

# ***PUBLIC HEARING TRANSCRIPT***

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LOS COYOTES BAND OF CAHUILLA AND CUPENO INDIANS

PUBLIC HEARING

WEDNESDAY, JULY 27, 2011

6:00 P.M. - 8:29 P.M.

BARSTOW COMMUNITY COLLEGE

2700 BARSTOW ROAD

BARSTOW, CALIFORNIA 93211

REPORTED BY:

AMY P. SMITH

CSR #12154

1 WEDNESDAY, JULY 27, 2011, BARSTOW, CALIFORNIA

2 6:00 P.M.

3 --oOo--

4  
5 MR. BROUSSARD: Good evening. Could I have your  
6 attention, please. Could I have everyone's attention,  
7 please. We want to go ahead and start this public  
8 hearing. Could I have everyone's attention, please.

9 All right. Thank you for your attention.

10 The Bureau of Indian Affairs welcomes you to  
11 this public hearing for the proposed Los Coyotes Band of  
12 Cahuilla and Cupeno Indians fee-to-trust --

13 Can you hear me in the back?

14 -- the fee-to-trust casino project draft  
15 Environmental Impact Statement public hearing.

16 My name is Chad Broussard. I'm an  
17 Environmental Protection Specialist for the Bureau of  
18 Indian Affairs, Pacific Regional Office.

19 Bureau of Indian Affairs is also known as the  
20 "BIA." BIA is a bureau within the Department of  
21 Interior, which is, in turn, a department for our  
22 Federal Government.

23 I will be your facilitator at this evening's  
24 public hearing.

25 At the table with me is Patrick O'Malley,

1 also an Environmental Protection Specialist with the  
2 BIA. And to my left is Ryan Lee with Analytical  
3 Environmental Services, which is the BIA's EIS  
4 consultant.

5 Also, attending tonight's hearing is John  
6 Rydzik, chief of the BIA Pacific Regional, Division of  
7 Environmental and Public Resources Management Safety.

8 Finally, I'd like to take a moment to  
9 recognize the elected officials that are here with us in  
10 the audience that I'm aware of.

11 And that is Barstow Mayor Joe Gomez, Mayor  
12 Pro Tem Julie McIntyre, City Council Member Tim Silva,  
13 City Council Member Tim Saenz, and City Council Member  
14 Willy Hailey.

15 And, finally, the tribal chairperson for the  
16 Picayune Rancheria of the Chukchansi Indians, Morris  
17 Reid, is in the audience, as well.

18 I want to just very quickly point out that  
19 the rest rooms -- there's rest rooms in the lobby. We  
20 have emergency exits, obviously, at the -- on the side  
21 here, the main entrance. Also, there's two emergency  
22 exits in the rear and two in the front of the building.

23 So we're here tonight to accept -- and I want  
24 to thank everyone for coming.

25 We're here tonight to accept comments on the

1 Draft EIS for the proposed fee-to-trust land acquisition  
2 of approximately 23 acres in Barstow and the subsequent  
3 development of a casino project for the Los Coyotes  
4 tribe.

5 Both spoken and written comments will be  
6 accepted at tonight's hearing.

7 And, also, if you haven't signed in, there is  
8 a sign-in sheet in the lobby that we'd love to have you  
9 sign in so that we can document your attendance here  
10 tonight.

11 If you have a written letter that you would  
12 like to submit, please hand it to one of the  
13 representatives at the tables in the back over here or  
14 in the lobby.

15 We also have cards available, if you want to  
16 make a written comment on one of our cards. You can  
17 grab a card, make a comment, and put it in one of the  
18 boxes in the back there or hand it in to one of the  
19 representatives.

20 You can also mail it to the BIA at the  
21 address on the card. Just make sure it's prior to the  
22 deadline, which is September 14th, 2011.

23 If you would like to make a spoken comment at  
24 the hearing tonight, please fill in one of the speaker  
25 cards. Those are the little yellow cards, and they're

1 at the back table. Fill one of those out and hand it to  
2 an attendant or put them in the box, and you can make a  
3 spoken comment tonight.

