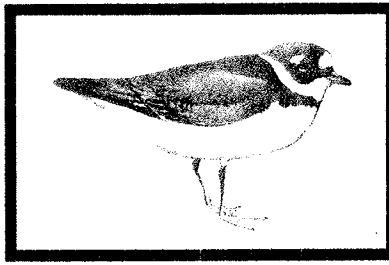
We don't mind having the Cayuga Nation live here but we do mind that they are treated differently. We are all equal and should all be treated equal. How can you justify letting them put land into trust? Then they don't have to pay property taxes which increase the tax burden for non-Indian property owners. The Cayuga Nation would also require basic local governmental services and infrastructure without having to pay for those services.

We know that the Cayuga Nation buys up land at twice the cost of what the property is worth. How can they do this? They do this because of all the gambling casinos they own. They spend a large percentage of their money buying federal and state support but not bothering to help their own people. Speaking of gaming, did you know that the gaming hall the Cayuga Nation opened in Union Springs, New York is just down the street from the Union Springs Middle and High School? Do you really think it's appropriate to have a gaming hall near a school system?

If the Cayuga Nation wants a reservation, why doesn't the state or federal government give them some land somewhere less populated? New York is one of the highest taxed states in the country. Seneca County is one of the smallest counties in New York State. We consist mostly of farms and wineries. All the big industries have moved out because of the high taxes. Now the federal government expects us to be taxed even more by taking land off the tax rolls. What kind of government is this anyway? It appears to be for the minority not the majority. Don't talk to us about Native Americans! We were born in this country so we are Native Americans too.

It is time for the majority to stand up and be heard. The only ones getting rich around here are the politicians and government officials. We will fight you every step of the way.


Elaine and Jerry Lorenc
5 Courtney Drive
Seneca Falls, NY 13148



Mr. Franklin Keel
Regional Director,
Eastern Regional Office,
Bureau of Indian Affairs,
545 Marriott Drive, Suite 700,
Nashville, Tennessee 37214

“DEIS Comments Cayuga Indian Nation of New York Trust Acquisition Project”

Dear Mr. Keel,

My name is Ernest W. Lussier and I live in Seneca Falls. My concern is with the unfair discrimination that will surely be effected upon my neighbors, the local, state and federal communities, and myself if land is placed in trust for the Cayuga Indian Nation. It is my understanding that any land in trust to the Cayuga Nation is not subject to the laws, regulations and taxes that regulate and support our communities and the United States of America. In fact then, we would have a privileged and separate nation within our United States of America. This nation can then operate independent of any consideration for the surrounding communities. To me all this speaks of profound adverse short and long-term consequences.

I also have questions about who supports the various Indian Nations within the United States of America? Do they receive any federal funds from the taxes of other non Indian Americans? Do they receive funds of any kind from the various federal bureaus supported by the taxes of other non Indian Americans?

How does the Cayuga Nation operating without controls, regulation or paying taxes assist and support our United States of America?

I am concerned with the Idea of “land in trust” to a separate nation. When does it stop? How bad will the effects be on our land, our communities and our country?

Sincerely,

Ernest W. Lussier

Ann and Ernie Lussier, 20 Spruce Lane, Seneca Falls, N.Y. 13148

Mr. Keel

Best Wishes

*Ernie
Lussier*

Ann and Ernie Lussier

20 Spruce Lane, Seneca Falls, New York 13148

Tel. 1-315-568-2212

To: Franklin Reed, regional director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

RECEIVED

2009 JUL -6 P 1:45

BIA-ERO
REGIONAL DIRECTOR

From: Elisabeth MacCormick
P.O. Box 54
16 Dublin Hill Rd.
Aurora, NY 13026

Re.: DEIS Comments

Cayuga Indian Nation of New York Trust Acquisition Project

Dear Sir:

I am deeply concerned about the DEIS concerning the application of the Cayuga Indian Nation to put 130 acres of land in Cayuga and Seneca Counties into federal trust.

I believe that the DEIS totally glossed over the real impact that this action would have upon the economy of Cayuga and Seneca counties. In the past years we have already seen the impact of Lakeside Trading in Union Springs as businesses were unable to compete with a gas station and cigarette sales which did not charge sales tax. The loss of sales tax also has major impact within the counties where increased property taxes will have to make up the shortfall to provide essential services. Also, the possibility of their building casinos, with all their associated social ills, far outweigh the advantages of any jobs they may provide.

In short, it seems to me to be totally irresponsible to write a DEIS that does not take these negative effects into serious consideration.

Very truly yours, Elisabeth MacCormick

facsimile transmittal

RECEIVED

2009 JUL -2 P 2: 19

To: Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

Fax: 615-564-6701
BIA-ERO
REGIONAL DIRECTOR

From: Carol A. MacKenzie
8787 South Seneca Street
Weedsport, New York 13166

Date: July 2, 2009

Re: DEIS Comments,
Cayuga Indian Nation of New York
Trust Acquisition Project

Message:

I vehemently oppose the Cayuga Indian Nation's application for land in trust. It is a gross deficiency that the DEIS does not address any potential expansions of land in trust or expansions of the use of such lands by the Cayuga Indian Nation.

I do not support any Native Americans being exempt from paying property taxes. I do not support Native Americans selling tobacco, alcoholic beverages and gasoline with any exemptions from paying or collecting the taxes on these products. I do not support gaming activities, as it has a negative effect on the general economy.

I am a taxpayer of Cayuga County and New York State. I also own and pay property taxes on my own home. I am subject to all of the laws of the land. Native Americans should be equally subject to pay taxes and abide by the laws of the land as any other American citizen.

I recommend that ALTERNATIVE 2: NO ACTION be taken. Under this alternative, the BIA would take no action, and the Nation's properties would not be taken into trust by the United States.

Carol A. MacKenzie

June 12, 2009

Mr. Franklin Keel
Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Dr., Suite 700
Nashville, TN 37214

RECEIVED

2009 JUN 18 P 1:15

DIA-ERO
REGIONAL DIRECTOR

RE: DEIS Comments
Cayuga Indian Nation of New York
Trust Acquisition Project

Dear Mr. Keel:

We urge the Bureau of Indian Affairs not to grant Land Into Trust status for the Cayuga Indian Nation in Seneca and Cayuga counties in NY State.

Putting this land into trust will give an unfair advantage to the Cayugas. They will never have to pay taxes or obey environmental laws as other citizens do. We are all Americans and everyone should have to live by the same rules. The Indians use our highways, schools, hospitals, social services, etc. but never pay their fair share for anything.

Allowing the tribe to put this land into trust will allow them to open gambling establishments and stores which will not pay sales tax. They will use the profits to obtain more land which will be forever removed from tax rolls.

What was the sense of doing an environmental impact statement when the Land Into Trust would allow the tribe to do whatever they wish without obeying environmental laws?

Please deny this application. It is time we all lived together as American citizens and each pays their fair share. The Indians served our country well in WW II and we welcome them as neighbors providing they live by the same laws everyone else is required to do.

Sincerely,

Carol M. Manchester

W Manchester

Carol M. Manchester and
William L. Manchester
2414 Highbridge Rd.
Weedsport, NY 13166

Anna A. Manrow

Anna A. Manrow
2589 Manrow Rd.
Auburn, NY 13021

3 S. Hunter Avenue
Auburn, NY 13021
July 2, 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

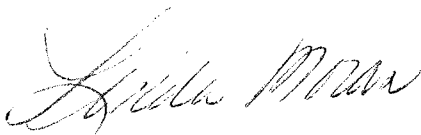
RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

I am writing to have it on record that we do not agree with the Draft Environmental Impact Statement.

We have read the statements against this decision in the newspapers, those made at the June 17th meeting in Seneca Falls, and those made by U. S. Senator Schumer – no need to repeat them as you are aware of them. We strongly request this action not be taken.

Sincerely,



Linda Moran



Anthony Moran

RECEIVED
2009 JUL -6 PM 3:48
BIA-ERD
REGIONAL DIRECTOR

June 16

Franklin Keel, - Sir,

As a 94 year old woman
I would prefer to live in
peace with the Indians -
however, not as a great
nation divided.

Enough is enough!

One nation period.

Are you people blind -
deaf and unconcerned?

Pay taxes - smoke only
the peace pipe.

Am unhappy tax payer

Marlette Morehouse



Ms. MARLETTE MOREHOUSE
4903 SPRINGPORT COVE RD.
CAYUGA, NY 13034-3101

DEIS Comments: Cayuga Indian Nation
Yale Acquisition Report

Attn: Sean H Morris
129 West Bayard St
Seneca Falls, NY 13148

To: Franklin Keel, Regional Director
Eastern Regional Office
545 Marriott Drive, Suite 700
Nashville, TN 37214

Dear Sir:

The June 17th meeting in Seneca Falls was to discuss the environmental impact of Sovereign Indian Territory. Other meetings have discussed economic and tax issues. Is this last meeting to be the basis for BIA's decision on a land trust for the C.I.N.?

This area is the watershed not only for Cayuga Lake but a much larger area. If there are no environmental laws to be followed what happens to drinking water and the concerns of property owners further South on the Lake?

In 1861-65 our Country was engaged in a bloody Civil War. The outcome was we were to be not divided but united as one nation. Does this not abrogate any prior promises or treaties that fail that test. History and present day events only emphasize what happens when smaller groups feel they are entitled (Middle East, Central Europe, Africa etc).

'In 1794 no one could have imagined the world
as it is today. The reality then is not the reality
now.

As American Citizens, and the Cayuga area,
we pledge to obey the laws of the land. Why
does the Federal Government now want to champion
sovereign nations that do not have to honor
this pledge. This must be a concern not only
for Seneca and Cayuga Counties but also all
U.S. Citizens.

Thank you for taking the time to consider my
thoughts.

Sincerely,

Jean N Morris



Mrs. Jean Morris
129 W Bayard St.
Seneca Falls, NY 13148

11918 Fox Hall Rd
Maravia, NY 13118
July 2, 2009

Dear Sirs,

"Yes Comments, Cayuga Indian
Nation of New York Trust Requisition
Project"

I am writing to oppose that
the Federal Government putting any
land in trust for the Cayuga Indians,
I feel that the Cayuga Indians should
start paying land taxes, and also taxes
on roads that they will including bridges.
They need to help support our highways
and our schools. I don't feel that
I can support them any longer, as I
can not afford a tax increase on my
property. My wife and I are retired
and we are over 70. We worked
all our lives and paid our own way
in life. With the high cost of everything
now I'm not sure how much more we
can stand, we are spending our
savings to live.

Sincerely,
Richard F. Wilson, New York

P.S. And please don't tell them there is no free lunch.

DEIS Comments: Cayuga Indian Nation of New York Acquisition Application
6/24/2009

TO: Franklin Keel, Regional Director
Eastern regional Office
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

FROM: Gene Myers
P.O. Box 246
Cayuga, New York 13034

RECEIVED
2009 JUN 29 P 1:57
BIA-ERO
REGIONAL DIRECTOR

The Bureau of Indian Affairs Draft Environmental Impact Statement is severely flawed and Alternative B of the DEIS, "Take No Action" should be adopted.

The DEIS does not take into consideration the significant economic impact the Cayuga's gaming and sale of untaxed cigarettes and gasoline would have on the region. Local businesses, who pay their fair share of local and excise taxes, would be in direct and unfair competition with the Cayuga's. This means that more small businesses would close, further eroding the tax base. The Cayugas have indicated that they intend to use the proceeds from their transactions to purchase more land, which would also be removed from the tax rolls. Their ultimate goal, as repeatedly stated by Clint Halftown, is to acquire all 64,000 acres of their original reservation land. Cayuga and Seneca Counties, and the State of New York, cannot afford to lose any more sales and excise tax revenue, to say nothing of the economic devastation that would inevitably occur if the Cayugas were to fulfill their stated ambition of acquiring all 64,000 acres. The DEIS provides them a strong foothold in their quest.

Furthermore, this land would not be subject to regulatory and environmental control by the counties or the State. By not adhering to the laws we all must abide by, the Cayugas could destroy the quality of the local watershed and land in both counties. Indian gaming could be conducted without regard for local concerns. Current easements and rights-of-way would be unenforceable, and local communities and entire regions could lose their ability to rely on power and gas lines that cross reservation land. If the Cayugas follow through with their threat to reestablish Class II and II gaming casinos, the wear and tear on the local infrastructure could be enormous.

