

Deval not eager to talk to tribe

By Scott Van Voorhis
Boston Herald

BOSTON — The Mashpee Wampanoag tribe, which wants to build a \$1 billion casino resort, may be in for a long wait before it gets a chance to sit down at the negotiating table with Gov. Deval Patrick.

The Patrick administration is taking a more skeptical stance toward the idea of making an early deal with the tribe - before it wins permission from the federal government for an official reservation on which to build a gambling complex.

“Should the tribe ask to commence negotiations prior to having lands in trust, the administration will weigh a number of issues in determining a response to that request,” said Kofi Jones, a spokeswoman for the executive office of housing and economic development.

The response comes after remarks made by Patrick in June in which he appeared ready to sit down with the tribe at the negotiating table.

“We are prepared to negotiate under the parameters that exist within current law,” Patrick told WBZ-TV. “Some form of expanded gaming is coming, because the tribe has some tribal rights and we want to be ahead of it.”

While Patrick quickly downplayed the remarks, the comments, combined with reports that the tribe was also ready to talk, had some industry observers predicting the launch of compact talks by year’s end, if not before.

Meanwhile, the Patrick administration’s new coolness toward early negotiations could have consequences for the tribe.

For starters, the tribe may now have to wait years before it gets a chance to formally negotiate a casino deal with the governor.

Despite winning federal recognition as a tribe, the Mashpee Wampanoags are now in the midst of a lengthy review by the U.S. Department of the Interior over their application to take land into trust in the southeastern Massachusetts town of Middleboro. If approved, that would give the tribe an official reservation on which to build a casino.

But such requests sometimes take years to review, with the Mashpee Wampanoag tribe - even under a best-case scenario - not likely to get an answer until at least the spring.

The upcoming presidential election could also have a major impact on the tribe’s chances of getting a speedy approval, or any approval at all. Sen. John McCain, the Republican standard-bearer, has been a longtime critic of Indian casinos.

The tribe, backed by some of the world’s top gambling investors, has so far created a sense of inevitability about its casino plans. Early compact talks would only strengthen the tribe’s hand in that regard.

And direct negotiations with the governor could help smooth the tribe’s land-in-trust application in Washington, D.C. Federal officials, as they weigh the tribe’s request, will also be looking closely at how the proposal is being viewed by state officials.

“It makes it easier to appeal to the federal government,” said the Rev. Richard McGowan, a gambling industry expert and a professor at Boston College. “I don’t think the federal government likes to do this and have a huge fight with the state.”

But the Patrick administration has its own casino plans.

A new administration-commissioned report on the potential gambling market in Massachusetts, written by New Jersey-based Spectrum Gaming, offers what could be the rough draft of those plans.

Casino foes call for new FEIS

By Thacher Schmid
Longview Daily News

LONGVIEW, Wash. — Critics say the final federal document outlining the impacts of the Cowlitz Indian Tribe’s initial reservation and \$510 million casino complex near La Center is a whitewash that doesn’t address their objections.

Some are even predicting the million-dollar document, called a Final Environmental Impact Statement, will be withdrawn and redone.

A tribal spokesman called such assertions “ridiculous” and said the application process was nearing a conclusion.

“It’s not a commenting period, it’s a waiting period,” tribal spokesman Phil Harju said. “The process has been going on for years. There’s no factual or legal reason for the (statement) to be withdrawn.”

The document was published May 30, and the Bureau of Indian Affairs is receiving public comments through Monday. Unless the statement is withdrawn, the next step could be the final decision — making 152 acres west of La Center sovereign Cowlitz lands and allowing the tribe to break ground on its casino.

Competing gambling interests — particularly four La

Center card rooms and the Grand Ronde tribe, which operates the Spirit Mountain casino in Oregon — remain the staunchest critics. However, local governments said their comments on the draft, released in 2006, were ignored by author Analytical Environmental Services of Sacramento, Calif. The process was funded by the Cowlitz tribe, but written under the guidance of the Bureau of Indian Affairs.

