

Soboba Band of Luiseño Indians

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Response of Soboba Band of Luiseño Indians to False and Misleading Testimony of Cheryl Schmit of Stand Up For California!

The Soboba Band of Luiseño Indians is federally recognized tribe located near San Jacinto, California. The Soboba Band of Luiseño Indians seeks to convert 535 acres of tribally-owned property (the Horseshoe Grande) that is contiguous to the boundaries of the Soboba Indian Reservation to Federal trust status.

The Tribe would like to thank the Subcommittee on Indian and Alaskan Native Affairs for holding a hearing on the Carcieri fix. The Carcieri fix reaffirms the Secretary of Interior's long standing ability to place land into trust for Indian tribes in furtherance of the goals of the self determination era.

Cheryl Schmit of the group Stand Up For California!, singled out the Soboba Band of Luiseño Indians in her July 12, 2011 testimony against land into trust. Her statements mischaracterize the relationship between the Soboba Band and the local community, distort the nature of the Band's application and oversimplify the fee to trust process. Each of the issues raised by Ms. Schmit is being fully addressed in the Environmental Impact Statement on the application being prepared by the Bureau of Indian Affairs. In the meantime, however, the Soboba Band offers the following clarifications and corrections of Ms. Schmit's testimony.

The Soboba Band has a good working relationship with local law enforcement. The State of California is responsible for policing Indian lands under Public Law 280. The Riverside County Police Sheriff's Department and California Highway Patrol are responsible for responding to emergencies on the Soboba Reservation and will continue to be responsible for calls to the Horseshoe Grande after the fee to trust conveyance. The Hemet Station is the closest Sheriff's department to the Soboba Reservation with a response time of three to five minutes for high priority calls. Sheriff Stanley Sniff, Jr. is quoted in the Press-Enterprise in 2009 saying: "The tribe has bent over backward in being cooperative to all law enforcement agencies. From last summer on [2008], there has been no issue. ... Both sides have been working side by side to form a great relationship."

Building on that relationship, the Band and the Department have been in active negotiations to develop a Memorandum of Understanding to ensure that adequate law enforcement services will be provided to the new trust property and the neighboring non-Indian communities.

The Horseshoe Grande project will not expose non-Indian homeowners to increased criminal activities. The Soboba Band for a number of years has owned the property for which trust status is sought, which includes a public golf course and country club, and the surrounding area has experienced no increase in crime as a result of Indian ownership.

With respect to crime on the existing Soboba Reservation, Riverside County Sheriff's Department data indicate that the number of calls to the Reservation fell each year between 2005 and 2008, and that they increased only slightly in 2009 (2010 call figures are not yet available).

The Horseshoe Grande project is not an expansion of gaming. The Soboba Band operates a casino on its reservation land under a 1999 compact with California and its relocated gaming facility will comply with the current compact. The relocation will allow the tribe to build a permanent facility to replace the temporary sprung structure for improved air quality control for guests, a more desirable location next to the tribally-owned golf course, a proposed hotel, and expanded parking options.

The Horseshoe Grande will not create "jurisdictional islands." The Soboba Springs Mobile Estates and hillside communities are served by two public roadways: Soboba Road and Lake Park Drive. Neither road is part of the Soboba Band's fee to trust application and thus the non-Indian communities will continue to be accessible by publicly-owned roadways. Further, the Band granted a title exception to the Horseshoe Grande Site, acknowledging "rights of the public in and to any portion of the subject property lying within any lawfully established streets, roads, or highways." Therefore, access to the residential communities nearby the property would remain unimpeded.

The Horseshoe Grande Project will not hinder access to emergency services. With respect to emergency planning, a Transportation Management Plan has been prepared for the Environmental Impact Statement that contains a section specifically addressing "Emergency/Fire/Medical Services," describing how adequate emergency access to local communities would be assured and the response protocol to be followed in the event of an emergency situation. The Plan notes that, contrary to Ms. Schmit's assertion, there are two access points, not one (Lake Park Drive and Soboba Road), thus assuring good emergency access because there are two ways of reaching any point within the development site and the neighboring areas.