Essentially, adoption of the DEIS in its present form would elevate the Cayugas to "super-citizen" status. They would be exempt from local, State and federal taxes, economic and environmental regulations. They would enjoy all the benefits of land ownership with none of the responsibilities. I strongly urge you to adopt Alternative B: Take No Action.

Gene Myers

Milton Hamler 3459 Rt 89, Seneca Falls, NY 1314
DEIS Comments, Cayuga Indian Nation of New York
Trust Acquisition Project

Not being able to attend the June 14th
meeting here are our comments.

We have owned our lake property for
30 years and have paid all taxes to State,
Federal, Town and County like all good
people in the counties of Seneca and Cayuga
do. So why are we asking the BIA
to do the right thing and stop the Cayuga
Land Claim and land in trust, now!

As you know the Cayugas sold the land
to the State of New York 200 years ago
and were paid fairly at that time.

The Cayugas have made things bad for
all taxpayers in Seneca and Cayuga counties
for 30 years by not paying their fair share.

We don't want the land the Cayugas own to go
into federal trust as that is just another
way for them to cheat on paying their taxes.

We would welcome them if they would
pay their taxes as does every American Citizen.

Milton and Patricia Hamler

3459 Rt 89

Seneca Falls, NY

Jesse Newman
P.O. BOX 4412
Port Jervis, New York
12771

June 10, 2009

DEIS Comments (Draft Environmental
Impact Statement)

Cayuga Indian Nation of
New York Trust Acquisition Project

Attention: Mr. Franklin Keel:

TO Franklin Keel,

I am writing to strongly
support proposed alternative
A-1 > The Proposed Action, to
take (all-the entire) 125(+) acres
of land into trust in Cayuga
and Seneca Counties, New York.

This action would provide for
the cultural and religious needs
of the Cayuga Indian Nation, as
well as achieve self-determination
and self-sufficiency. This action
(A-1 > the Proposed Action) would also
honor our commitment to the
1794 Treaty of Canandaigua.

see other side.
(over)

see other side. (over)
(over)

In 1948, President Harry Truman recognized another Peoples' spiritual connection to their land; the Jewish people of the new state of Israel. President Truman's decision in 1948 to recognize Israel, was a courageous decision against the advice of his entire Cabinet. Both American Indians and Jews have a spiritual attachment to their land.

In conclusion, I am writing to strongly support the proposed alternative action > A-1, to place the entire 125(+) acres of land in Cayuga and Seneca Counties, New York into trust for the Cayuga Indian Nation of New York. This action will provide for the Cayugas' self-determination and self-sufficiency.

I congratulate everyone at the Bureau of Indian Affairs-Eastern Regional Office for all the hard work on this complex issue.

2

I believe the Cayuga Indian Nation of New York will contribute to the economy and jobs of Central New York State (Cayuga and Seneca Counties). They may eventually start farming the land and raise animals, fruit, and vegetables.

Sincerely,
Jesse Newman

* P.S. - It is very important that the Bureau of Indian Affairs protect the fishing, hunting, and trapping rights of the Cayuga Indian Nation of New York. The Cayugas' access to natural resources, and fishing rights in and around Cayuga Lake should be strengthened. Maybe a couple of fish hatcheries near Cayuga Lake for (hatching - production) of trout should be built? Also, do Indians in New York State need fishing and hunting licenses? I think they may be eligible for free licenses.

RECEIVED

2009 JUN 15 P 12:20

BIA-ERO
REGIONAL DIRECTOR

CORNELL
AGRICULTURE & FOOD
TECHNOLOGY PARK
THE TECHNOLOGY FARM

500 Technology Farm Drive Geneva, NY 14456
Phone 315-781-0070 Fax 315-781-0074 www.thetechnologyfarm.com

FACSIMILE TRANSMITTAL SHEET

TO: Mr Howard Keel	FROM: Susan Noble
COMPANY: BIA	DATE: 7-1-09
FAX NUMBER: 615-564-6701	TOTAL NO. OF PAGES INCLUDING COVER: 3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:

- URGENT
 FOR REVIEW
 PLEASE COMMENT
 PLEASE REPLY
 PLEASE RECYCLE

NOTES/COMMENTS:

REGIONAL DIRECTOR
EIA-ERO

2009 JUL -2 A 7 52

RECEIVED

Susan L. Noble
3 Carol Ave
Seneca Falls, N Y 13148

June 24, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37212

Re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

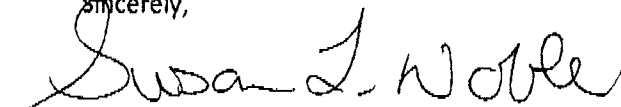
This letter contains my comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. I oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

1. The DEIS counts jobs created when the Gaming Facilities re-open but does not measure the impact of negative aspects of the facility because they were "temporarily closed when the application was made". You can not have it both ways. Since it is the intention of the Cayuga Tribe to re-open these facilities as soon as the trust application is approved, you must count the effect on the roads and services created by these facilities. Traffic was measured and determined to have no negative affect but while these facilities were open, there was a marked increase in traffic on these roads as cars pulled in and out of traffic. This opens the door for increased accidents that would require increased police services at a time when communities are scaling back on these services due to budget cuts.
2. Environmental laws were put into place because not all humans can not be trusted to do the right thing without supervision. Wetlands must be protected, pollution must be monitored, landfills must be regulated, etc. If a group is allowed to do whatever they wish without supervision, they may do the right thing but then, they are just as likely to cut corners to save money.
3. While legitimate tribal members may not be required to pay taxes, the rest of the Citizen population is required to pay tax on purchases where ever made. The Supreme Court has made that very clear. To refuse to submit taxes to the government on the behalf of the non-Indian purchaser is causing the law to be broken. This is unacceptable.

4. The Supreme Court has stated that to checkerboard a community is detrimental, that is, it has a negative impact on the village, town, county that is involved. Yet that is exactly what is proposed in this DEIS.
5. It does not consider the other land that the Cayuga Tribe has purchased. There are 2 new businesses that have been started since the Judge instructed all parties to the lawsuit to remain at the status quo. If a door is opened to a reservation, how long before the application to include these as well as the other businesses purchased that are not yet opened.
6. This does not take into consideration that several issues concerning the Cayuga Indian Nation are in the court system at this time. The verdict, should it go against the CIN, should affect this decision and therefore the land into trust decision must wait until after the violation of tax laws decision is made.
7. The reservation system is a bad system. It encourages poverty and discourages education for all but a small few. The top of the hierarchy grows rich while tribe members languish in squalor. I have seen only a few reservations but can state that this is no way to treat a proud people. I should not receive requests for money to help the poor living on reservations while the BIA maintains such a large fund supposedly for the well being of its wards.

In closing, the DEIS, as presented, is inadequate. It does not accurately detail critical information needed for a thorough review of the application and because it does require mitigation of adverse impacts as identified in this letter, I request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively I urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit my comments and concerns into the public record.

Sincerely,



Susan L. Noble

6/16/09

RECEIVED

2009 JUN 22 A 10:30

BIA-ERO
REGIONAL DIRECTOR

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive - Suite 700
Nashville, Tennessee, 37214

Dear Mr. Keel,

First my computer died, then
a written letter. I am enclosing material
you should see. There is a great silent
majority who believe that the Indians
should be able to get the land into trust.
This "position" ^{enclosed} is held by people who
have become unreasoned. They have become
radical and bigoted. They are ignorant
as you can see in the letter to the
editor. As a people, this nation has
treated the American Indians far worse
than the English or the French, as pointed
out by President John Quincy Adams

In this particular case, it seems to me your decision should be very clear. The land we are talking about in Seneca county is very, very, small.

This issue could have been resolved in the '80's & '90's, the courts found for the Indians and the Estate had the money set aside to pay the Indians a large sum of money - no land involved. Both courts rejected the settlements. As our President has said many times, the last group who has no right in this country is the American Indians. I hope you will follow his lead and find for the group for which you were favored.

I marched with Martin Luther King - I never thought we would have the fight for equality & justice again.

I am ashamed of some of my fellow
citizens. It is all too familiar. A judge
approves a raid ~~and~~ ^{by} Indian store and
then the same judge says what the
police did - was justified!

I returned to my Kansas town
to retire - after being away for
forty some years. It is not the laing
& caring community I left. Oh - there are
many Deacons & Cops who have lived
here for years - paying their taxes, etc.
They fear speaking up for fear of
retaliation. This is all too familiar.
Thank you for listening.

Best regards.

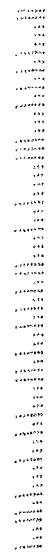
Mary W. Spencer, PhD



*Mr. Franklin Hall, General
Bureau of Indian Affairs
5700 Sperritt Drive - Suite 200
Spokane, Tennessee*

3/22/74

3721485081 0016



Dr. Mary Norman
9 S Park St.
Seneca Falls, NY 13148



Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriot Dr., Suite 700
Nashville, TN 37214

RECEIVED

2009 JUN 23 P 1:26

EIA-CRO
REGIONAL DIRECTOR

Ted O'Hara
O'Hara Farms
1290 Chamberlain Rd.
Auburn, N.Y. 13021

June 15, 2009

Ref: "DEIS Comments, Cayuga Indian Nation
of New York Trust Acquisition Project"

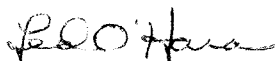
Our family farm is in the affected area, and we are heavily restricted and regulated by government, as to when and where we can carry out farming operations. All of this is done to monitor and minimize our environmental impact. We must be very conscientious about our environmental stewardship. This can be very frustrating at times to have government determining what our best practices should be. We can live with this as long as we know that everyone is being treated the same, living by the same rules. There is a problem if the Cayuga Nation is allowed to ignore environmental regulations. Those of us selectively targeted become bitter and view our government as our enemy. This is highly disruptive to the local social environment.

Financially we can not compete with those who are outside of our laws and regulations. As land owners, we carry the bulk of our local tax burden. We already must absorb the ever increasing taxation levels caused by government growth. To continually decrease the local tax base by dropping property and businesses, simply puts us as an agricultural community at a great economic disadvantage. We are prepared to deal with the adversities of weather, breakdowns, low price cycles, but to end up with government as our enemy rather than partners; this is what destroys a local community. Ultimately it will break our spirit, and will lead our future generation of potential farmers to say "forget it, let someone else feed our neighbors".

Allowing the Cayuga Nation to move forward, placing their current and future land purchases in trust means having those properties become sovereign. Those lands being outside local environmental laws and taxation will gravely effect the agricultural community. We can not continue as a viable industry under such physical, social, and economic duress.

I implore the Bureau of Indian Affairs to deny this application, thus preventing the breakdown of our entire community.

Thank you,



Ted O'Hara



DEIS COMMENTS
CAYUGA INDIAN NATION OF
NEW YORK TRUST ACQUISITION
PROJECT

DEAR MR. FRANKLIN KEEL
I PERSONALLY OPPOSE
ANY ACQUISITION OF ANY
LAND IN CAYUGA AND SENECA
COUNTIES.

THE CAYUGA INDIANS
ARE WELCOME TO LIVE IN
BOTH COUNTIES BUT PAY
THEIR FAIR SHARE OF TAXES
LIKE EVERYONE ELSE.

WHAT WOULD WE DO
IF RUSSIA WANTED ALASKA BACK?

BERNARD OFFENBURG
7387 STATE ST RD
AUBURN, N.Y. 13021

DEIS COMMENTS



DEIS Comments: Cayuga Indian Nation of New York Acquisition Project

From: Lloyd O'Hara
1274 Aurelius Springport Road
Auburn New York 13021

To: Bureau of Indian Affairs
Franklin Keel, Regional Director
Eastern Regional Office
545 Mariot Drive
Suite 700
Nashville, TN 37214

Date: June 29, 2009

Re: Cayuga Indian Land Trust Application

RECEIVED
2009 JUL -6 P 3:44
DIA-ERO
REGIONAL DIRECTOR

I am a resident living near the land being considered for trust. A negative impact of allowing this land to be trust land is the violence that may occur. Violence would eventually occur due to inequities of Indians and non Indians; inequities created by the land being in trust. These inequities are the ones stated by many at the hearing in Seneca Falls and documented.