Woodland Mayor Chuck Blum let out a sigh of exasperation when asked about the statement.

“I’ve got two full boxes of the (statement) sitting right here looking at me, and not one mention of the resolutions,” Blum said.

He was referring to four resolutions passed by the City of Woodland, Woodland School District, Woodland Chamber of Commerce and Port of Woodland, which said the casino could damage Woodland housing, schools and businesses.

Clark County called the statement “unreliable” and “inadequate.”

“This Final EIS, unfortunately, does not adequately describe the alternatives or their impacts and provides an unreliable and inadequate source of information for decision making,” the county’s

Web site concluded.

A City of Vancouver official said the tribe’s business plan vastly overstated the need of tribal members.

“When you start off with the wrong assumptions, it’s quite easy that a huge amount of the document will no longer be valid,” said Vancouver Assistant City Attorney Brent Boger. “Basically, it has not addressed our concerns, and we’re going to let the Department of Interior know that.”

Federal officials at the Bureau of Indian Affairs’ Portland office said nothing was set in stone. Regional Director Stanley Speaks described the process as ongoing and said anything was possible.

“This (statement) is not even close to being finalized before December,” he said Thursday.

“If a lot more work needs to be done, that process will have to be supplemented and done. To say we’re going to just quit the whole thing, that cannot be done.”

As of Thursday, the Portland office had received 989 letters or comments on the statement.

“They kind of balance each other out,” said Environmental Protection Specialist B.J. Howerton.

As expected, the most scathing criticism came from

the card rooms and Grand Ronde. The card rooms called the statement “shockingly deficient,” while a Grand Ronde spokeswoman said it was “highly flawed.”

“Environmentally it’s bad, in terms of urban growth boundaries it’s bad, and culturally and traditionally it’s bad,” said Siobhan Taylor, spokeswoman for the Grand Ronde. Tom Hunt of Citizens Against Reservation Shopping called the statement “garbage in, garbage out,” citing the use of misleading data to reach faulty conclusions.

Just four miles south of the proposed reservation and casino, Woodland officials remain concerned.

Because Woodland is in Cowlitz County, not Clark County, School District Superintendent Michael Green said, it was barely looked at — or listened to.

“We’re about as far away (from the casino) as downtown La Center or downtown Ridgefield, but they don’t really consider us,” Green said.

“The bottom line is when they do talk about Woodland ... it’s this broad brush look at the impacts that just substantially understates what the real impact will be.”

Unlike the rest of Cowlitz County, Woodland is governed by the Growth Manage-

ment Act, which sets rules about how towns can grow. That means, Mayor Blum said, the city could struggle to keep pace with a large influx of new citizens, and resulting need for more classrooms, apartments, police officers or fire engines.

Cowlitz County Commissioner Axel Swanson noted that many Woodland residents work in Portland or Vancouver, so its tax base is not strong and an influx of low-income workers could further erode that base.

“It’s time to be at the table” with the tribe, said Commissioner Kathleen Johnson. Johnson said Cowlitz County should negotiate a memorandum of understanding with the tribe as Clark County did years ago. In Clark County’s memorandum of understanding, the tribe promised to help that county pay for increased fire, police and gambling addiction services, as well as replace some lost tax revenues.

“It’s kind like a divorce,” Johnson said of the tribe’s casino proposal. “You really don’t want it, but you better get yourself an attorney, because you’re going to lose your shirt.”

Tribal spokesman Harju declined to give specifics on the tribe’s negotiations with any other governments.

Reservation fire grows to 35 square miles

NESPELEM, Wash. (AP) — A wildfire that began at 3 a.m. Thursday has grown to almost 35 square miles and continues to threaten about 20 homes and 40 outbuildings on the Colville Indian Reservation.

The blaze grew Saturday by more than 6 square miles.

But fire information officer Karen Ripley reported Sunday that nearly 500 firefighters made significant progress Saturday securing containment lines around the Columbia River Road Fire. She estimates the blaze was 15 percent contained.