4 Please write as legibly as you can. I'm sure  
5 I'm going to butcher a few names tonight, as it is,  
6 so -- and that way you can recognize your name when it's  
7 called.

8 We will take speakers in the order that I  
9 receive the speaker cards. Everyone will be given three  
10 minutes to speak to make sure that everyone has the  
11 opportunity to speak. It's a big group here tonight.

12 After all the speakers have given their  
13 comments, assuming there's time, I will provide  
14 individuals with an additional three minutes to continue  
15 their remarks if they'd like to speak further.

16 With that said, a public forum, such as this  
17 one, is not the best forum for the very lengthy  
18 comments, just due to the constraints of time that we  
19 have.

20 If you have a lengthy comment, we encourage  
21 you to submit that comment in writing. All comments  
22 will receive equal weight, whether they are spoken or  
23 written.

24 We have a stenographer here that will record  
25 your spoken comments word-for-word so that they can be

1 considered fully as comments on the record.

2           With that said, please restate your name for  
3 the record before you give your comments, and please  
4 speak as clearly as possible so that the stenographer  
5 can understand and accurately document your words.

6           And please understand that the purpose of  
7 tonight's hearing is not to have a question-and-answer  
8 session or a debate of any kind. We will not respond to  
9 any questions or engage in any debate.

10           We're here to listen to your comments and  
11 make sure that all of your comments are carefully  
12 considered and -- the comments that are spoken and the  
13 written comments that we receive.

14           All substantive comments will be responded to  
15 in the final EIS, which will also be made available for  
16 public review, just like the Draft EIS was made  
17 available.

18           Now, I've asked our AES consultant to provide  
19 a brief power-point presentation on the proposed action,  
20 the purpose and need for the proposed action, the  
21 alternatives that are in the EIS, and the EIS process.

22           But, first, I'd like to ask everyone to  
23 please turn off your cell phones or put them on silent  
24 mode. Thank you very much.

25           Ryan.

1 MS. LEE: Would it be possible for somebody to dim  
2 the lights so that the presentation can be seen?

3 Good evening, everyone. I'm Ryan Lee with  
4 Analytical Environmental Services. As Chad mentioned,  
5 I'm going to give a brief presentation on the Draft  
6 Environmental Impact Study prepared for the Los Coyotes  
7 fee-to-trust and casino/hotel project prior to the BIA  
8 opening the hearing for public comments.

9 AUDIENCE MEMBERS: We can't hear you.

10 MS. LEE: Okay. I'll speak a little louder.

11 Okay. As outlined in this slide, the EIS  
12 process was initiated with publication of the Notice of  
13 Intent in the Federal Register on April 19th, 2006,  
14 which initiated a 30-day public comment period where  
15 interested parties were invited to provide input on the  
16 scope of analysis and alternatives to be analyzed within  
17 the Environmental Impact Statement.

18 A report summarizing the results of the  
19 scoping process was published in May of 2006.

20 On May 19, 2008, the BIA issued Notice of  
21 Cancellation for the EIS, followed by a Notice of  
22 Resumption for the tribe's renewed application of June  
23 2008.

24 The Draft EIS, which is the subject of  
25 today's public hearing, was published on July 1st, 2011,



1 initiating the 75-day comment period that will close on  
2 September 14th.

3           Following the public comment period, the BIA  
4 will prepare a Final EIS, which will include responses  
5 to comments received during the Draft EIS review period.

6           And the final step in the NEPA process will  
7 be the BIA's issuance of a Record of Decision outlining  
8 the Agency's decision on the proposed action.

9           The purpose and need for the proposed action  
10 analyzed within the Draft Environmental Impact Statement  
11 is to implement the goals of Federal Indian Policy as  
12 stated in the Indian Gaming Regulatory Act to promote  
13 tribal economic development, tribal self-sufficiency,  
14 and strong tribal government; to provide employment  
15 opportunities for tribal members and the non-tribal  
16 community; to reduce dependence of the tribe on Federal  
17 and State grants and economic assistance; and to provide  
18 the tribe with a long-term viable and sustainable  
19 revenue base.