As you know, most of those reasons result in an inequity among residents, business owners, etc, based on race or ethnic background, or however you describe the difference between American Indians and Non American Indians.

I believe that since people are not going to be treated equally under the law, that violence will eventually occur. This has been stated by residents. This has occurred under Apartheid in South Africa. This has occurred in American history in the southern states.

Violence has occurred on both sides of the issue when New York State has tried to enforce it's laws in the past. The threat of violence has affected judge's rulings and New York Governor's actions involving American Indian affairs. Documents of these things can be provided to you if you are not already familiar with them.

I feel that you will be legally responsible for the violence when it occurs if you approve this trust.

I believe that to prevent violence, you must not approve this trust application.

Signed: 

Jay O'Hearn
503 Main St.
PO Box 87
Aurora, NY 13026

RECEIVED

2009 JUL -2 P 12: 46

DIA-ERO
REGIONAL DIRECTOR

June 29, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains my comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. I strongly oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

Any Land into Trust (LIT) arrangement will immediately have a deleterious affect on our county and town tax base and - more importantly - will establish a precedent for future lands which are sure to be acquired by the Cayuga Indians with the revenues from their gambling and tax-advantaged businesses. The Cayugas are asking for 130 acres today... but how many more acres will be involved in the years to come? I can foresee a scenario where the Cayugas eventually acquire thousands of acres, sold to them by people who have at least in part been forced off their lands by the rising taxes resulting from the Cayuga's LIT status. As the Cayugas inevitably purchase more and more land in the former land claim tract, that land will also be removed from the tax rolls, and the process will feed on itself. It is an injustice to the current tax paying citizens to have to shoulder more tax burden - or even be driven from their homes - for the benefit of a small group of specially privileged people. Why should this penalty be imposed on the current residents of this county?

The inherent unfairness of the LIT idea extends to many other areas of concern as well. Does the BIA not see the severe disadvantage the Cayuga's tax free status will place upon existing businesses in the area? Why should those law abiding, tax collecting business owners have to confront the loss of business -or even the loss of their business itself - in the face of the Cayuga's tax exempt status? There has already been one store in

Union Springs that was driven out of business by a Cayuga owned competitor which did not charge or collect taxes.

The same notion applies to the fish and game laws.... should one small group of specially privileged people be permitted to ignore the DEC laws pertaining to open seasons, bag limits, etc. while those same laws are enforced against everyone else? Will the Cayugas be allowed to net Cayuga Lake, damaging the fish populations to a degree where it would punish the law abiding non-Indian fishermen, and even potentially harm the fisherman sector of the tourist industry?

This unfairness extends even into something as basic as the use of the county infrastructure and services. Infrastructure maintenance, police protection, fire protection, emergency services and other public services require revenues from property taxes and assessments to support same. The loss of tax and assessment revenue generated from the Cayuga Indian Nation trust properties will impose the cost of such referenced local services on a smaller group of property owners thus increasing the unit cost for those services. Such services will be continued to be used by the Cayuga Indian Nation properties taken into trust and persons occupying such properties (should the application be granted) but without the Cayuga Indian Nation trust properties paying any taxes or assessments. How is it fair that the Cayugas will avail themselves of these services and not pay anything towards them?

There are many other serious issues that will adversely affect this area and its residents if the LIT is granted, but in the interest of brevity, I will conclude now.

The DEIS submitted in this matter was flawed, simplistic, and incomplete. It glossed over, or completely ignored, many of the adverse impacts upon people here if the LIT is granted. I urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit my/our comments and concerns into the public record.

Sincerely,

A handwritten signature in cursive script that reads "Jay O'Hearn".

Jay O'Hearn
Aurora, NY 13026

Janice Amidon Papayani

35 Overlook Road

Glastonbury, CT 06033

June 24, 2009

RECEIVED

2009 JUN 29 P 2: 06

BIA-ERO
REGIONAL DIRECTOR

Eastern Regional Office

Bureau of Indian Affairs

545 Marriott Drive, Suite 700

Nashville, TN 37214

Dear Sirs:

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project.

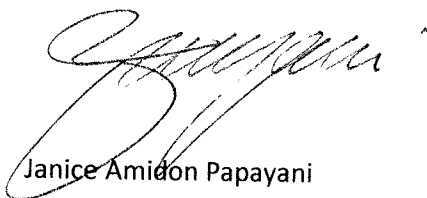
I am a landowner on Canoga Island, Town of Fayette, NY. After having attended the public meeting in Seneca Falls, NY on June 17 and having heard the many knowledgeable speakers, I have many reactions. First, the environmental impact of patches of land with no federal or local controls only invites a Pandora's Box of unenforceable violations to this area's already delicate environment. Even if for this reason only, please vote no to the idea that any land purchased outside of the actual Indian reservations could to be put into trust.

Then comes the problem of taxes; Indians need to be paying taxes on land and businesses off the reservation.

I hope someone actually reads this letter and that it is taken into consideration for you to vote NO (PLEASE) to DEIS.

It is also my opinion that our country is in a period when our national security cannot afford little sovereign nations interspersed throughout it.

Sincerely,



Janice Amidon Papayani



Mr Furino Perriello
PO Box 1534
Auburn NY 13021-1049

17 JUL

7/17/09

Dear Mr. Keel,

I would like to express my opinion
to the land-in-trust situation.
I as a citizen of the United States feel
that any land that is taken off the
tax rolls is a slap in the face to
me and my deceased parents who immigrated
to this great country in 1929 to make a
good life for his family and was willing
to pay his fair share of taxes.

We are all Americans, yes Indians
also and we must all share the cost of
running this great country. There are
many seniors along with non working
Americans through no fault of their own
unemployed and struggling to pay their
bills. Giving the Indians the opportunity
to live tax free is irresponsible
and unfair to the rest of the population.
It is your duty to be fair to all
Americans to do the right thing by
saying "NO" to the request for land
in trust.

Sincerely yours
Furino Perriello

125 Franklin St. Auburn, N.Y.

F A C S I M I L E

Pages: (including this one) (2)

Date: July 2, 2009

To: Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs

Fax #: 615-564-6701

From: Robert and Deborah Perrotto

Message:

RECEIVED

2009 JUL -2 A 9:55

BIA-ERO
REGIONAL DIRECTOR

From the desk of...

The Copy Shop
105 Fall Street

Seneca Falls, NY 13149
(315) 568-8608
Fax: (315) 568-8622

June 29, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, Tennessee 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

As responsible, informed residents of Seneca County, we are opposed to the land-into-trust request by the Cayuga Indian Nation.

Prior land trusts established in western states have been located in vast areas of uninhabited land. The land in Cayuga and Seneca counties is in populated areas with established businesses, schools, farms, and residential communities. Granting the Cayuga Nation's application for lands-into-trust would have an extremely negative impact on both the economy and environment of the Finger Lakes region.

Since we are all citizens of one Nation, The United States, we support all Americans receiving equality in education, jobs, and other rights guaranteed under the constitution. It is our belief that this can be best achieved through the integration of people into communities, not establishing sovereign nations.

Therefore, we respectfully urge the Bureau of Indian Affairs to reject this application for lands-into-trust by the Cayuga Indian Nation.

Sincerely,
Robert A. Perrotto
Deborah Perrotto
Robert and Deborah Perrotto

RECEIVED

2009 JUN 15 P 2: 30

BIA-ERO
REGIONAL DIRECTOR

Rebecca Peterson
8 Toledo Street
Seneca Falls, New York 13148

June 10, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains my comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. I oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

I oppose the Draft Environmental Impact Statement for the following reasons:

1. Governmental entities that derive revenue from property to maintain infrastructure and community services include the relevant counties, towns and villages and local school, fire, sewer and water districts.
2. Trust properties will continue to use community infrastructure (roads, emergency services etc.), yet those properties (and activities on them) will be exempt from sharing in the cost to maintain such infrastructure and pay for services occupants of trust properties will continue to use.
3. New York and its municipalities enforce environmental laws to prevent damage to our natural resources and to prevent detrimental affects to all who share in the same environment. If the Cayuga Indian Nation lands are taken into trust they would be exempt from such state, county and local environmental laws, thereby posing a significant potential risk of damage or potential damage to our natural resources thereby adversely impacting residents of the counties because we all share in the same environment, and such trust status and lack of regulatory control presents threats or potential threats to our natural resources.
4. The inability of the State to enforce state environmental laws that protect or reduce adverse impact to scarce and irreplaceable natural resources ranging from our lakes, rivers, and groundwater, to our air and soil will in essence prevent the State from protecting the environment for all and increase the likelihood of damage and destruction of such scarce resources adversely impacting all members of our communities.

The Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, I request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively I urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit my comments and concerns into the public record.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Peterson", with a long horizontal flourish extending to the right.

Rebecca Peterson

cc: Chuck Lafler, Chairman, Board of Supervisors
Peter Same, Board of Supervisors
David Dresser, Board of Supervisors
District Attorney Richard Swinehart
County Attorney Frank Fisher
County Manager Suzanne Sinclair

Real Estate Services

JUN 08 2009

BY: _____

5/31/09

46 E Bayard Street
Seneca Falls, N.Y. 13148

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, Tennessee 37214



Fred Petrosino
46 E Bayard St.
Seneca Falls NY 13148-1635



Ms. Teresa Petrosino
46 E Bayard St
Seneca Falls, NY 13148

DEIS Comments
CAYUGA INDIAN NATION OF
NEW YORK TRUST ACQUISITION PROJECT

Dear Mr. Keel:

I don't believe that the Cayuga Indian Nation should have land placed into federal trust in Seneca & Cayuga counties.

It appears to me that with the amount of money they have used to purchase property they are not in need of any help. The amounts they have paid have been very large.

They should not be allowed to go on not collecting taxes ^{in their stores} and should have to pay property taxes like the rest of the state citizens.

This is Reverse discrimination!!

Sincerely,

Teresa Petrosino
Fred Petrosino

DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project."

June 2, 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive - Suite 700
Nashville, Tennessee 37214
Telefax: 615-564-6701

Dear Sir:

You can consider what the other five nations impact was on the physical, social or economic impact and so state to the DEIS, that their environmental impact apply to Seneca and Cayuga County also.

Their law from Iroquois historian, Seneca Chief Eli Parker, in the book, "League of the Iroquois" states that they must act with "one mind" or all together in agreement. If one nation refuses to follow the Council's decision, they can leave, but it is their total responsibility alone and will get no help from the other nations. "It's their Law".

The Cayuga did not act alone. They received millions of dollars and advice from both the Seneca and Oneida tribes, so all are of the same mind. Therefore, you can use what the other nations have done to cancel the present DEIS acts. The fact that they have failed to consider the negative environmental impact by these nations can apply as well to the Cayugas.

Examples: Oneida built on wet lands without EPZ approval. Seneca evicted, 1,000 residents from Salamanca village, now a ghost town; an environmental disaster in physical, social, and economic impact. The Oneida Turning, Stone casino complex is in complete violation of state and federal law, a serious impact.

Submitted by:

Harry Pettengell, Jr.
UCE Historian
2157 Route 89
Seneca Falls, New York 13148

RECEIVED

2009 JUL -6 P 3:49

DIA-URO
REGIONAL DIRECTOR

DEIS Comments, Cayuga Nation of N.Y. Acquisition Project

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drivem Suite 700
Nashville Tenn. 37214

Dear Sir,

The DEIS present statements are fraudulent. You have failed to consider the recorded laws of the "Iroquios Confederacy". The supreme ruling body of the five tribes. You have shown complete ignorance of their recorded laws. You must make correction or it will not be accepted by our lwyers. May the following enlighten you.

These laws are all recorded in the book, "League of the Iroquios" by Lewis Morgan, but the Historian was Seneca Chief and Grand Sachem, Eli Parker. Published in 1851. Long before the present conflict, so unbiased and 100% correct.

When the Five Tribe's sachem meet in general council as "one nation", (The Iroquios Confederacy) Their decision had to be of "one mind". Unanimity was their fundamental law. The enviromental impact of one tribe was the responsibility of all. In national affairs, such as dealing with NYS. It was the duty of the full council only.

When the Oneida refused to enter the Revoltution. An amendment was made. A tribe could leave the council, but it became their responsibility "alone" and expect no help from the other tribes in the future.

