

## Tribe will put millions into roads

By Onell R. Soto  
San Diego Union-Tribune

SAN DIEGO — The Pauma Indian band in North County has reached a tentative agreement to pay for \$38 million in road improvements and take other steps to minimize the effects of a luxury resort it is building.

As part of its \$300 million project, the tribe will pay for improvements along state Route 76 and Pauma Reservation Road.

It also will pay \$400,000 a year for sheriff’s protection, \$40,000 for the cost of prosecution of casino-related crimes and \$200,000 for gambling addiction treatment.

The tribe also plans to form its own professional fire department with two new engines and give an additional firetruck to Cal Fire.

The agreement follows months of negotiations with county officials and discussions with neighbors who had initially objected to the tribe’s plans when they were revealed a year ago.

It is comparable to an agreement the nearby Pala Indian band reached a year ago when expanding its casino, said John Snyder, who negotiates with tribes as the county’s public works director.

Pala agreed to pay \$38 million for Route 76 improvements and other roadwork, and also said it would make payments for sheriff’s deputies, prosecutors and gambling treatment.

County supervisors are scheduled to vote on the Pauma agreement Aug. 6.

In May, tribal Chairman Chris Devers announced scaled-back plans for remaking the tribe’s 1,090-slot Casino Pauma, cutting the number of floors in a hotel to 19 from 23, shrinking the casino floor and eliminating an outdoor amphitheater.

The 176-member tribe was responsive to its neighbors, he said at the time. “We did everything we could.”

In a statement, Devers praised the “collaboration” with county leaders.

Charles Mathews, one of the residents who spoke with Devers and other tribal leaders about his concerns with the initial plans for the resort, said he was satisfied with the changes.

“Obviously the neighbors would prefer that there would not be a casino, but the reality is that there will be a casino,” he said.

He said he was happy about the planned improvements to Route 76, the main artery through the Pauma Valley.

“Some of that cash has a fuse on it, it has to be spent before 2011,” he said. “Clearly the onus now moves to the county and to Caltrans to make sure that available money is spent, is well spent.”

The agreement drew praise from Cheryl Schmit, a gambling watchdog who works with community activists across the state and encouraged Pauma’s neighbors to express their concerns to county and tribal leaders.

“Wow!” she said. “This is a comprehensive agreement that should become the model for all tribes in San Diego County.”

Schmit particularly liked the fact that the agreement can be revisited in one and three years to ensure it’s working.

Although the faltering economy is hitting gambling operations nationwide, Pauma is going ahead with replacing Casino Pauma, which is housed in metal-framed tents, with a 400-room gambling resort.

It signed a compact with the state in 2004 allowing for an unlimited number of slot machines in exchange for payments to the state’s general fund.

The tribe plans to roughly double the number of slot machines it has, but it hasn’t said the exact number.

The casino will be managed by a subsidiary of the Mashantucket Pequot, a Connecticut tribe that operates Foxwoods, which is billed as the largest casino in the world.

## Habematolel Pomo casino plans approved

By Elizabeth Larson  
Lake County News

UPPER LAKE, Calif. — The Habematolel Pomo of Upper Lake have received approval from the federal government to place land in trust, a decision tribal representatives say is a crucial step in moving forward with plans to build a \$35 million casino.

The US Department of the Interior’s Office of the Secretary has issued a “finding of no significant impact” – or FONSI – on the tribe’s proposal to place an 11.24-acre site on Highway 20 in trust, said the tribe’s attorney, Robert Rosette.

The Bureau of Indian Affairs approved the finding based, it said, on analysis and recommended mitigation measures in a May 2007 draft environmental assessment, as well as comments from the public, responses to those comments, the tribe’s request for a reduction in acreage and the development of a final environmental assessment.

Rosette said the FONSI is an important legal entitlement that will allow the 200-member tribe to proceed with building a casino on its land next to the Upper Lake County Park.

Tribal members were “elated” by the news that BIA was approving placing the land in trust, said Rosette.