20           As shown in this slide, the proposed  
21 fee-to-trust site is located in the city of Barstow, in  
22 San Bernardino County, just east of Interstate 15.

23           The site is bordered on the north by vacant  
24 land and land located south of Mercantile Way, on the  
25 west by Lenwood Road, a commercial development, on the

1 south by vacant land, and on the east by the Stoddard  
2 Valley Off-Highway Vehicle Area, under the jurisdiction  
3 of the Bureau of Land Management.

4 Five alternatives were evaluated within the  
5 EIS. These alternatives were selected based on  
6 consideration of the purpose and need, the  
7 recommendations of the commentators during the scoping  
8 process, and opportunities for potentially reducing the  
9 environmental effects.

10 Alternative A consists of the development of  
11 the 23.1 acre Barstow site -- excuse me -- consists of  
12 the transfer of 23.1 acre Barstow site into Federal  
13 trust for the benefit of the tribe, a two-part  
14 secretarial determination that the land is eligible for  
15 gaming, and the subsequent development of a casino/hotel  
16 complex on the site.

17 The casino resort would consist of 377,280  
18 square feet, including restaurant, a 160-room hotel,  
19 pool, spa and administrative areas. Alternative A will  
20 employ approximately 1,309 people.

21 Public utilities and services for  
22 Alternative A will be provided through the Municipal  
23 Service Agreement between the tribe and the City of  
24 Barstow, including the provision of water through the  
25 Golden State Water Company, and wastewater treatment

1 through the City of Barstow wastewater treatment plant.

2           Additionally, the tribe would be required to  
3 enter into a Tribal-State Gaming Compact prior to  
4 operation of the proposed facility, which is expected to  
5 require, at a minimum, compliance with State public  
6 health standards for food and beverage handling,  
7 compliance with Federal air quality, water quality, and  
8 safe drinking water standards, and compliance with  
9 Federal workplace and occupational health and safety  
10 standards.

11           Alternative B, which constitutes the tribe's  
12 proposed project, consists of the same project  
13 components as Alternative A, with a reduced casino/hotel  
14 complex.

15           The reduced casino resort would consist of  
16 261,400 square feet, including restaurants, a  
17 one-hundred-room hotel, pool, spa, and administrative  
18 areas. Alternative B would employ approximately 1,038  
19 people.

20           Provisions of the Municipal Service Agreement  
21 with the City of Barstow and future Tribal-State Compact  
22 would also apply to Alternative B.

23           This slide illustrates the location of the  
24 Los Coyotes Reservation project site analyzed under  
25 Alternatives C and D.

1           Alternative C would consist of the  
2 development of a 25,000-square-foot casino, including  
3 restaurant, lounge, and a snack/gift shop on 19 acres  
4 located within the tribe's existing reservation.

5           Wastewater treatment would be provided  
6 through the construction of an on-site wastewater  
7 treatment plant, and water would be provided through  
8 on-site groundwater wells.

9           This alternative would employ approximately  
10 105 people.

11           Alternative D would consist of the  
12 development of a campground on the same 19-acre site  
13 located within the Los Coyotes reservation. This  
14 alternative would employ approximately eight people.

15           The alternatives were evaluated within the  
16 EIS for the potential to result in direct, indirect or  
17 cumulative effects associated with land resources, water  
18 resources, air quality and greenhouse gases, biological  
19 resources, cultural resources, socioeconomic conditions,  
20 transportation and circulation, land use, public  
21 services, noise, hazardous materials, and aesthetics.

22           Mitigation measures were recommended to  
23 reduce any potentially significant environmental effects  
24 to less than significant.