In the Cayuga case, they did not act alone. They received millions of collars and advice from the Seneca and Oneida. So all were of "one mind". This means the enviromental impact of the other tribes with NYS must be used in a corrected DEIS statements. Examples; ONeida build on wet land. Mohawk have imported drug. Seneca as follows in detail.

They say they will not evict residence. The Seneca Nation evicted a 1000 person from their homes, that some had lived in for almost a 100 years. Located within the Seneca Salamanca Reservasion. Yes, it was a 99 year renewable lease that had become due. How did the Seneca renew the ir lease. By increasing their rent, say from a \$100 to a \$1000 a month or more. I consider this eviction as extortion.

The social, physical and political environmental of the entire "Iroquios Confederacy" must be considered by the DEIS in order to be a correct and complete statement. "IT THEIR LAW."

I have included zerox pages from the book, "League of the Iroquios" for proof, so their no mistake. That their laws are fully recorded in this book since 1851. You must consider these laws or your report is fraudulent.

Very Sincerely,


Harry Pettingill

Historian

2157 Rt. 89

Seneca Falls, N.Y. 13148

From the book, "League of the Iroquois,"

Seneca Chief Eli Parker the Historian Page 110

League would assemble. The Cayugas then notified the Onondagas, they the Oneidas, and these the Mohawks. Each nation, within its own confines, spread the information far and wide; and thus, in a space of time astonishingly brief, intelligence of the council was heralded from one extremity of their country to the other. It produced a stir among the people in proportion to the magnitude and importance of the business to be transacted. If the subject was calculated to arouse a deep feeling of interest, one common impulse from the Hudson to the Niagara, and from the St. Lawrence to the Susquehanna, drew them towards the council-fire. Sachems, chiefs and warriors, women, and even children, deserted their hunting grounds and woodland seclusions, and taking the trail, literally flocked to the place of council. When the day arrived, a multitude had gathered together, from the most remote and toilsome distances, but yet animated by an unyielding spirit of hardihood and endurance.

Their mode of opening a council, and proceeding with the business before it, was extremely simple, yet dilatory, when contrasted with the modes of civilized life. Questions were usually reduced to single propositions, calling for an affirmative or negative response, and were thus either adopted or rejected. When the sachems were assembled in the midst of their people, and all were in readiness to proceed, the envoy was introduced before them. One of the sachems, by previous appointment, then

arose, and having thanked the Great Spirit for his continued beneficence in permitting them to meet together, he informed the envoy that the council was prepared to hear him upon the business for which it had convened. The council being thus opened, the representative proceeded to unfold the objects of his mission. He submitted his propositions in regular form, and sustained them by such arguments as the case required. The sachems listened with earnest and respectful attention to the end of his address, that they might clearly understand the questions to be decided and answered. After the envoy had concluded his speech, he withdrew from the council, as was customary, to await at a distance the result of its deliberations. It then became the duty of the sachems to agree upon an answer; in doing which, as would be expected, they passed through the ordinary routine of speeches, consultations, and animated discussions. Such was the usual course of proceeding in the Iroquois council. Variations might be introduced by circumstances.

At this place another peculiar institution of the Ho-de'-no-sau-nee is presented. All the sachems of the League, in whom originally was vested the entire civil power, were required to be of "one mind," to give efficacy to their legislation. Unanimity was a fundamental law. The idea of majorities and minorities were entirely unknown to our Indian predecessors.

To hasten their deliberations to a conclusion, and

ascertain the result, they adopted an expedient which dispensed entirely with the necessity of casting votes. The founders of the Confederacy, seeking to obviate as far as possible altercation in council, and to facilitate their progress to unanimity, divided the sachems of each nation into classes, usually of two and three each, as will be seen by referring to the table of sachemships. No sachem was permitted to express an opinion in council, until he had agreed with the other sachem or sachems of his class, upon the opinion to be expressed, and had received an appointment to act as speaker for the class. Thus the eight Seneca sachems, being in four classes, could have but four opinions; the ten Cayuga sachems but four. In this manner each class was brought to unanimity within itself. A cross-consultation was then held between the four sachems who represented the four classes; and when they had agreed, they appointed one of their number to express their resulting opinion, which was the answer of their nation. The several nations having, by this ingenious method, become of "one mind" separately, it only remained to compare their several opinions, to arrive at the final sentiment of all the sachems of the League. This was effected by a conference between the individual representatives of the several nations; and when they had arrived at unanimity, the answer of the League was determined.

The sovereignty of the nations, by this mode of giving assent, was not only preserved, but made

subservient to the effort itself to secure unanimity. If any sachem was obdurate or unreasonable, influences were brought to bear upon him which he could not well resist; and it was seldom that inconvenience resulted from their inflexible adherence to the rule. When, however, all efforts to produce unanimity failed of success, the whole matter was laid aside. Farther action became at once impossible. A result, either favorable or adverse, having, in this way, been reached, it was communicated to the envoy by a speaker selected for the purpose. This orator was always chosen from the nation with whom the council originated, and it was usual with him to review the whole subject presented to the council in a formal speech, and at the same time to announce the conclusions to which the sachems of the Confederacy had arrived. This concluding speech terminated the business of the council, and the Indian diplomatist took his departure.

The war against the Eries, which resulted in the extermination or expulsion of that nation from the western part of this State, about the year 1653, was declared by the sachems of the Iroquois in general council. The French war, also, which they waged with such indomitable courage and perseverance for so many years, was resolved upon in the same manner. Their traditions record other struggles with Indian nations, some of which were engaged in by the League, and others either commenced or assumed by a nation separately. At the beginning of the American Revolution, the Iroquois could not agree

in council to make war as a confederacy upon our confederacy. A number of the Oneida sachems firmly resisted the assumption of hostilities, and thus defeated the measure as an act of the League, for the want of unanimity. Some of the nations, however, especially the Mohawks, were so interlinked with the British, that neutrality was impossible. Under this pressure of circumstances, it was resolved in council to suspend the rule, and leave each nation to engage in the war upon its own responsibility.

In the councils of the Iroquois, the dignity and order ever preserved have become proverbial. The gravity of Nestor was exemplified by their sages, and more than the harmony of the Grecian chiefs existed among their sachems. In their elevation to the highest degree of political distinction ever reached by any Indian race, except the Aztec, the clearest evidence is presented of the wisdom and prudence with which these councils watched over the public welfare.

The succession of the Ruling Body, whether secured by election, or by laws of inheritance, is an event of deep importance to the people, whose personal security and welfare are to a large extent under the guardianship of their rulers. It seems to have been the aim of the *Ho-dé-no-sau-nee* to avoid the dangers of an hereditary transmission of power, without fully adopting the opposite principle of a free election, founded upon merit and capacity. Their system was a modification of the two opposite rules, and claims the merit of originality, as

well as of adaptation to their social and political condition.

It is in accordance with the principles, and necessary to the existence of an oligarchy, that the ruling body should possess a general, if not an absolute authority over the admission of its members, and over the succession to its dignities, where the vacancies are occasioned by death. In some respects the oligarchy of the Iroquois was wider than those of antiquity. The tribes retained the power of designating successors, independent of the oligarchs; while, for the security of the latter, the number was limited by the fundamental law. It was the province of the ruling body to "raise up" the sachems selected by the tribes, and to invest them with office. In the ancient oligarchies, which were less liberal and much less systematic in their construction, the whole power of making rulers appears to have been appropriated by the rulers themselves.

To perform the ceremony adverted to, of "raising up" sachems, and of confirming the investiture of such chiefs as had been previously raised up by a nation, the Mourning council was instituted. Its name, *Hen-nun-do-nuk'-seh*, signifies, with singular propriety, "a mourning council;" as it embraced the two-fold object of lamenting the deceased with suitable solemnities, and of establishing a successor in the sachemship made vacant by his demise.

Upon the death of a sachem, the nation in which the loss had occurred had power to summon a

KENNETH E. POLLARD
5173 PLASTER POINT
CAYUGA, N.Y. 13034

RECEIVED

2009 JUL -6 P 3:42

DIA-ERO
REGIONAL DIRECTOR

June 29, 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tenn. 37214

Dear Director Keel,

As a property owner in the Cayuga Indian land claim area, I am opposed to your agency giving a group of Americans a separate area of land that no longer is part of the United States of America - but a separate new nation whereby these residents benefit from services we provide - roads, schools, hospitals and other necessary services and are not required to pay their fair share of the expenses for maintaining these services. This new nation will not be required to abide by our environmental laws, hunting and fishing laws and land use regulations.

We have already seen the results of the unfair competition between similar businesses. In this area, a non Indian owned business closed up because it could not compete with one that did not pay sales or cigarette taxes.

One has only to look to the north of this area to see the results of what an Indian land claim area can do. Without the ability of federal, state and county authorities to police this area, it has become recognized as a drug dealers haven or worse. I don't think any one is proud of what happened to that area along the St. Lawrence river. Anyone that is, except the ones who are getting rich from illegal, in the U.S., businesses.

I am not opposed to American Indians living in this area, or any other area of their choice. But I strongly oppose the members of the Cayuga Indian tribe being given preferential treatment over the U. S. citizens, especially when the Cayuga Indian Nation has not been officially recognized as a federal Indian Nation.

Very truly,



Kenneth E. Pollard, Landowner and 4th generation Central New York resident

July 1, 2009
Connie Reilley
PO Box 7224
Auburn, NY 13022

RECEIVED

2009 JUL -6 P 3:40

BIA-ERO
REGIONAL DIRECTOR

“DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project”

The United States is fighting wars in two countries that have tribal based governments where there is constant inner turmoil among tribes. Why would our own government support the establishment of additional tribal land bases in this country where lawlessness would run rampant at every level?

Indians were made US citizens in 1924. They remain wards of the Federal Government when they reside on reservations and yet claim to be living in separate sovereign foreign nations at the same time. How can this be?

Once land is put into trust for tribes there **is no oversight** by the Federal Government. Case in point: The BIA did not even know that Turning Stone Casino had been built until UCE representatives told them that it existed. They were surprised and not concerned about the wide ranging effects it was having on the local community.

This is the **UNITED** States of America where people of all heritages live and pledge allegiance to one country. That is the foundation of this country. It does not matter who was supposedly here first, this is not kindergarten, it's the reality of life in a united free country.

The only winners in a reservation setting are the Federal government, which maintains thousands of jobs at the BIA at taxpayer expense which can take advantage of tribes when valuable natural resources are located on reservations; and tribal leaders who skim funds from tribal allotments before it trickles down to tribal members in the form of pennies.

Most reservations are rural ghettos that keep residents suspended in hopelessness and poverty. Reservations were never good places for people and they are even less so now days. There is no democracy on reservations. Clint Halftown is the BIA recognized Cayuga representative. He is not recognized by New York Cayugas as their leader and has in fact, been dehorned by the Clanmothers. He is another Ray Halbritter, who has only his own profit on his agenda and treats any dissention with arrest or banishment.

Gambling casinos are not elements of Indian heritage. Casinos always follow the establishment of bingo halls which weigh heavily on the local communities that they are located in. Gambling profits enhance only chosen tribal leaders coffers, not their tribal members or the surrounding communities. There is no spill over of casino profits into any other community business or entity. **Casinos do not produce any product or**

anything of value. They take peoples' money and deposit it directly into a chosen few peoples' pockets, **accountable to no one.** Gambling addiction is a major cause of bankruptcies, suicides, and broken devastated families all of which then add costs to community funded support agencies.

For the reasons listed here and all of the concerns raised during the Public Hearing at the New York Chiropractic College I request that the BIA and Department of Interior take no action, thereby rejecting the New York Cayuga Indian Nation's land into trust application.

Sincerely,

A handwritten signature in cursive script that reads "Connie Reilley". The signature is written in black ink and is positioned above the printed name.

Connie Reilley

Mr. and Mrs. Bradley Rindfleisch
546 Fire Lane 14
Cayuga, NY 13034
June 15, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains our comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. We oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

As lakefront residents on the precious natural resource of Cayuga Lake, the environmental impact is of utmost concern to us. If these lands are allowed to be taken into trust, there is no longer any regulatory protection for this body of water, currently classified by the DEC as A(T), and of utmost importance to the life of residents.

