



North Fork Rancheria Project

Fiction vs. Fact – Fact Sheet (v. 8/4/08)



The North Fork Rancheria of Mono Indians has proposed a regional destination entertainment and gaming resort to be built in Madera County along Highway 99. In the spirit of transparency and constructive engagement, the Tribe has prepared the following summary to provide the community the facts and to dispel some of the fiction and resulting questions floating around Indian gaming, our tribe, and our project.

FICTION: *The project takes advantage of legal loopholes.*

FACT: The North Fork Rancheria is judiciously following the rules governing Indian gaming as established by Congress under the Indian Gaming Regulatory Act ('IGRA') enacted by Congress in 1988. The Tribe is also adhering to the principles established by the California State Association of Counties (CSAC) with respect to Indian gaming that emphasize transparency, mitigation of potential impacts and collaboration with local, state and federal governments toward a common purpose. There are no shortcuts or loopholes to this rigorous and lengthy federal process in which the Tribe has been engaged for over five (5) years.

FICTION: *What the Tribe is proposing has never been done before and would require new laws.*

FACT: No change in federal or state law is required. The land would be taken into trust under the fee-to-trust process established under the Secretary of the Interior's ('Secretary') authority set forth in the Indian Reorganization Act of 1934 and qualify for gaming under the two-part process set forth under Section 20 of the Indian Gaming Regulatory Act of 1988. The Tribe is seeking to acquire new trust land through these processes based on its unique historical circumstances and its relationship with the local community. The Secretary has acquired new trust lands for hundreds of tribes under the fee-to-trust process and made affirmative determinations in over a dozen two-part applications. Under the two-part process, the Secretary of the Interior must determine that the proposed resort would be beneficial to the Tribe and not detrimental to the surrounding community. The Governor then must concur in that determination.

FICTION: *Approving the project would open the floodgates for off-reservation gaming.*

FACT: State governors have concurred in only four Secretarial two-part determinations over the past 21 years. There is absolutely no evidence to support the claim that federal approval of the North Fork project would result in a significant increase in the current approval rate for requests under the two-part process for tribes with existing gaming facilities or otherwise. To the contrary, the federal government has recently added several additional hurdles to the two-part process which has resulted in the rejection of several dozen proposals nationwide. As a result, the North Fork project is one of just a handful of two-part proposals in the country which have been permitted to continue to move forward through the process.

FICTION: *The proposed project is a case of "reservation shopping."*

FACT: 'Reservation shopping' is a term popularized by the disgraced lobbyist Jack Abramoff in an attempt to smear legitimate projects and pit tribe against tribe. It is still being used today to imply the acquisition of new trust lands for gaming outside of existing reservation and historical lands for purely economic reasons. As with most smear tactics, the label is more myth than reality. The term is inapplicable to the North Fork Rancheria. The North Fork Rancheria is held in trust for individual Indians, not the Tribe, and is wholly unsuited for commercial development. Thus, in order to develop our tribal economy and help meet the needs of our 1,800 tribal citizens, our Tribe has asked the federal government to take other lands within our historical area under a process Congress established specifically to allow tribes such as ours to bring land into trust for the purpose of Indian gaming.

FICTION: *The land is in an urban area.*

FACT: The proposed site for the destination hotel and casino resort is in an unincorporated area between the cities of Madera and Chowchilla. The site is in a rural area/county within the Tribe's historic land and was specifically chosen because it was not near schools, homes or churches. According to the Governor's 2005 Indian gaming proclamation, the proposed site is not within an urban area.

FICTION: This is not what California voters voted for.

FACT: California Propositions 1A and 5—supported by nearly 2/3 of Central Valley voters—were about providing Native Americans a means for economic self-sufficiency, not about determining complex Indian land questions. These propositions affirmed “Indian gaming on Indian lands in accordance with federal law.” The North Fork project, once completed, will be entirely on ‘Indian land’ and adhere totally with federal law.

FICTION: There is little community support and significant local opposition to the project.