“It’s a significant victory in the grand scope of their project,” he said. “Emotionally, as well, it means an awful lot to this tribe to reestablish their land base.”

The last thing the tribe

must do before it can break ground on the casino is to get an approved tribal gaming compact with the state, said Rosette. “That’s certainly a priority now.”

Negotiating with Gov. Arnold Schwarzenegger for that compact hinged on the FONSI, since Schwarzenegger has had a policy of not negotiating with tribes unless their land already was in trust, said Rosette. The federal government must then approve the compact.

Rosette said there’s an outside chance the tribe – which already has had preliminary meetings with representatives from the governor’s office – might be able to have a compact ready to be approved by the state Legislature before it adjourns for its fall break in mid-September.

That could put the tribe on track to break ground on the \$35 million casino project in the first part of 2009, which Rosette called “a best-case scenario.”

He estimated construction will take between a year and 18 months to complete.

Once finished, the facility will create 250 jobs, said Rosette. One of the tribe’s main reasons for pursuing the casino is to provide jobs for tribal members. However, most of the jobs will be available to Lake County residents, since many of the tribal members don’t live in the area, he said.

Rosette said the tribe has entered into an agreement with Luna Gaming Upper Lake LLC, a Michigan-based gaming management company

that is funding the project.

The company is involved with Indian casinos including Rolling Hills Casino in Corning and Little River Casino Resort in Manistee, Mich., besides having commercial gaming interests in Detroit and operating Cal Neva Resort in Lake Tahoe, according to its Web site. Luna Gaming also is working on casino development projects with Oklahoma’s Kiowa tribe and the Ewiiapaayp Band of Kumeyaay Indians in San Diego.

Rosette said the Habematolel casino will be a “class 3” Las Vegas-style establishment, with 20,000 square feet of gaming space featuring 349 slot machines as well as blackjack and other card games.

Phase one of the project also will include a restaurant and bar, said Rosette. Phase two of the project may include a small, 200-room hotel, which the tribe included in its environmental impact report and which the federal government approved.

To supply water to the casino, the tribe will dig its own well, said Rosette.

The tribe at one point had considered annexing to the Upper Lake County Water District, as Lake County News has reported. In October 2007, the tribe paid the district more than \$7,700 for an engineering study that explored hooking the casino into the district as well as other alternatives

Rosette said the FONSI finding is a final milestone for the tribe, which received its

Restored Lands Determination last November in order to reestablish its reservation.

The Habematolel’s lands in Lake County were lost in the 1950s under the federal “termination” policy, said Rosette.

A report from California Indian Legal Services said 38 California tribes lost their lands and federal recognition due to termination, with many of the tribes now seeking to have their status restored, some through litigation.

The Habematolel were among those tribes that took their battle to court, winning a lawsuit against the United States in US District Court in 1983, with the court finding the tribe’s termination was unlawful, Rosette said.

Yet, while they won in court, it didn’t mean they received their land back. So Rosette said the tribe has worked since then to acquire new land suitable for tribal government purposes.

It also took the Habematolel 20 years to receive Bureau of Indian Affairs approval on a tribal constitution, said Rosette, which wasn’t complete until 2004.

The constitution was another in a series of necessary steps, as it made the tribe’s government legitimate in the eyes of the federal government, said Rosette.

Once the constitution was accepted, said Rosette, the tribe moved quickly to reestablish their land base, working on their deed of trust application in late 2005. That resulted in this latest approval to place their acreage in trust as “Indian Lands.”

Forging relationships with the county

County Chief Administrative Officer Kelly Cox is optimistic about the casino’s possible benefits.

“Overall I suspect it will be a positive impact on the economy,” he said, with the casino creating jobs both during construction and once it’s up and operating. He added that he hopes they add the hotel, because more lodging facilities are needed in Lake County.

Cox also praised the tribe for the way it reached out to the county to create a positive working relationship.

On July 11, 2006, the county and the tribe entered into a detailed memorandum of understanding which Cox said covers everything from law enforcement and traffic control, to adhering to state building code requirements, air quality issues, fire and emergency services, the tribe’s willingness to support agri-tourism and address the impacts of problem gaming.