- New York and its municipalities enforce environmental laws to prevent damage to our natural resources and to prevent detrimental affects to all who share in the same environment. If the Cayuga Indian Nation lands are taken into trust they would be exempt from such state, county and local environmental laws, thereby posing a significant potential risk of damage or potential damage to our natural resources thereby adversely impacting residents of the counties because we all share in the same environment, and such trust status and lack of regulatory control presents threats or potential threats to our natural resources.
- The inability of the State to enforce state environmental laws that protect or reduce adverse impact to scarce and irreplaceable natural resources ranging from our lakes, rivers, and groundwater, to our air and soil will in essence prevent the State from protecting the environment for all and increase the likelihood of damage and destruction of such scarce resources adversely impacting all members of our communities.
- States, counties, towns and villages will lose any ability to regulate activities on the trust properties, including any activities that take place on such properties that impact the environment and natural resources including the air, soil and water.

The town of Springport and village of Union Springs do not have large numbers of taxpayers supporting the infrastructure of this area. Small communities such as these do not need additional burdens placed on them to support increased use of services, while the numbers who pay into those services will be reduced by property into trust.

- Given that we understand that the Cayuga Indian Nation has indicated it seeks to acquire more lands and that it reportedly has many acres of land located in the counties that are not part of the current land to trust applications, we believe the Cayuga Indian Nation will continue acquire properties within what it contends is the reservation area, make application to have such additional lands held in trust and then develop or further develop such properties resulting in increased losses of future tax and assessment revenue.
- The Cayuga Indian Nation's failure to state its future development plans or potential plans exacerbates the concern that the future acquisition of additional lands will result in future land-into-trust applications which will remove more lands from the obligations of taxation and assessments and remove more properties and businesses conducted on those properties from all state, county and local regulatory control.
- Infrastructure maintenance, police protection, fire protection, emergency services and other public services require revenues from property taxes and assessments to support same. The loss of tax and assessment revenue generated from the Cayuga Indian Nation trust properties will impose the cost of such referenced local services on a smaller group of property owners thus increasing the unit cost for those services. Such services will be continued to be used by the Cayuga Indian Nation properties taken into trust and persons occupying such properties (should the application be granted) but without the Cayuga Indian Nation trust properties paying any taxes or assessments.
- Trust properties will continue to use community infrastructure (roads, emergency services etc.), yet those properties (and activities on them) will be exempt from sharing in the cost to maintain such infrastructure and pay for services occupants of trust properties will continue to use.
- Once land is placed into trust, it becomes exempt from local property taxes, special district charges and other fees shared by users of the community infrastructure such as roads, sewers and more.
- Under any analysis, the removal of the subject lands from tax rolls will have a significant adverse impact on the communities in Seneca county and Cayuga county.
- Governmental entities that derive revenue from property to maintain infrastructure and community services include the relevant counties, towns and villages and local school, fire, sewer and water districts.

Page Three
Mr. Franklin Keel
June 15, 2009

- An approved trust application (and any future applications that may be granted) will result in a tax shifting that will place greater and greater tax burden on fewer property owners, particularly as properties taken into trust are inevitably developed or are continued to be developed. This unfair tax burden will inhibit private sector investment and job growth in the region and burden current non-Cayuga Indian Nation businesses and residents remitting such taxes.
- The development and all but certain expansion of Cayuga Indian Nation lands including Cayuga Indian Nation operations, retail facilities and gaming will increase the demand on community services provided by local and state governments. Certain of these services will continue to be undertaken by local governments without the payment of any taxes or assessments for properties which are the subject of Cayuga Indian Nation applications and/or future applications.

The town of Springport is currently engaged in a visioning process to develop a master plan for future development of this rural area. Taking 130 acres in the heart of this community into trust will remove the town's ability to control development on Scenic State Route 90, in the heart of the tourist region of the Finger Lakes.

- Land use, environmental and other regulatory laws are only effective if they are applied uniformly over an area. The patchwork removal of the proposed lands from state and local jurisdiction threatens the regulatory scheme as a whole.
- In addition to the practical benefits of comprehensive state laws, rules and regulations instituted and implemented by elected representatives, the preservation of governance at the local level preserves and advances important values, among them democracy and the sharing of community burdens and benefits.
- States, counties, towns and villages will lose the ability to require enforcement of fire and building codes on buildings constructed or existing on trust lands.
- Land use and zoning regulations are indispensable tools in the community planning process. Zoning allows municipalities to make the most efficient use of the community's available land, while working toward the development of a balanced and cohesive community. If trust status is granted to the Cayuga Indian Nation properties, the properties granted trust status will not be subject to land use and zoning laws and the Cayuga Indian Nation can develop such properties without regard to land use conflicts or conflicts with an overall community plan.
- Cayuga Nation sovereignty over the subject lands will result in a patchwork of jurisdiction over the lands. The Cayuga Indian Nation lands are a part of a larger community, all connected by water, sewer, school and other community services and resources. Without the ability to apply regulatory laws to Cayuga Indian Nation trust property, State and local governments would be unable to protect the property and health of residents in the overall community with whom the Cayuga Indian Nation shares a common environment.

Page Four
Mr. Franklin Keel
June 15, 2009

The DEIS as prepared for the conveyance of lands into trust by the Cayuga Indian Nation of New York is inadequate because it does not undertake an adequate analysis of the issues we have highlighted in this letter.

The DEIS lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, we request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively we request that the "no action alternative" be selected and the Cayuga Indian Nation application to have lands conveyed into trust be denied in all respects.

We oppose the land-into-trust application submitted by the Cayuga Indian Nation of New York and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter.

Thank you for the opportunity to submit our comments and concerns into the public record.

Sincerely,

Bradley Rindfleisch



cc:

Peter Tortorici, Chairman, County Legislature
19 Union Street
Auburn, NY 13021

George Fearon, County Legislature
160 Genesee Street
Auburn, NY 13021

Raymond Lockwood, County Legislature
1877 State Rte 326
Auburn, NY 13021

Mary Rindfleisch



Page Five
Mr. Franklin Keel
June 15, 2009

Dave Axton, County Legislature
8160 State St. Rd.
Port Byron, NY 13140

District Attorney Jon E. Budelmann
95 Genesee Street
Auburn, NY 13021

County Attorney Fred Westphal
County Office Building, 6th Floor
160 Genesee Street
Auburn, NY 13021

County Manager Wayne Allen
County Office Building, 6th Floor
160 Genesee Street
Auburn, NY 13021

June 19, 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

RECEIVED

2009 JUN 26 P 1:46

BIA-ERO
REGIONAL DIRECTOR

Re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Director Keel,

I, Collaan Romano residing at 7049 River Rd Cayuga submit 2 pages stating that:

The Bureau of Indian Affairs (BIA) has released a Draft Environmental Impact Statement (DEIS) supporting the proposed fee-to-trust conveyance of certain real property owned by the Cayuga Indian Nation (CIN) and located in Cayuga and Seneca Counties in the State of New York. The DEIS acknowledges that the property in question is on "ancestral land" and therefore not on a current reservation, thus the CIN application is being treated improperly as an "on-reservation" rather than an "off-reservation" application.

The DEIS states that "No members of the Nation are known to reside in Cayuga County/Seneca County" and that "the proposed action is intended to further the lifestyle, cultural values and objectives of the Nation by advancing the Nation's goals of re-establishing tribal presence in its former homeland," yet on the very same page (4.8-2) the document makes the incongruous statement that "it is not anticipated that members of the Cayuga Nation would relocate to the Project area."

And yet the DEIS reports the median household income of CIN members to be \$26, 722, compared to \$37,487 in Cayuga County and \$37, 140 in Seneca County, but it provides no analysis of any potentially adverse impact upon the provision of State, County and local services, including social services, if the application were granted and members of CIN relocated to Cayuga and Seneca Counties. They have already stated that members would not relocate to the Project area.

The DEIS concludes erroneously that there would be no significant environmental impact if the approximately 125+ subject acres owned by the CIN were taken into federal trust for the use and benefit of the CIN because it fails to address, analyze and consider mitigation of significant negative impacts that will result from such action. Land into trust would make it sovereign territory and therefore exempt from local property taxes, special district charges and other fees, thus reducing the revenue of relevant counties, towns, villages, and school, fire, water, and sewer districts.

The DEIS fails to take into consideration the fact that the CIN's LakeSide Trading enterprises have driven other gas stations and convenience stores out of business and severely reduced the profits of others because the CIN has not collected state sales and excise taxes on motor fuel, tobacco, and other products sold, thereby also reducing the sales tax revenue of the Counties. The increase in sales to the existing gas stations at St Rt 5 & 20 and Rt 90 and the station on St Rt 5 & 20 by the Fingerlakes Mall saw a substantial increase in sales when the LakeSide Trading Gas Stations no longer sold cigarettes. The DEIS admits that the sole source of CIN's tribal revenue is its gas station and convenience store businesses and gaming operations but does not acknowledge that the sale of untaxed cigarettes and its gaming operations were both determined to be illegal in NYS.

The DEIS fails to list in Table 3.8-27 figures showing the annual amount of purchases of cigarettes and gas outside the Counties. I feel the whole purpose of this omission is to hide the enormous volume of sales of these untaxed items. Taxes that should be part of sales tax distribution to all Towns and Villages in Cayuga County, plus the City of Auburn.

The Cayuga's have a now closed "Bingo Hall" on Rt 90 by Union Springs Central School. But the DEIS treats gaming as an existing condition and makes no study of its prior impact or future impact on the community, stating only that "the Nation would provide information to its patrons regarding gambling addiction counseling services available in the area". Here is an operation that assures us they will provide information for addiction when in fact, if there was not a "Bingo Hall" there would be no need for that kind of service.

The DEIS also minimizes the costs of road, water, and sewer infrastructure, police and fire protection, and other public services that would be provided to the subject properties without guaranteed reimbursement from the CIN. We the taxpayers would be subject to special district taxes, capital project taxes, permit fees, building codes, zoning and land use regulations, and if the land is sovereign the CIN is exempt from taxes but they get to use the existing infrastructure and upgrades without any provisions that they will pay their "fair share".

The DEIS has failed to take into consideration the disruptive practical consequences of checker-boarded sovereign parcels, which practice was squarely rejected by the U. S. Supreme Court ruling in City of Sherrill vs. the Oneida Indian Nation and the DEIS has failed to recognize the U.S. Supreme Court decision in Carcieri vs. Salazar which prohibited the Secretary of the Interior from taking land into trust for an Indian tribe, such as the CIN, which was not federally recognized and under federal jurisdiction in 1934.

I reject the preferred alternative contained in the DEIS and I call upon the BIA to reject all further fee-to-trust applications of the CIN in accordance with the Carcieri vs. Salazar decision referred to above, and any other applicable law.

Respectfully submitted,

Name Printed Colleen Romano

Name Signed Colleen Romano

Date signed 6/19/09

June 15, 2009

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

RECEIVED

2009 JUN 22 P 2:14

REGIONAL DIRECTOR

Re: DEIS Comments, Cayuga Indian nation of New York Trust Acquisition Project

Director Keel,

I, Dona B. Ross of 843 Farleys Point Road, Union Springs, NY, 13160 find the DEIS as Issued to be deficient in the following ways:

There is no provision for town, village, or state authorities to enforce local building codes, which will cause problems for volunteer fire departments and neighboring properties. These codes are set up to ensure that buildings are safe and in keeping with the standards of the community.

There is no provision for the DEC to regularly inspect gasoline tanks at the Lakeside stations. This is especially vital because of the proximity to local drinking water supplies and to the swimming and fishing areas of Cayuga Lake.

It has been determined that any properties exempt from taxes by claiming "sovereign nation" rights will place an extreme financial burden on those of us who already pay high property taxes.

There is no assurance that the existing Cayuga Nation businesses will not be expanded to become larger gambling enterprises, and the very last thing our community wants or needs is to change our nature-oriented area into a Casino town.

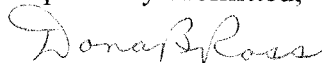
There is no provision for law-enforcement officers to maintain order on Trust land.

I have many, many more concerns, but felt I should express my feelings on just a few.

PLEASE DO NOT ALLOW ANY OF OUR LAND TO BE PUT INTO TRUST. SUCH ACTION WOULD SATISFY THE SELFISH DESIRES OF A FEW WHO WANT TO HAVE THE BENEFITS OF U.S. CITIZENSHIP WITHOUT CONTRIBUTING THEIR SHARE TO THE COMMON WELFARE.

Thank you for the opportunity to comment.

