



February 19, 2007

Letters Editor
San Diego Union-Tribune

Subject: Response to article on the Amended Sycuan Tribal Gaming Compact

Dear Editor:

The Union Tribune February 18, 2007 story regarding the Sycuan Band's renegotiated gaming compact did a huge disservice to the Governor, the Tribe, four members of the Board of Supervisors, the people of Dehesa Valley and the general public in San Diego. The article contained so many mistakes of law and fact that there is space to correct only the most glaring errors.

First, and most obvious, the headline and caption on the graphic are completely inaccurate; the Sycuan Band has no plans to build a second casino at Sycuan Resort -- or anywhere else. Sycuan has an enormous investment in its existing gaming facility, and it will be a long time before Sycuan would be in a position to construct a second or replacement casino. The compact that Sycuan negotiated with Gov. Davis in 1999 gives the Sycuan Band the right to have two casinos, and the fact that Sycuan retained that right in government-to-government negotiations with Gov. Schwarzenegger (the State got far more than it gave) should not be the basis of criticism of either the Governor or Sycuan.

Second, suggestions that references in the compact to a second casino or the resort property somehow would shortcut the federal fee-to-trust review and application process are not only false, but unfairly confuse the public that somehow this process is inexorably linked to the compact process. Nothing could be further from the truth. In addition, the implication that Sycuan is engaged in "Reservation shopping" is profoundly unfair. Federal regulations clearly define "contiguous," and the lands in question are contiguous to the Reservation and within Sycuan's traditional territory.

Third, references to the Warm Springs decision make an unfair and confusing "apples to oranges" comparison. The Warm Springs situation involved approving a compact amendment to allow gaming on non-contiguous land distant from that tribe's reservation. Sycuan already has a compact; if and when the land is brought into trust it will be contiguous to the existing Sycuan Reservation and for non-gaming purposes.

Fourth, the article's speculation about the potential loss of property tax revenue to the County if the land is brought into trust is at best disingenuous, and at worst willfully incomplete. The story's author, Jim Sweeney, was informed in writing that Sycuan has offered to enter into a binding

agreement with the County to make the County whole for lost property and hotel tax revenue if this property comes into trust. Perhaps the author omitted this significant detail because it would have detracted from the generally anti-Sycuan slant of the article.

Fifth, the implication that the four county supervisors who have endorsed our revised compact also may endorse our fee-to-trust applications is baseless. The amended compact and placing additional lands into federal trust status are completely unrelated and involve totally different applications and processes. The four supervisors have endorsed only the amended compact, with its substantially strengthened requirements for assessing and mitigating impacts of expansion on the off-Reservation environment and government services through negotiation of binding and enforceable intergovernmental agreements. If and when Sycuan applies to have the land taken into trust, the County -- and the public -- will have a full opportunity to participate in that entirely separate process.

The simple fact is that the amended compact, which was not voted on by the Legislature last year, would be a great deal for the State and the County, but unless Sycuan is able to generate substantially more revenue to fulfill its increased financial and other obligations, it wouldn't work at all for Sycuan. Sycuan made essentially the same regulatory and other concessions as did seven tribes whose compacts were ratified in 2004, and whose amended compacts place no limits on the number of machines they may operate. The day Sycuan's amended compact takes effect, Sycuan will start paying tens of millions of dollars more into the State's General Fund than it does today, even if it does not add a single slot machine.

Too often, it seems that the facts about Sycuan's activities and plans are subordinated to a desire to make news by pandering to prejudices or stimulating controversy based upon incomplete or inaccurate information. As the direct descendants of the original inhabitants of the Dehesa Valley, and as the constituents of a responsible tribal government that has worked hard to be an asset to its neighbors and San Diego County as a whole, the people of the Sycuan Band have a right to expect that the U-T and its staff will gather and accurately report the whole story, rather than baseless rumors, suspicions, half-truths or outright errors. Only in that way can your readers and the public officials who represent them make fully-informed decisions.

Sincerely,



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Chairman, Sycuan Band of the Kumeyaay Nation