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Madera County casino site challenged

Group questions the legal status of the land.

BY JIM DAVIS

THE FRESNO BEE

COARSEGOLD — A Sacramento-area group opposed to the expansion of gambling in California is questioning whether an American Indian tribe can legally build a casino on a site in the Madera County foothills.

Stand Up For California has sent a letter to the National Indi-

an Gaming Commission asking for a second legal opinion on the status of land where the Pica-yune Rancheria of Chukchansi Indians wants to build its casino, said Cheryl Schmit, the group's co-director.

"I'm not opposing the casino," Schmit said, "but I am questioning the legal status of the land, and clearly the members of the community should be question-

ing the appropriateness of the size of that facility in that community."

John Peebles, a lawyer for the tribe, disagreed with Schmit, saying the federal government already has determined it is legal Indian land and has been since a court decision in the late 1980s.

"Quite frankly, that land they're building it on is reservation," Peebles said Wednesday.

The Chukchansi Indians, in partnership with Cascade Enter-

tainment of Tiburon, announced plans in March to build a casino, hotel and resort on 140 acres along Highway 41, about 30 miles south of Yosemite National Park.

The tribe wants to begin construction in July and open the resort May 15, 2001. The resort is expected to employ 1,300 people.

A management agreement obtained by The Bee shows the resort is expected to cost \$167 million. Please see **CASINO**, Page A8

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wants foothills
project monitored**

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tion to build and will have between 1,600 and 2,000 Las Vegas-style slot machines.

The National Indian Gaming Commission has received the letter from Schmit but has taken no action, said Kyle Nayback, the commission's director of congressional and public affairs.

He declined to say whether the letter could be a roadblock to the project: "We'll look at the issues raised in the letter, and we'll respond appropriately."

So far, no group in Madera County has openly opposed the casino. Several community members, however, have been in contact with Stand Up For California, which has opposed Indian casinos across the state.

A local group calling itself RUREL — Residents United for Responsible Enforcement of Laws — wants to monitor the casino's progress, said Mary Lee Gowland of Coarsegold.

"We're not anti-Indian and we're not anti-casino," Gowland said, "but we want to make sure if it does happen it's done in a responsible way."

Schmit says in her letter to the Indian gaming commission, which monitors operations nationwide to ensure casinos comply with federal law, that there are several discrepancies in the determination of legal land for the Chukchansi proposal.

She also describes the determination as a "political decision" because Harold Monteau — a former chairman of the Indian gaming commission — is part of the law firm representing the tribe.

Peebles, one of Monteau's law partners, said Monteau had no pull in the determination of whether the land is legal.

"The fact that he had a job three years ago running a federal agency doesn't mean that the solicitor today has a conflict of interest in making a determination of legal land status," Peebles said.