Respectfully submitted,



Dona B. Ross

RECEIVED

June 16, 2009

2009 JUN 22 P 2:12

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

DI-ERC
REGIONAL DIRECTOR

Re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Director Keel,

I, Thomas H. Ross of 843 Farley's Point Road, Union Springs, NY, 13160 find the DEIS as issued to be deficient in the following ways:

The DEIS does not take into consideration what the negative tax impact would be on the local and county residents were the land in question be put into trust.

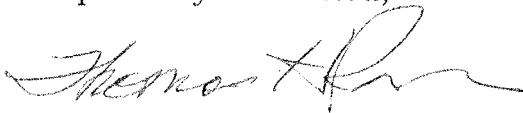
The DEIS does not propose any way the CIN would police itself on environmental issues necessary for the well being of current the residents.

The DEIS does not put any restrictions on future land use that would be in detriment to the existing community.

There are several other areas the DEIS is deficient. These include, but not limited to law enforcement, social issues, emergency services, infrastructure, health and safety.

The lands in question are noncontiguous and could not create a reservation. Additionally the United States Supreme court ruled against this type of checker boarding in the Sherrill case. This is not addressed in the DEIS.

Respectfully submitted,



Thomas H. Ross

31 Thurber Dr.
Waterloo, NY 13165
Phone: 315-539-1945
Fax: 315-539-4745



Fax

To: Franklin Keel From: Sara Brown Ryan
 Fax: (615) 564 6701 Date: 6/17/09
 Phone: _____ Pages: 3
 Re: _____ CC: _____

- Urgent For Review Please Comment Please Reply Please Recycle

•Comments:

RECEIVED
 2009 JUN 17 A 8:48
 BIA-ERO
 REGIONAL DIRECTOR

June 16, 2009

Franklin Keel
Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive Suite 700
Nashville, TN 37214

Re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel,

I am writing to express my strong opposition to the Federal trust application sought by the Cayuga Indian Nation. The position taken by the Bureau of Indian Affairs, that no significant impact would be felt if 129 acres of land within Seneca and Cayuga Counties were put in trust.

As a resident of Seneca County, I have felt an impact of this legal action for the past thirty years. When my husband and I purchase our first home we were forced to pay for special insurance because we were in an "Indian Land Claim Area". When we later sold that home we again paid for Land Claim Insurance. This had an economic impact on me.

Many years ago, my former boss who was a garage sale fanatic purchased old scrapbooks that were essentially a collection of newspaper articles of local interest over the years. One of the most interesting articles in that scrapbook outlined the settlement agreement (money paid to the Cayuga's) by New York State for a land claim suit. If I remember correctly, this settlement took place in the 1970's. How many times can the Cayuga's receive money and land as a settlement for what they perceive as an injustice two hundred years ago?

The placement of 129 acres in trust will cause huge economic and possible environmental disaster for County residents. Loss of revenues from taxes, will force an extra burden on County residents. The Indian Nation does not want to financially support road repairs and snow removal, water and sewer operation and maintenance costs, or fire protection from local volunteer fire departments. All of these services are supported on taxes, which the nation does not want to contribute their fair share, even though they generate income by electronic gaming/cigarette and gasoline sales.

If lands are made Sovereign, then no regulations apply to the Cayuga Nation. The Finger Lakes are blessed with beautiful landscapes as well as lakes, used for drinking water supplies by many communities. Without regulations, the Cayuga Nation can pollute the drinking water supply, if one of their enterprises (such as a gas station) fails to properly contain their fuel supplies, or if required testing of tanks is not done.

The buzz words used in the past was that the Cayuga Indian Nation needed to preserve their cultural past that was taken from them when they lost the land. My question to you is what is the cultural significance of selling gasoline, cigarettes and gambling? The

bottom line is that the nation wants money and doesn't care what types of economic destruction happens to County residents.

I have no problem with the nation conducting what ever businesses that they choose, but they should not be given the advantage of no taxes, and no regulations all other citizens must adhere to.

How can a negative impact be declared with no thought being given to what could happen to our counties when one group of American citizens have no regulations on water and air quality. These American citizens would not be required to comply with zoning or land use requirements and noise ordinances.

Gambling is known to have social impacts, this should not be ignored. County residents would not be using these gaming operations (we would not be able to afford this) people would be from out of County using roads, water and sewer – and the nation would be contributing to upkeep (operation and maintenance).

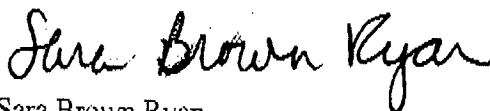
No health and safety regulations would be applicable to the nation. No safety considerations such as building codes and fire protection equipment would be mandated by Federal and State codes.

History has shown that the Cayuga Indian Nation sold cigarettes to a minor and were brought to an enforcement hearing with the Seneca County Department of Health. New York State Department of Health has a huge initiative to prohibit the sale of tobacco to minors, without regulation and through compliance checks; tobacco sales to minors would be unregulated. The same goes for food service operations, hotels and motels, campgrounds as well as individual septic disposal systems. Public Health Law regulates the above mentioned types of activities to insure health and safety standards. Self regulation could result in public health standards being broken without consequences.

Our voices need to be heard. America is changing due to politics and prejudice. Since when should I as a "white man" suffer consequences of injustices because of treaties two hundred years ago. Our Government has shown that President Obama does not honor the contracts of today (ask bank executives) and I as a taxpayer am being forced to accept inequality and injustice which will affect my children and grandchildren.

Thank you for your consideration of my opinions on this matter.

Sincerely,



Sara Brown Ryan

cc: Frank Fisher, Seneca County Attorney

June 17, 2009

Franklin Keel, Regional Director
Eastern Regional Office, BIA
545 Marriott Dr, Suite 700
Nashville, TN 37214

DEIS Comments: Cayuga Indian Nation of New York Acquisition Project

The purpose of the CIN application is to foster activities that will result in economic growth. The DEIS contends that the CIN has "no plans for further development on the properties subject to the proposed action." This has proven to be historically false and false premises inevitably lead to false conclusions.

The relevancy of the unrestricted harvest of the fish and wildlife by the CIN members has not been considered and the effect on the ecological balance could be devastating. This will jeopardize the ability of future generations of Indians and non-Indians to hunt and fish..

William J. Ryan
81 Virginia St
Waterloo, NY 13165

RECEIVED
2009 JUN 22 A 10: 18
BIA-ERO
REGIONAL DIRECTOR

P.O. Box 712
Waterloo, New York 13165

June 8, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriot Drive, Suite 700
Nashville, Tennessee 37214

RECEIVED

2009 JUN 30 P 2:41

BIA-ERO
REGIONAL DIRECTOR

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

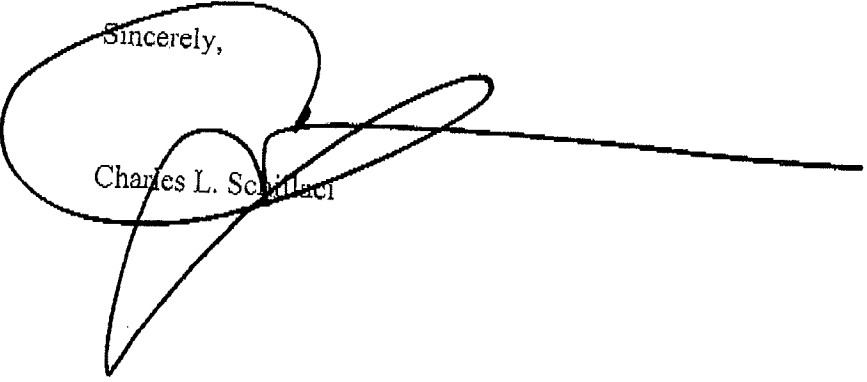
Dear Director Keel,

My name is Charles L. Schillaci and I am a resident of Waterloo, New York located in Seneca County and I would like to take this opportunity to comment on the DEIS for the Cayuga Indian Nation of New York Trust Acquisition Project. I do not believe that the DEIS has demonstrated an actual need to bring this land into trust. It appears to me that it merely demonstrates that it would shelter an enterprise from paying taxes for the simple purpose of abnormal profit. This would be detrimental to the surrounding community.

I am a firm believer in free enterprise and healthy competition. It is apparent that the Cayuga Indian Nation has the ability to purchase land and businesses and is able to operate the various enterprises just as many other New York businesses do without the benefit of the land being placed into trust, with the exception of gaming and tax free sales. I have witnessed many businesses in Seneca County close due to the fact that they can not compete with tax free cigarettes and gasoline and to me that flies in the face of free enterprise and the American Way.

Without reiterating the implications this would have on the tax base as well as the free enterprise spirit in our community, I ask you to consider my comments as well as the hundreds of others you have received as you prepare the Final Environmental Impact Statement.

Sincerely,


Charles L. Schillaci

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

RECEIVED

2009 JUN 23 P 1:27

SIA-ERO
REGIONAL DIRECTOR

DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

From: Cynthia Schlegel
2143 Pumphouse Rd.
Seneca Falls, N.Y. 13148

As a small business owner in Seneca County and a resident in the “land claim” area, I am submitting the following comments for your consideration. I am strongly opposed to one single acre being put in trust. Also, please find enclosed an historic road-side sign which reflects the fact that the land was sold to New York State by the Cayuga Tribe in 1799. This entire question is a scam and must be exposed.

Please know and understand that the land in Seneca & Cayuga Counties is the life blood of our local economy. Not the prison, not a landfill... but a lake. Its beauty and landscape attracts tourists from all over the country. In the historic villages along Cayuga Lake, wineries, restaurants, gift shops, marinas, Amish & Mennonite farms dot the landscape and provide not only quality of life for its residents; but economic survival. Land into trust means only one thing to us: economic devastation. We cannot pick up the tab. We cannot afford to lose one dollar in property and sales tax. We cannot afford to have one single small business fail, or potential start ups unable to settle here because of their inability to compete.

I have said from the beginning of this struggle, reservations are a failed social remedy. I would guess that many who work at the Bureau of Indian Affairs live in the Washington area—perhaps a townhouse in Alexandria. Where ever you live, you have likely chosen not to live on a reservation, or on land that has been taken into trust. A wise

decision ... as it is an environment fraught with self-generating poverty, alcoholism and isolation. Every effort by the Bureau should be made to integrate Native Americans into American society where there is freedom and opportunity; and, where people of all cultures and traditions share equally in both the blessings and obligations of the land. Those with Native American heritage, should not seek advantage over other Americans, nor be burdened by an archaic and often corrupt system. All should seek to live in one nation, under one rule. That would enrich us. Land into trust is a betrayal of government and would leave us poor.

Land into Trust Hearing

Environmental Impact

June 17, 2009 testimony

Gody Schlegel

2143 Pumphouse Rd. Seneca Falls, NY

315-568-9575

6

Eli and Elizabeth Shockey
13 Park St. Box 295
Union Springs, N.Y. 13160

Re: DEIS Comments
Cayuga Indian Nation of New York
Trust Acquisition Project

As residents and property owners in the area directly effected by the land into trust project we are very concerned about the probability of a tax increase on our property. With approval of the application we feel the Indian Nation would continue to buy up properties and put them into trust eventually causing "eviction by taxation" for people like us who are on fixed incomes.

The Nation has already impacted local businesses with their tax advantage. As a result of any tax loss the community will have to bear the additional cost for infrastructure maintenance and basic services.

Of added concern - should the application for land into trust - be approved - is the Nation freedom to ignore local and state laws and regulations effecting zoning, environment, etc.

It is our feeling that the approval of this application would be very detrimental to the community. Therefore we strongly oppose any such approval.

Eli Shockey

Elizabeth Shockey

F A C S I M I L E

Pages: (including this one) 2

Date: 7/6/09

To: Franklin Keel

Fax #: 615-564-6701

From: William Shuster

Message:

Comments on the DEIS

"DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project"

RECEIVED
2009 JUL -6 A 11:09
DIA-ERO
REGIONAL DIRECTOR

From the desk of...

The Copy Shop
105 Fall Street

Seneca Falls, NY 13148
(315) 568-8608
Fax: (315) 568-8622

William Shuster
2213 Lake Rd
Seneca Falls, NY 13148

June 30, 2009

DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

Dear Mr. Keel,

As a resident, veteran, and land owner in Seneca County, NY, in the Cayuga Land Claim area, I am strongly opposed to any land-into-trust efforts by the Cayuga Indians or the BIA, due to the environmental and economic impact it would have on this area.

