



## TriCounty Watchdogs

PO Box 6407 Frazier Park, CA 93222

10 Sept 2015

Amy Dutschke, Regional Director  
Bureau of Indian Affairs, Pacific Region  
2800 Cottage Way, Sacramento, California 95825

### NOI COMMENTS, TEJON INDIAN TRIBE PROJECT

Dear Director Dutschke,

I write on behalf of the Tri County Watchdogs, an environmental organization that promotes preservation of natural resources, ecotourism, and responsible development in the area adjacent to Tejon Ranch. Our members come from Gorman, Lebec, Frazier Park Pinon Pines, Lockwood Valley, and Pine Mountain Club, a large community that spans Kern, Los Angeles and Ventura Counties. We wish to give input into the scoping process for the proposed Tejon Indian Casino on a 306-acre parcel at Hwy 99, Maricopa Hwy, and Fwy 5.

Three related issues form our primary concern with this proposal.

Our **first** issue is that the casino complex will require the destruction of extensive archeological sites. This land is located at the southern shore of the former Kern Lake, home of several Kern Lake Yokuts (Hometwoli) villages before the land was appropriated and the lake drained for agricultural use. The 250,000 sq. ft. casino and subsequent 300-room hotel will eradicate the original village sites. Even if the artefacts are removed to a tribal repository at Bakersfield University (as is proposed), this formerly highly populated and therefore highly important site will be obliterated.

**Secondly**, still keeping to the issue of archeological importance, the federally recognized Tejon Indian tribe that is proposing this casino has no actual ancestral or cultural ties to the Kern Lake Indian peoples. Another group does, and they need to be allowed a determining voice in what happens to this land.

At least 400 Kern Lake tribal descendants still live around here. We have read Frank F. Latta's book on the Yokuts and we have examined an 1880's map that shows Kern Lake Yokuts-Hometwoli/Halaumne territory (the proposed site of the casino), with Buena Vista Tulamni Yokuts territory to west of it, and Yowlumne Yokuts territory to the east; then, further east, part of a separate language group, is Kitanemuk territory. As we understand it, all these groups (along with many other adjacent settlements) had been forcibly removed to Tejon land by Colonel Beale, but some people escaped and through various causes the numbers became very small, so all the different peoples united into one (analogous to the states uniting within the United States). They negotiated a treaty deed for the Sebastian Military Reservation which was unfortunately not ratified by the Senate. Subsequently, the Reservation was lost to Beale's private ownership; some people stayed and worked for Beale in order to stay on the land. In 1995 the united groups again filed for tribal recognition; one member of the proposed tribe, however, got connected with a Las Vegas investor with deep pockets, and the tribe split. The part that paired with the gambling investors and was subsequently federally recognized as the Tejon

Indian Tribe, identifies as Kitanemuk and has no cultural connection to the Kern Lake Yokuts land that has been chosen for their “reservation” casino. The other part, which is still petitioning for federal recognition as the the Kitanemuk & Yowlumne Tejon Indians, is culturally affiliated with Kitanemuk, Yowlumne & Kern Lake Yokuts, and Emigdiano & Venturoeno Chumash. This group is requesting and must be given a deciding voice over the use of this land.

**Thirdly**, the Millennium Management Group that is promoting the casino apparently is helping fund the factionalization of the Tejon Indian peoples. The faction that favors the casino has had the funding to succeed in its drive for recognition at the expense of the rest of the group who were dropped from possible membership in a more inclusive tribe. The excluded members are suing to gain recognition, and if they achieve it, claims to this land and its use will certainly be contested.

In addition to the above cultural issues, we request that the EIS give a hard look at some important **Environmental Issues**:

1. Increased traffic on the I-5 will add even more air pollution to the already dirty air. Bakersfield consistently ranks at or near the bottom nationally in air pollution --in 2015 it climbed to 3<sup>rd</sup> worst in the United States, and increased traffic might put it back at #1.
2. A hotel and casino will put great stress on precious water sources.
3. A hotel and casino will create a huge amount of artificial light, which may have an effect on the “dark skies” so valued by astronomers and astral photographers in the Frazier Park area.
4. There may be endangered species on the land. Although the property in question appears to have been disturbed from its natural state, there is some chance that a special status plant or animal species might be present on this land. There are several species with protected status that are found near or have the potential, to be found near the land in question. Besides the cactus, there is the San Joaquin coachwhip (a snake), the burrowing owl and the San Joaquin kit fox. There may be other species. We are just naming the ones we are sure of right now. This land certainly was habitat for most or all of these species before modern disturbance, and all of the above-named species have a good chance of being found within five miles of the land at this time.

In addition, there are also many **Social Concerns** that should be addressed in the EIS. Bakersfield/Kern County social service agencies currently need to solve urgent problems associated with high methamphetamine addiction, high teenage pregnancy rates, and low education rates. Will gambling addiction be added? Although the correlation between casinos and crime is contested, everyone agrees that gambling addiction is a problem exacerbated by casinos. In the words of a PBS *Frontline* program on the subject,

“Experts on pathological gambling have shown that the prevalence of this disorder is linked closely to the accessibility and acceptability of gambling in society. Like alcoholism, just a small percentage of Americans are susceptible. As more people try gambling in its various forms, however, more of those prone to the illness are exposed. So, the more legalized gambling a state makes available, the more pathological behavior is triggered.” (“Is there a Cure for America’s Gambling Addiction?” at <http://www.pbs.org/wgbh/pages/frontline/shows/gamble/procon/horn.html>).

Bakersfield/Kern County Social Services is already overwhelmed, and now gambling addiction could be added to the list of social problems they must deal with. How will additional social

services and workers be paid for?

Lastly, there is the public health issue of Valley Fever, to which visitors to the casino will be exposed. According to the California Dept of Public Health, over 75% of cases reported in California are from the San Joaquin valley. People contact valley fever by breathing in the *Coccidioides fungus* spores after they are released from the soil. Digging up the soil for construction will disrupt the spores, and people who come to the casino with no natural immunity from growing up in the area will be exposed.

Thank you for including our comments in the scoping documents.

Sincerely yours,

Katherine King, Secretary  
The Tri-County Watchdogs  
Frazier Park, California 93222