Ripley says the firefighters have been aided by cooler temperatures and scattered showers Saturday. The weather was in the 70s Sunday.

The firefighters were supported by water drops from three helicopters and air tankers dropping water and fire retardant.

Ripley says bulldozers have cut fire lines around the threatened homes and outbuildings, and their roofs have been watered down.

Fire lines surrounding the Whitmore Lookout have been reinforced and the lookout is now being protected by fire engines. The lookout was threatened by the fire Friday and Saturday.

The fire has been burning through steep, rocky terrain since Thursday, burning through grass, sage and ponderosa pine forests nine miles northwest of Nespelem (nez-PEE’-luhm). Ripley says the cause of the blaze is under investigation.



Drake Keahna, 10, of the Meskwaki Settlement near Tama, Iowa, makes a face as his mother, Tia Keahna, adjusts his headdress before a ceremonial dance at the 94th Annual Meskwaki Indian Powwow at the Meskwaki Casino arena in Tama, Thursday. The powwow was relocated to the casino because of flooding, which affected the usual powwow site on the Meskwaki Settlement.

Associated Press

BIA shuts ‘unsafe’ jail in Pine Ridge

By Kevin Woster
Rapid City Journal

RAPID CITY, S.D. — In yet another sign of problems facing the criminal justice system on Native American lands, the Bureau of Indian Affairs has closed its jail in Pine Ridge because of deteriorating conditions that officials say made it unsafe for both inmates and staff.

BIA officials shut down the jail Thursday evening and transferred prisoners to a newer tribal detention facility about a mile and a half away, Oglala Sioux Tribe Police Chief Joe Herman said Friday.

“We made an orderly transition from the old jail to a new adult offenders’ facility, which the tribe built three or

four years ago,” Herman said. “The BIA deemed the old jail unsafe for human occupation because of health and safety and security issues.”

Herman said he was not sure how many prisoners were transferred, but he said the tribal-owned Convicted Offenders Facility had enough room to accommodate the increased population until BIA could arrange another option. The BIA jail was used to house prisoners charged with crimes but waiting for court action; the tribal facility is for those already sentenced, he said.

The BIA jail needed to be closed, Herman said. But he was disappointed that the tribe was not told further in advance that the shutdown was coming.

“I’m not happy with the way it was conducted,” he said. “It was a little sudden, no real dialogue between the tribe and the BIA, other than to make an unannounced visit, then close it up. It was kind of disrespectful.”

Sen. John Thune, R-S.D., said the closure was an example of the troubling array of problems facing law enforcement and courts on Native American reservations in South Dakota and other states. Thune agreed that the jail needed to be closed, but he also said that it “seemed like a fairly abrupt action to take.”

Thune met Friday in Fort Pierre with tribal leaders to discuss law enforcement problems and other issues. A similar meeting with tribal leaders last summer inspired

Thune, he said, to push for more money for the criminal justice system on Native American reservations, including a recent amendment to a larger spending bill that authorized up to \$750 million over 10 years to be spent on Native law enforcement and court programs.

Thune also co-sponsored the Tribal Law and Order Act, which would beef up the prosecution of violent crimes on reservations, expand tribal court authority and expand police training.

Of the \$750 million for law enforcement on reservations, \$370 million would be directed at improving and increasing detention facilities there. Thune said the jail closing in Pine Ridge is another example of the crucial law-enforce-

ment needs.

“It sounds like that jail was just a train wreck in terms of a facility,” Thune said. “There has been so much neglect for such a long time, we have detention facilities on the reservations that are in complete state of disrepair.”

Thune said the BIA was moving some prisoners to a better facility in Kyle and erecting some short-term detention center in Pine Ridge. Whatever the short-term solution, the long-term issue is improving citizen safety overall, Thune said.

“We need to improve the criminal justice system on that reservation so that people have a basic level of safety and security that every citizen of this country deserves,” he said.