Giving special rights to any group of people in this nation of the United States of America, is a violation of our Constitution, and is illegal, and must NOT be permitted. We are all either, Native American (have been born here), or have been naturalized. Our ancestors and relatives have fought and died in all our wars-- The Revolutionary War, the War of 1812, Civil War, Spanish American, World War I, World War II, Korean War, Vietnam War, Gulf War, and now the wars in Iraq and Afghanistan--hundreds of thousands of American soldiers, giving their lives, and hundreds of thousands wounded. These ultimate sacrifices were made so that we could still have a democracy of the United States of America, one nation, indivisible, with liberty and justice for all, and the hope for all people in the world. **One** Nation. No system of segregation of apartheid.

Shame on the United States Government, Bureau of Indian Land Affairs, Dept of Interior, Congress, and the leaders of the Indian tribes -"200 years and no settlement", *they claim*, this after at least 8 ratified settlements. Over 200 years of gross corruption!!!

It would be preposterous and a gross violation of the American Citizen's Equal Rights to allow any nationality or group in this country, to form a separate nation, and remove land from the tax rolls. The Indian, BIA, or any group must follow our environmental laws and regulations, zoning regulations, drug laws, traffic laws, tax and business laws, local and state laws, otherwise, it constitutes a state of disaster.

All Cayugas, as anyone, are welcome to buy all the land they want, but must live among us as equals--equal in rights, equal under the law, equal in opportunity, and equal in responsibility.

Signed, 
William Shuster



Robert J. Pagano, Jr.
President
Industrial Process

ITT Corporation
Industrial Process
Goulds Pumps, Inc.

240 Fall Street / Main Office
Seneca Falls, NY 13148
tel 315 568 7488
fax 315 568 5737
email robert.pagano@itt.com

June 5, 2009

To Whom It May Concern:

Goulds Pumps, Inc., as the largest private employer in Seneca County, recognizes the potential for adverse impact upon the businesses of our community if a substantial portion of the area's available property becomes exempt from taxes. This could lead to increased taxes for remaining property holders. In our case, higher taxes would negatively impact our competitive position on the global market, which could translate into lower demand for workers at our Seneca Falls manufacturing facility.

For this reason, we oppose the conveyance of "land into trust."

Sincerely,

Robert J. Pagano, Jr.
President, Goulds Pumps, Inc.
240 Fall Street
Seneca Falls, NY 13148

cc: Suzanne Sinclair

RECEIVED

2009 JUL -6 P 3:42

BIA-ERD
REGIONAL DIRECTOR

Jacqueline C Smith
542 Firelane 14, Lot 6
Cayuga, New York 13034
29 June 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office, Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

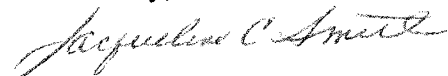
I rent land and own a home in Cayuga County and have a vested interest in this DEIS. This letter contains my comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. I am **in favor** of the lands into trust application and urge the Bureau of Indian Affairs to **approve** the application in all respects, including for the reasons set forth in this letter.

- My experience with other Indian Nations has been that we are all part of the community. Indian Nations have been historically focused on taking care of each others needs, including non Indians. Mutual agreements and arrangements are made to supplement any tax revenue lost and to support local fire departments, etc..
- Oftentimes the Indian Nation projects generate additional income for the local businesses by bringing in more people and visitors to the community than would otherwise occur. Time and again our local leaders inability to take action or to think progressively, harm our local economy more than any Indian business could.
- I do not believe the removal of the subject lands from tax rolls will have a significant adverse impact on the communities in Cayuga County.
- Indians are very in tune with the environment and natural resources including the air, soil and water. Just because there may no longer be regulations by local entities over trust lands, does not mean there will be harm to the environment and natural resources.
- People against land into trust are saying there will be a decline in important values, among them democracy and the sharing of community burdens and benefits. This will not occur. The United States got its concept of Democracy from the Haudenosaunee Confederacy. Indians taught non Indians this concept. It will not decline because of lands into trust. If anything it will decline because of silent citizens, inept local leaders, legislators and special interest groups.

I support the lands into trust application submitted by the Cayuga Indian Nation of New York and urge the Bureau of Indian Affairs to approve the application in all respects, including for the reasons set forth in this letter.

Thank you for the opportunity to submit my comments into the public record.

Sincerely,



Jacqueline C Smith

June 7, 2009
211 Dunning Ave,
Auburn, N.Y. 13021

Franklin Keel, Regional Director

I oppose the land-into-trust application, by the Cayuga Indian Nation of New York, as a citizen of Cayuga County and native of Cayuga, New York. I was born in Auburn, New York and have resided in Cayuga County my entire life of 68 plus years; having lived in the Cayuga Land Claim for 58 of those 68 years.

The number of legitimate Cayuga Indians number less than 500, by previous recorded count, and by allowing this land-into-trust application to be made law would be a decision reaching far larger consequences than the present land and businesses that exist.

I believe that Amendment 10 of The United States Constitution deals with this appropriately.

Thank you for your attention to this
Mr. James H. Stebbins



Mr James H Stebbins
211 Dunning Ave
Auburn NY 13021-9779

SYRACUSE NY 132

JUN 10 2009 PM 1 T



Franklin Keel, Regional Director

JUNE 18, 2009



Mr James H Stebbins
211 Dunning Ave
Auburn NY 13021-9779

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Mariott Drive, Suite 700
Nashville, Tennessee 37214

DEI'S COMMENTS; CAYUGA INDIAN NATION
OF NEW YORK TRUST ACQUISITION PROJECT

Dear Mr. Keel,

I oppose this N.Y. Trust Acquisition Project.

After listening to the oral comments presented at the Public Hearing, last night, at the New York Chiropractic College in Seneca Falls, N.Y. on June 17, I could never add any more than my personal thoughts: What would happen if all the property owners in Cayuga and Seneca Counties, did not pay their taxes?

In 2009, can we expect our Government to pay everything we use every day as a part of living? I believe you know the answer to my question.

Dear Mr. Keck,

We have been asked to make comments on the proposed Cayuga Nations Land Trust application to the Bureau of Indian Affairs.

These matters have been dragged out long enough for those of us who pay your taxes and do not squander our money in any of the gambling casinos which have emulated these Indians' enterprises across the state of New York, and will continue to do so long as ideas concerning gambling or the collection of taxes are not enforced.

I respect the Indian people but these were treated and removed. The tribes to be located there with any territorial rights in Cayuga Seneca territory. It is high time to set the record straight.

Yours truly,
Thos. J. Bourgeois.

"D&S Comments, Cayuga Indian
Nation of New York Trust Requisition Project"

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

RECEIVED
2009 JUN 22 P 2:10
S. E. W.
REGIONAL DIRECTOR

June 18, 2009

**“DEIS Comments, Cayuga Indian Nation of New York Trust
Acquisition Project”**

Dear Mr. Keel,

My name is Dean Tanner and I am currently completing my 40th year as an educator. I have had the opportunity to teach at various grade levels and a common thread throughout the health curriculum is the danger of using tobacco products. I am against granting the Cayuga Indian Nation's Land Into Trust Application because tax-free tobacco products make it more affordable to purchase, especially by our young people. The Federal and many State Governments recognize the health risk of tobacco use and the taxes are applied to discourage their use. If the Trust Application is granted then the sale of tobacco products at stores on this land will not carry any controls thus enticing young and old alike to use more tobacco products.

The Federal and State Governments have supported legal action against tobacco companies based on the health risk of smoking. The sale of non-taxed tobacco products will counter act the efforts by agencies across the country to help people quit smoking. If the taxes are removed then the low cost will bring young people from all over the area “looking for a bargain” and not giving any consideration to the ramifications to their health in years to come. The health of the American People should be a prime consideration by any governing agency, including The Bureau of Indian Affairs. I strongly recommend that the Bureau of Indian Affairs support keeping taxes on tobacco products by not granting the Land Into Trust Application by The Cayuga Indian Nation.

Dean N. Tanner
7 Park St.
Union Springs, NY 13160

Dean N. Tanner

9 WELLS ROAD
AURORA, NEW YORK 13026
JUNE 16, 2009

MR. FRANKLIN KEEL, REGIONAL DIRECTOR
EASTERN REGIONAL OFFICE
BUREAU OF INDIAN AFFAIRS
545 MARRIOTT DRIVE
SUITE 700
NASHVILLE, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains our comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. We oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application. It's hard to believe that the unfair and even disastrous results that would result from granting this petition have not stopped consideration of the matter. You would not be acting to protect a tribe resident on a reservation which has existed for many years and is facing new threats. The whole concept of Indians putting their land into your trust was intended to apply in circumstances unlike those of the Cayuga Nation.

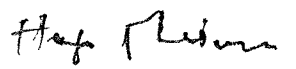
If I seem shocked, that's because I am. My husband and I have only recently become aware of the Cayuga Nation's land into trust application. Now that we've read the reasoning on both sides of the application, we cannot see any reasonable argument for granting the application. Thoughtful local people see many reasons for denying the application. We'll list a few which seem to us persuasive:

Once land is placed into trust, it becomes exempt from local property taxes, special district charges and other fees shared by users of the community infrastructure such as roads, sewers and more. Surely you or some competent authority must act (before the Cayugas' application could be granted) to survey and delineate possible wetlands on the trust properties or on adjacent lands as required by the United States Environmental Protection Agency (EPA). The effects of unregulated development would likely negatively impact the surrounding environment including the Cayuga Lake watershed, and other natural resources which are at the heart of the nationally renowned Finger Lakes region.

We request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively we request that the "no action alternative" be selected and the Cayuga Indian Nation application to have lands conveyed into trust be denied in all respects.

Yours truly,


Helen Theimer


Robert Hugo Theimer

REGIONAL DIRECTOR
DIA-ERO

2009 JUL -6 A 10:07

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June 12, 2009

Franklin Keel, Regional Director
Easter Regional Office, Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, Tennessee 37214

RECEIVED
2009 JUN 22 A 10:23
PI-ENR
REGIONAL DIRECTOR

Re: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Sir:

As residents in the above name area, we are strongly opposed to this trust action. We are a small community dependent on local taxes. It is not fair to the taxpayers who pay each year for the school, roads, maintenance projects to have certain properties exempt. Also, these properties would not have to abide by zoning laws, and inspections by State or local authorities. Our small business community suffers when the Cayuga Nation is allowed to sell cigarettes, and gas to anyone and not charge taxes which all other New York State enterprises have to do.

We are requesting that you consider the consequences to our area.....we are not opposed to anyone who want to live in our community....however, we are opposed to those people not paying their fair share of taxes like all of us!

Sincerely,


Joan and John Thomas

P O Box 288 Springport Cove Road

Union Springs, New York 13160

July 4, 2009

RECEIVED

2009 JUL -6 P 3: 10

BIA-ERO
REGIONAL DIRECTOR

Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriot Drive
Suite 700
Nashville, Tennessee 37214

DEIS Comments – Cayuga Indian Nation
of New York Trust Acquisition Project

Dear Sir:

I am a resident of Cayuga County, New York, although I am not a member of the Cayuga Indian Nation. I would like to make the following comments on the above-referenced DEIS, in response to the comments made by a number of local officials and our two U.S. Senators as reported in the local newspapers:

1. Economic Impacts

- A. Removal of land from tax rolls - There have been claims that removal of the Nation's lands from local tax rolls will create a hardship for local government. However, this result of the creation of trust land is certainly not unique to our area, but is a result wherever it occurs. I presume it is a trade off already considered by Congress and the BIA in creating this vehicle for the preservation of native American cultures and therefore not an environmental roadblock to trust acquisition. In any event, the amount of land in question is much smaller than that put in trust in western states and should not have a significant impact on local governments, which are not in greater need of tax dollars than others which have been similarly impacted.
- B. Unfair competition with local businesses – I am not certain that this claim is even a valid issue for consideration in an environmental impact report. To the extent that it is, such "unfair competition" has existed in the area for a number of years and does not reflect a change in circumstances.

2. Environmental Impacts

- A. Greater stress on local watershed and
- B. Greater stress on local infrastructure

It is claimed that both of the above will occur because placing the land in trust will remove it from oversight under state environmental and zoning laws, although I have not heard any specifics given to support this claim of additional stress. At the moment, there is no proposal for new or additional use of the land and therefore additional stress is too hypothetical for consideration.