FACT: The voters of Madera County have repeatedly voted in favor of Indian gaming in statewide propositions by margins of nearly two to one. The proposed North Fork Rancheria development has the nearly unanimous support of the home county jurisdictions and business chambers as well as individual endorsements from nearly 5,000 local citizens, businesses, leaders and civic groups. To date, opposition has been limited primarily to those who oppose all forms of gambling and a few outside politicians and local gaming tribes fearing competition and willing to bankroll expensive negative campaigns.

FICTION: The project will overburden existing infrastructure such as roads, water, and law enforcement.

FACT: Unlike some Indian gaming projects, the North Fork project is consistent with the land use plans of the City and County of Madera. The site was selected in part to avoid overburdening the existing infrastructure. Like any development, the project will result in some environmental impacts. However, the Tribe has negotiated model agreements with all of the key jurisdictions and governing agencies to mitigate such impacts and in many instances, to improve existing infrastructure and services. The Memoranda of Understanding (MOUs) with Madera County, City of Madera, and the Madera Irrigation District provide more than \$110 million over 20 years for public safety, education, economic development, housing, job training, parks and recreation, air and water conservation, infrastructure investment, and charitable contributions to local communities. Final infrastructure impacts will be addressed upon conclusion of the environmental impact statement, which is the most rigorous level of environmental review under federal law. At a time when some counties are calling for a moratorium on large-scale development in the ecologically fragile foothills and rural roads such as Highway 41 are already overcrowded, it makes complete sense to build this project within a service area and transportation artery in the Valley capable of handling any increased loads.

FICTION: The proposed facility will increase social problems such as pathological gambling, crime, prostitution, etc. and destroy families.

FACT: This has simply not been the case locally or across the state and nation with the coming of Indian casinos. The local Sheriff is on record saying there was no increase in crime or illegal activity with the arrival of Chukchansi Gold in Madera County. Numerous studies on Indian gaming show positive social and economic contributions to tribes and surrounding communities with little negative impacts. A recent study by UC Riverside reports that tribal gaming in California has improved economic and educational opportunities for tribal and non-tribal citizens, financial resources that tribal governments need to provide essential services, build local infrastructure and promote economic development, and benefited poorer, rural communities such as Madera the most. Native American governments take social problems such as problem gambling very seriously. Indeed, tribal casinos remain the primary source for public problem gambling programs in the state—not the Lottery, card rooms, racetracks, private games, or Internet sites.

FICTION: The project will hurt more than help Madera by detracting from local businesses and tourism.

FACT: The North Fork Rancheria project has been carefully crafted to benefit a region in the midst of a serious economic, fiscal, and housing crisis. In addition to the MOU mitigation efforts cited above, the North Fork Rancheria project will bring much-needed jobs, business/ vendor opportunity, private investment, and entertainment and hospitality options to the region. The project will generate nearly \$100 million each year—or \$277,000 each day—in economic activity and benefits for the region as well as nearly \$100 million over 20 years in MOU community and public funding. Working together with other local tourism resources (including other gaming tribes), we hope to create a regional destination tourism marketplace at the gateway to the Sierras and Yosemite and King’s Canyon/Sequoia National Parks. The project will also greatly aid the Tribe in its dream of economic self-sufficiency and providing assistance to its nearly 1,800 tribal citizens.

Note: Even before the current economic recession, states and local communities have counted on tribal gaming as major sources of revenue. According to the National Indian Gaming Association, in 2006 tribal gambling generated 670,000 jobs nationwide (direct and indirect jobs created by Indian gaming’s multiplier effect), \$8.6 billion in Federal taxes and revenue savings (including employer and employee social security taxes, income taxes, excise taxes, and savings on unemployment and welfare payments), \$2.4 billion in state taxes, revenue sharing, and regulatory payments (including state income, sales and excise taxes, regulatory payments and revenue sharing pursuant to Tribal-State compacts), and more than \$100 million in payments to local governments.