



# United States Department of the Interior

Office of the Assistant Secretary - Indian Affairs

Washington, DC 20240

**Fact Sheet and Q&A:**

**11/17/2022**

Notice of Fee-to-Trust Acquisition for the  
Tejon Indian Tribe Proposed Mettler Site Casino-Resort Project  
Kern County, California

Decision:

- On November 17, 2022, the Assistant Secretary – Indian Affairs made a final agency determination to acquire the 320.04 acres located near the City of Mettler in Kern County, California (Mettler Site), for gaming and other purposes.

Background:

- In 2014, the Tejon Indian Tribe (Tribe) submitted a fee-to-trust application to the Bureau of Indian Affairs requesting that the Department of the Interior (Department) acquire in trust approximately 306 acres of land, more or less near the City of Mettler in Kern County, California, for gaming and other purposes.
- The Tribe’s Proposed Project consists of the following components: (1) The Department’s acquisition of the Mettler Site in trust for the Tribe pursuant to Section 5 of the Indian Reorganization Act, 25 U.S.C § 5108; and (2) a determination, known as a “Secretarial Determination,” that the Mettler Site is eligible for gaming pursuant to Section 20 of Indian Gaming Regulatory Act (IGRA), 25 U.S.C. § 2719 (b)(1)(A).
- On January 8, 2021, the Secretary issued a positive Secretarial Determination finding the Tribe’s proposed gaming establishment on trust land near the City of Mettler would be in the best interest of the Tribe and its members, and would not be detrimental to the surrounding community.
  - An Environmental Impact Statement (EIS) assessed the environmental effects of the Proposed Project.
  - The Department issued a Record of Decision with the Secretarial Determination. The Record of Decision determined that the issuance of the Secretarial Determination, acquisition of the Mettler Site in trust, and subsequent development of the Proposed Project will have no significant impact on the quality of the human environment. The Record of Decision completes the requirements of the National Environmental Policy Act.
- On June 13, 2022, Governor Newsom concurred with the Secretarial Determination. Under IGRA, with the Governor’s concurrence, the Tribe is eligible to conduct gaming on the Mettler Site after it is acquired in trust.

## **Q&A**

**Question:** Does the publication of the Notice of Land Acquisition in the *Federal Register* mean that the Department has approved the Tribe's application to take land in trust?

**Answer:** Yes. The Tribe's fee-to-trust application has been favorably reviewed and meets all applicable legal requirements.

**Question:** What information does the EIS contain?

**Answer:** The EIS analyzed the Proposed Project's impacts on the quality of the human environment under the National Environmental Policy Act. The EIS concluded that the Proposed Project will have no significant impact on the quality of the human environment.

**Question:** Can the Tribe conduct gaming at the Mettler Site now?

**Answer:** Yes. The Department determined that the Mettler Site is eligible for gaming pursuant to the "Two Part Determination" of Section 20 of Indian Gaming Regulatory Act, 25 U.S.C. § 2719 (b)(1)(A). Governor Newsom concurred in the Two-Part Determination on June 13, 2022.

**Question:** Does the Tribe have support for the Proposed Project?

**Answer:** Yes. Supporters include: Representative McCarthy, Governor Newsom, Kern County, the Tule River Indian Tribe, the Cities of Bakersfield, Taft, and Arvin, the Bakersfield Chamber of Commerce and Tejon Ranch.