25           The next steps in the NEPA process for the

1 proposed project are to review and analyze comments  
2 submitted during the Draft EIS comment period, which  
3 closes on September 14th; prepare responses to  
4 substantive comments and incorporate changes to the EIS  
5 made in response to comments. Then the BIA will select  
6 a preferred alternative and issue the Final EIS.

7           Following the minimum 30-day waiting period,  
8 the BIA will issue a recommended decision on the  
9 project.

10           And, with that, I want to turn the hearing  
11 back over to Chad.

12           MR. BROUSSARD: Okay. Thank you, Ryan.

13           Now the Los Coyotes spokesperson, Shane  
14 Chaperosa, is going to give an introductory statement  
15 and comment.

16           Spokesperson Chaperosa. **Public Hearing PH1**

17           MR. CHAPEROSA: Hello, my name is Shane Chaperosa,  
18 tribal spokesperson for the Los Coyotes Band of Cahuilla  
19 and Cupeno Indians.

20           I have with me today more than 40 members of  
21 our tribe, including seven members of our tribal  
22 counsel.

23           On behalf of our entire tribe, we would like  
24 to thank the Bureau of Indians Affairs for all the work  
25 they have done on our fee-to-trust application and the

1 Environmental Impact Statement.

2 We would also like to thank Barstow Community  
3 College for the hosting of this event, and we would like  
4 to especially thank the citizens of the community of  
5 Barstow for coming out tonight.

6 For ten years you have made us feel welcome  
7 and wanted. We have reached this point as partners, and  
8 we will be successful together as partners.

9 In 1899 -- just one moment.

10 Our history goes back centuries. The  
11 Los Coyotes Band are descendents of the Cahuilla and  
12 Cupeno Indians. The two tribes once lived in villages  
13 near the hot springs that are close to our current  
14 reservation.

15 Both tribes have historical ties to the High  
16 Desert area where we are today. Our ancestors were  
17 located directly south of Barstow and married, traded  
18 and hunted with members of the local tribes.

19 The picture on the screen is of our former  
20 tribal spokesperson, Catherine Siva Sauble. She is  
21 recognized as an expert in tribal history and has been  
22 appointed to the State of California Heritage Commission  
23 by the last four governors.

24 If she would have been able to make it here  
25 today, she -- she could tell you, in much greater

14

PH1-1  
cont.

1 detail, about the history of our tribe and just about  
2 any other California tribe, as well. But in her  
3 absence, I will try to touch the highlights.

4 In 1889, land was set aside for our tribe's  
5 reservation by Executive Order. Our official  
6 reservation was established in 1900. The Federal  
7 government added additional land from the Cleveland  
8 National Forest in 1914.

9 Today, our reservation is over 25,000 acres  
10 in the northeast corner of San Diego County, sitting on  
11 top of a mountain.

12 Our reservation is landlocked, bordering the  
13 Cleveland National Forest and the Anza-Borrego Desert  
14 State Park on three sides and unincorporated land on the  
15 other.

16 Except for a few graded roads and homes, most  
17 of our reservation remains a rugged land, much like it  
18 looked a hundred years ago.

19 Because of its remote location and difficult  
20 terrain, the land is under- -- the land is  
21 underdeveloped or not developed at all. It provides  
22 habitat to numerous rare and endangered species.

23 In fact, the Anza-Borrego Park located next  
24 to the reservation is critical habitat for the  
25 Peninsular Bighorn Sheep.

PH1-1  
cont.

1           The variety of -- the variety of birds,  
2 mammals, reptiles located on the reservation is of  
3 primary importance to the biodiversity of the region.

4           Our tribe currently has 328 enrolled members,  
5 but only 82 of them, about 25 percent, live on the  
6 reservation.

7           Years ago, many of our tribal members made a  
8 living working as farmhands and ranch-hands, but those  
9 jobs disappeared. And since the 1950s, most of our  
10 tribal members have moved to surrounding communities to  
11 find work and build their homes.

