



## Fresno Bee ARTICLE

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By **E.J. Schultz**

SACRAMENTO

Gov. Schwarzenegger has reached a deal with Madera County's North Fork tribe for what would be the state's first off-reservation casino.

The gambling compact announced Monday allows 2,500 slot machines at the planned casino off Highway 99 just north of Madera, about 35 miles from the tribe's traditional home in the Sierra foothills.

Lawmakers must approve the deal. The tribe also must get the 305-acre site put into federal trust, a process that could still take many months. Along the way, the proposal will face strong opposition from some casino-operating tribes and anti-gambling groups who say it sets a bad precedent of "reservation shopping."

The one-of-a-kind compact calls for the North Fork Rancheria to share a small fraction of casino revenues with the Wiyot tribe on California's North Coast. In return for the estimated \$3 million to \$5 million in annual payments, the 600-member Wiyot tribe has agreed to forgo its right to game on tribal lands along Humboldt Bay near Eureka.

"The compacts avoid construction of a casino along California's coast and in the Sierra foothills while respecting both tribes' sovereign right

## Madera Co. casino deal struck; Governor, tribe agree on the state's first off-reservation project, along Highway 99

to pursue economic development through gaming and other means," Schwarzenegger said in a statement.

The financially strapped state would get about \$25 million a year out of profits from slot machines and banked card games, the governor estimated.

But critics accused the governor of ignoring a proclamation he issued in 2005 that generally opposed urban casinos.

"Placing a casino along Highway 99 right at the foot of the city of Fresno is certainly an urban casino -- there is no other way to see it," state Sen. Dean Florez said in an e-mail.

The Shafter Democrat, a longtime opponent of the North Fork casino, heads a legislative committee in charge of reviewing gaming compacts.

In the 2005 edict, the governor said he would "decline to engage in negotiations for tribal-state gaming compacts where the Indian tribe does not have Indian lands eligible for [Las Vegas style] gaming."

The Highway 99 land is not eligible for gaming until it is put in federal trust. But administration officials said North Fork does have eligible land -- its reservation in the foothills.

The proclamation "doesn't necessarily mean that the gaming-eligible land is where the casino is ultimately located," said Andrea Hoch, the governor's legal affairs secretary.

Opponents said that interpretation sets a bad precedent allowing for other remotely located tribes to seek better casino land.

The administration is "just opening the door to all the other tribes that have land that is not commercially situated [for a casino]," said Alison Harvey, executive director of the California Tribal Business Alliance, which represents several casino-operating tribes in Northern and Southern California.

Administration officials touted strong local support for the casino, citing a phone survey of area residents. The casino also has the backing of the Madera County Board of Supervisors.

Florez questioned the phone survey's validity and called for a vote of the people. "Relying on a telephone poll, by all means, hurts North Fork's chances for ratification of their compact in the Legislature, and it certainly hurts the tribe's credibility in any claim that they have local community support," he said.

North Fork chairwoman Elaine Bethel Fink said the tribe would be OK with a local vote if the governor requested one.

"We've got so much local support," she said. The 1,700-member tribe has been pursuing the casino since 2004. Its partner is Las Vegas-based Stations Casino.

Some of the loudest opposition is coming from other Valley tribes.

With easy access to bustling Highway 99, the planned \$250 million casino would likely draw

customers from tribal casinos in nearby Coarsegold and Friant.

"We believe that all tribes deserve to have gaming .... [but] gaming should be done on Indian lands," said Morris Reid, chairman of the Picayune Rancheria of the Chukchansi Indians, which operates the Coarsegold casino.

Schwarzenegger said he would not seek legislative approval on the compact until the federal government puts the land into trust. The Interior Department is not expected to rule until the end of the year at the earliest. The North Fork casino recently cleared one important hurdle when federal officials considered it within "commutable" distance from the tribe's original reservation.

Twenty-two proposed casinos failed the new test, including side-by-side casinos targeted for Barstow that brought together a Southern California tribe and a Northern California tribe. The two tribes had a compact with the governor but the Legislature never approved the deal.

The governor announced the North Fork compact now in order to give the public more time to review it, administration officials said. Other observers said the timing allows Schwarzenegger to include projected state revenue from the deal in his latest budget plan, to be unveiled next month.

"They wanted to keep that winning combination of budget crisis and Indian gaming together," Harvey said.