All county department heads got together, discussed their concerns and included them in the lengthy agreement, said Cox. “It covers everything we can think of.”

In addition, the tribe agreed to pay revenue in lieu of property tax as though the land were privately owned, and will pay taxes and fees like any regular developer, Cox said. He thinks that, from the county government’s standpoint, the result will be a plus on the revenue side.

“We had excellent negotiations with them,” he said.

## ‘Republic of Lakotah’ investigating corruption

By Andrea J. Cook  
Rapid City Journal

RAPID CITY — Means said a press conference at 11 a.m. today in Memorial Park near the Rushmore Plaza Holiday Inn Hotel and Convention Center will outline the direction the grand jury’s investigation will take.

“The situation is once again like it was in 1972 where some of the police are the terrorists,” Means said.

Everything on the reservation is handled politically from law enforcement to tribal courts to the tribal council and administration, Means said.

The grand jury’s investigation will start with the Pine Ridge Indian Reservation and eventually address situations on seven Sioux reservations in the Republic of Lakotah, Means said.

Housing, health and education issues on the reservations are at the forefront of the republic’s concerns, Means said.

A group of activists including Means announced in December the formation of the Republic of Lakotah, which they say is an independent nation, seceding from the United States and rejecting treaties with the U.S. government.



Associated Press

Mark Deschinny explains to an audience the traditional Navajo art of weaving and dying fabrics, Saturday, at the Coconino Center for the Arts in Flagstaff, Ariz. Deschinny — like his grandmother and mother before him — uses local plants to make natural dyes for Navajo weaving.

## Gang war blamed for death of Native boy

By Glenn Kauth  
Edmonton Sun

EDMONTON, Alberta — The fatal shooting of a 16-year-old in Hobbema is once again sparking calls for solutions to gang violence there.

“If it happened in Mill Woods, I imagine there would be a huge public outcry, and they’d dedicate more resources,” said Mel Buffalo, president of the Indian Association of Alberta and a distant relative of the homicide victim, Billy Buffalo.

The killing outside a Hobbema home early Sunday comes just a week after offi-

cials announced a gun amnesty aimed at encouraging residents there to turn in weapons. But while Buffalo said solutions attempted in recent months -- such as a curfew and efforts to clean up graffiti and derelict homes -- have helped, he wants to see more programs to actually intervene in gang activity.

“We need more resources. A gun amnesty isn’t going to work,” Buffalo said.

“It’s getting crazy. How many young people are they going to wait to get killed before they do anything?”

In Billy Buffalo’s case, the young man was part of a

Hobbema gang that called itself the West Side, family members said. “He dropped out (of school),” said one cousin, who didn’t want his identity revealed. “He was in a gang.”

The teen was the victim of a gang war with the Indian Posse, say Hobbema residents.

“They’ve just about taken over the whole Samson townsite,” another relative, Robert Buffalo, said of the Indian Posse. Rival groups are fighting back, which on Sunday resulted in the fatal shooting as well as an exchange of gunfire between two homes that left another man with a non-

life-threatening gunshot wound.

“It’s a war. It’s quite a sad thing,” said Robert Buffalo, an elder in the community 87 km south of Edmonton.

Mel Buffalo, meanwhile, said Billy, whose body remained at the side of the house for several hours following the shooting, was the youngest homicide victim that he could recall in Hobbema.

Earlier this year, 23-month-old Asia Saddleback suffered a gunshot wound while she was at her family’s home but she survived. The subsequent outcry led the Samson band council to set up a task force to deal

with the violence. Its work has helped, but officials need to do more, Mel Buffalo said.

Yesterday, however, leaders with the Samson Cree Nation weren’t saying what, if anything, they’re planning to do.

“At this time, the Samson Cree Nation, along with the chief and council, will not be issuing a statement on the recent fatality on reserve at the request of the deceased boy’s family, who have been devastated by the death,” a statement released yesterday reads.

Police are investigating both weekend shootings in Hobbema. They took two men into custody for questioning,