12           The family pictured here is our former tribal  
13 spokesperson Francine Kupsch, her husband, their three  
14 kids, and their dog. They lived on -- they lived in an  
15 eight-foot-by-twelve-foot trailer on the reservation  
16 without electricity, heated by a kerosene heater and  
17 using oil lamps for light up until 1999.

18           Our infrastructure on our reservation is  
19 aging or virtually nonexistent. Electricity was just  
20 brought to the edge of the reservation 12 years ago in  
21 1999.

22           However, the vast majority of land does not  
23 have access to it, and our tribe cannot afford to move  
24 it further into our reservation land.

25           Our water delivery system is old and



1 inadequate to provide water to the existing homes. Our  
2 wastewater disposal infrastructure is virtually  
3 nonexistent.

4 As a result, the living conditions on the  
5 reservation are substandard, at best.

6 The 2000 census showed only two homes on the  
7 reservation using electricity to provide heat.

8 Sixty-eight percent use wood to heat their homes.

9 Eighteen percent of the homes were without kitchen or  
10 plumbing. More than 22 percent have no phone service.

11 Forty-five percent of the homes were mobile.

12 The census also showed that more than  
13 50 percent of our members living on the reservation over  
14 25 years of age did not finish high school.

15 Our reservation is a special place; but the  
16 rugged terrain, the remote location and the  
17 environmental sensitivity of the land makes it a  
18 difficult place to live and an impossible place for  
19 meaningful economic development to provide for our  
20 tribal members. We have been left no choice but to  
21 pursue economic development off the reservation.

22 The need for tribal economy development is  
23 overwhelming. The goal of our tribe is to be  
24 self-sufficient, without having to rely almost solely on  
25 government assistance.

1           We want to develop our reservation to allow  
2 members to come home, while also preserving the natural  
3 habitat of the land.

4           Our reservation is in dire need of a new  
5 water delivery system, waste disposal system, housing,  
6 passable roads and bringing electricity to more areas of  
7 our reservation.

8           Our members are also in great need of jobs,  
9 better healthcare, more educational opportunities,  
10 career training, and funding for programs that will  
11 allow the tribe to preserve our culture for future  
12 generations.

13           Without a major economic development project,  
14 we see very little chance of accomplishing any of these  
15 goals.

16           In 2001, our tribe began to look for  
17 potential locations for an off-reservation casino  
18 development. We did not want to locate in a place that  
19 would be within another fellow tribe's homeland.

20           We also wanted to find a location that did  
21 not infringe on another tribe's current casino  
22 operations, and we wanted a location close enough to  
23 allow our tribal members to work at the casino.

24           In 2001, we first met with the City of  
25 Barstow at a time when they were looking for a potential

PH1-1  
cont.

1 casino development to help their economic situation.

2 In 2002, we began working together to explore  
3 the possibilities.

4 The Los Coyotes worked with the City --  
5 worked with the City to select a location that would be  
6 beneficial to the casino development project, while at  
7 the same time providing the City with the maximum  
8 spinoff economic activity.

9 Barstow's location on I-15, halfway between  
10 Los Angeles and Las Vegas, provided the tribe with a  
11 perfect location to capture business from the millions  
12 of cars traveling along the highway en route to --  
13 en route to or from a gaming destination.

14 Our economic study shows that 82 percent of  
15 the revenue at the casino would come from outside the  
16 local community.

17 The location would also allow tribal members  
18 to commute to the casino to work, as more than half of  
19 our adult members live with a daily commute-able  
20 distance.

21 The 23-acre parcel on Lenwood Road is in a  
22 commercial development section of the City that is far  
23 from any residential homes, schools, or churches.

24 The tribal casino would generate economic  
25 activity that would benefit other area businesses, and

PH1-1  
cont.

1 Los Coyotes and the City of Barstow.

2 In 2004, the Los Coyotes and the City of  
3 Barstow signed a historical Municipal Services Agreement  
4 that was amended in 2006 and passed -- and passed  
5 unanimously by the Barstow City Council.

