

EAST COUNTY OPINION

EDITORIAL

Beware of dark-of-night water deals

Mixed in amid the cars heading for Barona Casino in East County are water trucks.

The truck traffic on Old Barona Road has been a common occurrence since the Barona Indian band began irrigating the golf course at its popular casino complex five years ago. The area is dependent upon ground water and the aquifer could not handle the increased demands. One by one the wells of 30 nearby homeowners started going dry and the reservation ran woefully short of water.

It's a situation that veteran East County residents predicted and the tribe should have expected. As a sovereign entity, however, Barona was not subject to state-required water studies.

In the past five years, Barona has scrambled to cut a deal to import water, while denying responsibility for

draining the area's groundwater. Proving responsibility in a court of law is a formidable challenge for the 30 back country homeowners. The court of public opinion, however, seems to understand the situation.

Barona's latest water scheme involves a purported deal with the Chemehuevi tribe of Havasu Lake, Calif., to bring in 6.5 billion gallons of water a year, store it in the city of San Diego's San Vicente Reservoir, then transport it through a 1.5-mile pipeline to the reservation. Among the hurdles still ahead are a storage agreement with the city of San Diego and passage of federal enabling legislation.

The tribe's objective of securing a reliable water source may be a worthy goal, but the secretive and deceptive ways it has gone about the task have tainted all involved.

As reported by James Sweeney of Copley News Service, the two tribes aren't talking. Rep. Duncan Hunter,

R-El Cajon, has agreed to sponsor federal legislation, but Hunter and a tribal attorney differ as to potential problems with Colorado River water allocations. The city of San Diego wants the tribe to do a full environmental impact report on the possible reservoir storage and pipeline and at least talk to affected homeowners.

"That's not adequate," in the view of county Supervisor Dianne Jacob. "It's an issue of fairness."

"Inadequate," "unfair," "unethical," "devious" — all could be used to describe the tribe's maneuverings so far. Consider these previous developments:

- In 2002, a subcontractor for the tribe did grading for the water pipeline without required county permits or state environmental review.

- In June 2003, local lawmakers were taken by surprise when state legislation was introduced to free

the tribe of environmental responsibilities. Championing the tribe's cause was state Sen. Michael Machado of the Sacramento-area, whose political consultant just happened to work for Barona. After a public outcry, Machado backed out.

- In 2004, Sen. Ben Nighthorse Campbell, a Colorado Republican, quietly amended federal legislation to give the tribe control over land between the reservoir and reservation. This eliminated environmental review and potentially allows the tribe to escape penalties on the charges of illegal grading. Hunter supported that measure in the House.

Elected and appointed officials need to show some backbone here, and insist that correct procedures be followed and the interests of all constituents be considered.

For the city of San Diego, that means not getting mixed up in a deal whose provisions are not known

publicly, that full environmental review be conducted, and that the tribe provide treated water to the nearby homeowners who have suffered, not just talk to them.

Rep. Hunter, whose 52nd Congressional District involves the water-thirsty East County, should think twice about being in the middle of a deal that helps one powerful interest group while leaving other constituents literally high and dry. If one group of Hunter's constituents is ignored in this deal, who will be harmed in the next?

The Barona Indian band should once again embrace two traditions. The first is the tradition held by generations of tribal ancestors to be a good steward of the land, not a tribe associated with unauthorized grading, the skirting of all environmental laws and a participant in sleazy legislative deals. The second is the venerable western tradition of being a good neighbor.