3. Public safety and local services jurisdictional issues due to "checkerboarding"

Again, it is difficult to see how placement of the land in trust will result in any difference in this area. The different land areas are all within specific public safety and local services jurisdictions and will remain there after their acquisition. Surely the existing agreements for the provision of such services can remain in force, to the extent they are applicable to Native lands or, alternatively, new agreements can be reached.

A small but very vocal group of Cayuga residents formed a number of years ago in opposition to the Cayuga Nation's land claims in Cayuga County. Although most of those issues have been resolved in the courts, this group continues to oppose any attempt by the Cayuga Nation to re-establish itself in its homeland. Their message, as it appears in occasional signs dotted about the rural areas of the county, is clear: "No Sovereign Nation – No Reservation". Many, probably the majority, of the residents of Cayuga County do not agree, but are not organized to present their views.

It is shameful that our local governmental officials and now even our U.S. Senators have chosen to support this hateful message. I can only hope that the BIA is more detached and can ignore the inappropriate political pressure in order to reach a decision based on the laws and regulations applicable to environmental reviews.

Very truly yours,

Judith Andrea Trice
6361 East Lake Road
Auburn, New York 13021

Karen Vanliew
5786 Dunning Ave
Auburn, NY 13021
July 3, 2009

DEIS Comments

Cayuga Indian Nation of New York Trust Acquisition Project

The residents of Cayuga County and all others involved in Indian land claims can not afford any more property to be taken of the tax rolls. We are taxed to the limit.

Towns and Counties are unable to meet their budgets now, what happens when thousands of acres are not being taxed, people will loose their homes. If this project passes it is only the beginning. It opens unending requests for land in trust and legal battles that will break all counties and states. Please end this now.

Indians are Americans let them live by the laws we all must live by.

Sincerely,



Karen Vanliew
July 3, 2009

BIA-ERO
REGIONAL DIRECTOR

2009 JUL -6 A 8:14

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RECEIVED

2009 JUN 23 P 1: 23

BIA-ERO
REGIONAL DIRECTOR

Louise and Milton vonHahmann
6976 East Lake Road
Ovid, NY 14521
June 17, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

This letter contains our comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. We oppose the land-into-trust application and urge the Bureau of Indian Affairs to deny the application in all respects, including for the reasons set forth in this letter:

- New York and its municipalities enforce environmental laws to prevent damage to our natural resources and to prevent detrimental affects to all who share in the same environment. If the Cayuga Indian Nation lands are taken into trust they would be exempt from such state, county and local environmental laws, thereby posing a significant potential risk of damage or potential damage to our natural resources thereby adversely impacting residents of the counties because we all share in the same environment, and such trust status and lack of regulatory control presents threats or potential threats to our natural resources.
- The Cayuga Indian Nation enjoys a significant economic advantage over competing businesses in operating its commercial enterprises and not charging or collecting state taxes. Non-Indian business, which must pay taxes, may be unable to compete and be forced to decrease the size of their operations (and as a result decrease employees) or shut down, resulting in losses of jobs, loss and businesses additional lost tax and special assessment revenues.
- Cayuga Nation sovereignty over the subject lands will result in a patchwork of jurisdiction over the lands. The Cayuga Indian Nation lands are a part of a larger community, all connected by water, sewer, school and other community services and resources. Without the ability to apply regulatory laws to Cayuga Indian Nation trust property, State and local governments would be unable to protect the property and health of residents in the overall community with whom the Cayuga Indian Nation shares a common environment.

- The removal of the subject lands from tax rolls will have a significant adverse impact on the communities in Seneca county and Cayuga county.
- New York derives substantial revenues from sales taxes and excise taxes due on sales of taxable goods, including gasoline and tobacco products. The Cayuga Indian Nation is not collecting New York sales and excise taxes (and therefore not remitting taxes to the state) normally due on the sale of taxable goods to non-tribal members. Non-collection of these taxes has and will continue to create ongoing reductions in such tax collections and reduction in local share of those taxes paid to our communities.

The Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application and because it does not require mitigation of known adverse impacts as identified in this letter, we urge the BIA to adopt the “no action alternative” and not grant the Cayuga Indian Nation’s application for lands into trust. Thank you for submitting our comments and concerns into the public record.

Sincerely,

Milton von Hahmann
Louise von Hahmann
Milton vonHahmann
Louise vonHahmann

cc: David Dresser, Board of Supervisors
cc: District Attorney Richard Swinehart
cc: County Attorney Frank Fisher
cc: County Manager Suzanne Sinclair

4849 Route 89
Romulus, NY 14541

June 12, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

Dear Mr. Keel:

In addition to the much publicized difficulties that are caused by the granting of sovereignty to the NY Cayugas we are deeply concerned with the economic implications of Indian tax status both on competing businesses and on the local tax payers. Our taxes in Varick already are higher than our taxes in Rockland County, NY, which has the dubious distinction of being the 7th highest taxed county in the country. Taking land and businesses off the tax roles will further burden the remaining property owners and businesses causing further economic deterioration in upstate NY.

We strongly oppose the land into trust application submitted by the Cayuga Indian Nation of New York.

Sincerely,

Nancy Waack
Dieter Waack
Nancy and Dieter Waack

REGIONAL DIRECTOR
BIA-ERO

2009 JUN 19 P 1:18

RECEIVED

6140 Greenleaves Circle
Indianapolis, IN 46220

June 4, 2009

Mr. Franklin Keel
Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive, Suite 700
Nashville, TN 37214

Dear Mr. Keel,

My family has owned lakefront property located on Cayuga Lake, Seneca County, New York for 75 years.

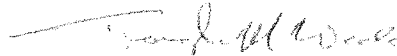
We have followed the attempts by the Seneca and Cayuga Nations to try and basically take over many acres of land, including our property. Their attempts started in 1980, and as you are well aware, the issue has not been settled. If the Indian Nations should be successful, it would destroy what is left of Seneca and Cayuga counties because the tax burden would pass to the remaining parcels of land not yet appropriated. Why should fourteenth or fifteenth generation descendants be entitled to take over land which was legally purchased, in good faith and with malice toward none, and on which taxes have been paid for 75 years?

One of the original proposals was that we (property owners) could remain on our land and pay the Indian Nation rent – what? We have owned the land for 75 years!

The Indian Nation currently owns some property in the area, including a gas station and convenience store. I am sure you are aware of the fight over tax revenues, especially on the cigarette tax. Is this an example of what will happen to the tax basis in both Seneca and Cayuga Counties? Members of both political parties have voiced opposition to the Trust applications and a majority of the citizens who own property in the two counties object to the manner in which this matter has been handled.

I am aware of a meeting of the DEIS to be held on June 17, 2009. However, due to the distance, I cannot attend that meeting, but as a long-time property owner, I hope that a solution can be reached which doesn't bankrupt the counties and cause such depreciation on legally owned property that it all goes to nothing!

Sincerely,



Douglas M. Wade

Frank Keel

William and Mary Wayne
2153 Lake Road
Seneca Falls, N.Y. 13148
June 8, 2009

TO: Seneca County Board of Supervisors
Chuck Lafler, Chairman

SUBJECT: Land into trust by Cayuga Indian Nation

Dear Sirs,

My wife, Mary, and I are living on a fixed income. Putting land into trust, by the Cayuga Indian Nation, will create a burden on our income, through increased district, town, county and state taxes.

Our taxes will rise proportionally to the loss of tax revenue caused by the amount of tax free indian land acquisitions, plus, reservation financial activities. These activities will be, mainly, through the sale of tax free cigarettes and gasoline.

The fostering of gaming casinos, by the Cayuga Indian Nation, will create an undesirable atmosphere in an environmentally rural, small town area.

With these reasons in mind, we wish to go on record as being opposed to placing any land into trust for the Cayuga Indian Nation.

Good neighbors share the burden----not add to it!!

William K Wayne
William K. Wayne
Mary W. Wayne
Mary W. Wayne

- copys: Peter Same
- David Dresser
- Attny, Richard Swinehart
- Attny. Frank Fisher
- Mgr. Suzanne Sinclair
- Cay. Co. Chmn. Peter Tortorici

File: one

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2009 JUN 12 P 1:44
PAY-PRO
REGIONAL DIRECTOR

FAX

From: David B. White
2492 Center Road
Scipio Center, NY 13147
315-364-5587

FRANKLIN Keel,
TO: BUREAU of INDIAN AFFAIRS

Fax: 615-564-6701

From: DAVID B. WHITE

Date: JULY 5-09

Re: DEIS - Cayuga Indian Nation

No. of pages 2
Counting cover

Cc: _____

Message:

David B. White
2492 Center Road
Scipio Center, New York 13147
July 4, 2009

Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

RE: DEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project

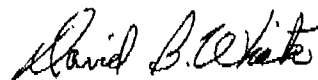
Dear Mr. Keel:

This letter contains my comments on the Draft Environmental Impact Statement with respect to the Cayuga Indian Nation's Land into Trust Application. I **oppose** the land-into-trust application and urge the Bureau of Indian Affairs to **deny** the application in all respects, including for the reasons set forth in this letter.

- I was brought up in the Cayuga Land Claim area, and continue to own property there. My forefathers, going back five generations, have owned property in the area; they have purchased it and paid for it following the laws of the state and USA, with resources which they earned, like any US citizen. They paid their taxes, and paid for their parcels.
- It is discouraging to see others (i.e. Indians) acquire land and be able to use it without following the same rules and processes that I and my family have and must continue to follow. While we are paying for roads and services, they won't have to pay—which is unfair.
- I have noticed that local land acquired by the Indians has grown to the wild, and buildings have fallen to the ground. This is good land which is now lost to cultivation, a sad circumstance from my perspective as a farmer.

Because the Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application, I request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively I urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit my comments and concerns into the public record.

Sincerely,



David B. White

FAX

From: Patricia A. White
2492 Center Road
Scipio Center, NY 13147
315-364-5587

Franklin Keel, Director
TO: Bureau of Indian Affairs Fax: 615-564-6701

From: Patricia A. White Date: 7/5/09

Re: DEIS - Cayuga Indian Nation No. of pages 3
Counting cover

Cc: _____

Message:

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2009 JUL -6 A 8:14
BIA-ERO
REGIONAL DIRECTOR

RECEIVED

2009 JUL -6 A 8:14

BIA-ERO
REGIONAL DIRECTORPatricia A. White
2492 Center Road
Scipio Center, New York 13147
July 4, 2009Mr. Franklin Keel, Regional Director
Eastern Regional Office
Bureau of Indian Affairs
545 Marriott Drive
Suite 700
Nashville, TN 37214

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Many have spoken to the issues in elaborate detail. In simplest form, my concerns are:

- Taxes: As land in trust is forever relieved of any taxes, property, sales, etc., present use and all future development will give Indians freedom from such taxes and place them at an unfair advantage over all other property owners and commercial enterprises in the area.
- School districts with extensive acreage in land claim areas will suffer adverse effects, impacting educational programs, and placing severe burden on tax-paying residents.
- The infrastructure provided by various levels of municipal government is here for the benefit of all citizens/residents. Under the proposed DEIS, all residents would receive the benefits of a wide range of municipal services: highways, police protection, etc, but only **SOME** residents would pay for these services. The cost of these services **MUST** be shared by all who benefit via property taxes, sales taxes, etc.
- Each Land-in trust parcel acquires for practical purposes a sovereign nation status. You must give serious and realistic consideration to an area when one parcel of 40 acres must abide by local and state government regulations and taxes, the next door neighbor of 50 acres does not need to pay taxes or follow any rules, the next

parcel of 1-2 acres must follow the rules and pay taxes, the next small parcel is exempt, etc. In an area of 100 square miles, there could be multiple sovereign nations mixed with parcels where people must pay taxes and abide by rules and regulations.

Because the Draft Environmental Impact Statement lacks critical information needed for a thorough review of the application, I request the Bureau of Indian Affairs to withdraw the DEIS until such a time when these issues are resolved or alternatively I urge the BIA to adopt the "no action alternative" and not grant the Cayuga Indian Nation's application for lands into trust. Thank you for the opportunity to submit my comments and concerns into the public record.

Sincerely,



Patricia A. White