6 The City of Barstow will go over the details  
7 of that agreement in the next presentation.

8 That -- that agreement serves as the  
9 foundation for our partnership with the community of  
10 Barstow.

11 In 2006, we filed our application to have the  
12 Federal government take the Barstow land into trust.

13 Besides conducting an Environmental Impact  
14 Study on the proposed development, BIA must also decide  
15 whether the development meets the two-part determination  
16 test that the project will be in the best interest of  
17 our tribe and not detrimental to the local community,  
18 before it will take the land into trust for gaming.

19 We hope the information that you hear tonight  
20 from our tribe and the good citizens of Barstow will  
21 answer that question without a doubt.

22 On behalf of all the members of the  
23 Los Coyotes Band, thank you again for the work you have  
24 done on this important application to allow our tribe to  
25 take land into trust in the City of Barstow.

PH1-1  
cont.

1           And thank you very -- and thank you for the  
2 work you will be doing over the next year to finalize  
3 the application to allow this project to move forward.

4           Thank you.

5           MR. BROUSSARD: Thank you, Spokesperson Chaperosa.

6           Could we get the lights back up, please.

7           Thank you.

8           Now we'll proceed with the public comments.

9           Remember that all comments will be limited to  
10 three minutes. We have a time system here. It's a  
11 digital timer that you will be able to see when you come  
12 up to the podium.

13           The light will be green when you start  
14 speaking. It will start flashing green when you have  
15 one minute left. It will turn yellow when there's  
16 30 seconds left. And then it will turn red, and there  
17 will be a little beep when your time is up. And we ask  
18 you to please wrap up at that point.

19           Please remember to state your name before  
20 speaking and speak as clearly as possible.

21           Also, just a few ground rules and -- and  
22 suggestions. First, summarize your main points within  
23 your three-minute public comment period. Be as specific  
24 as you can. Only substantive comments will be responded  
25 to in the Final EIS.

1           In other words, if you say that you don't  
2 like the analysis in the EIS but you give no specific  
3 rationale, there will be very little that we can review  
4 and respond to at that point. So please be as specific  
5 as you can.

6           Avoid personal attacks. We understand that  
7 there may be strong feelings pro and con regarding the  
8 project. The best opportunity to state your views  
9 convincingly is with a brief and factual presentation.  
10 Personal attacks will not be tolerated at this hearing.

11           With that said, it's okay to disagree with  
12 one another. The key is to do it in a manner of mutual  
13 respect.

14           I will require that no -- you do not make any  
15 noises that would distract from the stenographer's  
16 ability to accurately record the comments.

17           If I can't hear a speaker's comments because  
18 of, you know, sidebar conversations or other  
19 disturbances in the auditorium, such as booing and  
20 clapping, I will stop the hearing until order is  
21 restored.

22           I will require that you address this table  
23 and address the BIA with your comments so that I can  
24 hear what you're saying and so that the stenographer can  
25 accurately record your words.

1           If you do not address -- address us directly,  
2 I will ask the stenographer to stop recording and  
3 request that you move to the next speaker.

4           This hearing is not a referendum. We're not  
5 here to count the number of people for or against the  
6 project.

7           The purpose of the hearing is to collect  
8 comments on the adequacy and the scope of the Draft EIS.

9           And all comments will be considered equally  
10 no matter how many times they're made. So please limit  
11 the substance of your comments accordingly. And if  
12 someone ahead of you has already made your point, there  
13 is no need to repeat it.

14           So, as a courtesy to our elected officials in  
15 the audience that would like to speak, we are providing  
16 you with the first opportunity to come forward and  
17 provide comments.

18           And I'm going to call the first three  
19 speakers up. We have the front row reserved, so,  
20 please, if your name is called, come and sit in the  
21 front row until it's time for you to speak.

22           So the first three will be Mayor Joe Gomez,  
23 Mayor Pro Tem Julie McIntry, and Council Member Tim  
24 Silva. Please come to the front, please.

25           And, Mayor Gomez, feel free.

1 Thank you.

**Public Hearing PH2**

2 MR. GOMEZ: Good evening. My name is Joe Gomez,  
3 mayor of Barstow. I'd like to welcome you to Barstow.

4 It gives me great pleasure to speak on behalf  
5 of the City Council in full support of Los Coyotes  
6 tribe's pursuit for Indian gaming here in the City of  
7 Barstow, as evidenced by the Municipal Service Agreement  
8 with Los Coyotes.

9 One purpose of the Indian Gaming Regulatory  
10 Act was to provide operation of gaming to promote  
11 economic development, self-sufficiency, strong tribal  
12 government.

13 Los Coyotes tribe is one of the less  
14 fortunate tribes in the United States. Today, there  
15 still is no development on the Los Coyotes reservation.

16 Our administration has been talking about  
17 economic stimulus for the past two and a half years.  
18 The Barstow casino resort will be the catalyst that will  
19 stimulate our local economy.

20 We have 47 percent of our residents on some  
21 type of public assistance. That's the highest  
22 percentage in the county. Seventeen percent of our  
23 citizens are unemployed. Twenty-three percent of our  
24 population is below poverty level.

25 Indian gaming will affect the immediate



1 welfare and future prosperity of each and every one of  
2 us, with \$160 dollars in construction, over 800 jobs,  
3 260 indirect or induced jobs, and with the 4.3 net  
4 earnings of an estimated four -- or seven million  
5 dollars to the City's general fund.

6           The Barstow casino resort will be miles away  
7 from the schools, churches, homes, and parks. Located  
8 near the Tanger Outlets, the casino resort keeps traffic  
9 out of residential communities and protects our  
10 environment.

11           We have confidence that this project will  
12 have a positive impact to the City of Barstow.

13           In closing, we ask for your support to ensure  
14 that the Los Coyotes tribe has the same economic  
15 advantage, like many of the fortunate tribes which are  
16 benefiting from Indian gaming.

17           They deserve it. They have earned the right  
18 to be self-sufficient and have a strong tribal  
19 government now and for future generations ahead. We are  
20 working together to shape our future.

21           I want to thank you.

22           MR. BROUSSARD: Thank you.

23           Julie McIntyre.

**Public Hearing PH3**

24           MS. MC INTYRE: Thank you on behalf of the -- the  
25 citizens of Barstow and to the people of the surrounding

PH2-1  
cont.

PH3-1

1 areas.

2 Let me continue on that. Not only do we  
3 support it as a council, but, personally, I support  
4 this.

5 I work and I live in this community. I was  
6 born and raised -- I support this community  
7 wholeheartedly.

8 I mean, not only with the Municipal Service  
9 Agreement, the -- the lives that it will protect -- it  
10 will coincide with the Municipal Code of Barstow.

11 It will also -- the project will be  
12 consistent with the policies and the purpose of the  
13 California Environmental Equality Act. It will also  
14 provide much needed job access. It will provide the  
15 revenue for also police and fire.

16 There's not a lot in Barstow at the moment  
17 for growth. I believe this is one project that will  
18 stimulate that; that will also bring future jobs, future  
19 economic stimulus, and this is needed in Barstow, our  
20 citizens are in favor of this.

21 And with -- with that, I thank you. I would  
22 like to most wholeheartedly thank the Los Coyotes. We  
23 have been working with them for over ten years, and they  
24 truly will be good partners and neighbors to this  
25 community.

1 Thank you.

**Public Hearing PH4**

2 MR. BROUSSARD: Thank you.

3 MR. SILVA: Yes. Thank you. Welcome to Barstow.

4 All right. Again, I haven't finished  
5 reviewing the entire EIS, and I don't know that I will  
6 in the near future.

7 But, you know, reviewing it in the past, I  
8 know there's a lot of repetition in there. And we look  
9 at how it's going to affect us.

10 And I'd like to touch on economics. And I  
11 know it's been mentioned regarding the 47 percent  
12 government assistance. There's an economy part about  
13 that, yet, that we don't talk about, and that's not new.  
14 That was consistent during the good times, too. Barstow  
15 did not boom in what we call "the good times."

16 We are consistently staying in that high  
17 40 percent of government assistance, and this will  
18 definitely help that out.

19 And it will tap in, basically, what I  
20 consider Barstow's natural resource, our location. And  
21 we have been prevented now from tapping into that for  
22 ten years, to -- to use our location to help, not just  
23 our City, but our friends with the Los Coyotes.

24 There's an Environmental Impact Report. I'm  
25 sure we're going to look at how we're going to handle

27

PH4-1

1 that. We handle that traffic already. The traffic goes  
2 through here, takes money to our neighboring state,  
3 Nevada. And what we're looking at here is not  
4 increasing traffic, but stopping it here, keeping our  
5 tax-payer dollars in California.

6 There are no schools, no churches, no housing  
7 in the area we've selected. It's perfect for this type  
8 of commercial endeavor. And it's fully supported by the  
9 citizens of Barstow.

10 And, about four years ago, there was a  
11 measure that would have stopped this project, and that  
12 measure, Measure H, was defeated by 81 percent vote of  
13 the citizens of Barstow in an above-average turnout  
14 election.

15 Thank you for your time.

16 MR. BROUSSARD: Thank you.

17 The next three speakers will be Council  
18 Member Tim Saenz, Counsel Member Willie Hailey, and  
19 Chairman Morris Reid.

20 And, just as a reminder, please restate your  
21 name for the record before giving your comments.

22 So Tim Saenz.

23 MR. SAENZ: Yes.

**Public Hearing PH5**

24 Good evening. Tim Saenz of Barstow.

25 I -- I think this is a great opportunity, not  
28

PH4-1  
cont.

PH5-1

1 just for Barstow, but also the tribe. We -- we are on  
2 the cusp of something that's going to change Barstow,  
3 being a lifetime Barstow-nian, as well as for the tribe.

4 Reading the IGRA requirements, the two-part  
5 determination, this fits perfectly.

6 Reading and having reviewed the EIS, I'm  
7 fully supportive of it. And I just push upon you to  
8 take back how this is going to change not just the City  
9 of Barstow, but Los Coyotes -- the opportunities it's  
10 going to give them for self-sufficiency and also the  
11 economic benefits it will bring to the City.

12 Thank you.

13 MR. BROUSSARD: Thank you.

14 Willie Hailey.

## Public Hearing PH6

15 MR. HAILEY: Good evening. I'm Council Member  
16 Willie Hailey. Thank you for coming here to hear our  
17 concerns.

18 You know, as an elected official, sometimes  
19 we get confused about what we serve and who we serve.  
20 And, as an elected official, we need to remember that we  
21 serve our community.

22 When I first got elected, you know, you have  
23 high ideas about what you want to do, what you  
24 accomplish. And there's one thing in this community  
25 that the community of Barstow wants. This community

1 wants to succeed.

2           And how I feel, as an elected official, the  
3 community wants this -- wants this casino. It's as  
4 plain and simple as that. And, if the community wants  
5 it, I want it.

6           And if you look at all the laws that the  
7 casino has met for the last ten years, all the drafting,  
8 everything that went on for ten years, it's time that we  
9 stop the paperwork and start moving this casino forward.

10           You've got ten years. That's long enough.  
11 And I think everything has been met. Even more  
12 importantly, that the casino -- that the people of  
13 Barstow want the community (sic), the Los Coyotes want  
14 us. And you know what? We want them. Because we're in  
15 the same economic status that they are.

16           We have -- our unemployment rate is the  
17 highest in the county. We have -- we have two groups of  
18 people who want each other. So don't divide us. Don't  
19 divide us any further. Don't take us down the road ten  
20 more years. Approve this agreement and let's move on.

21           MR. BROUSSARD: Thank you.

22           Chairman Morris Reid.

23           MR. REID: Thank you.

**Public Hearing PH7**

24           My name is Morris Reid. I'm a tribal council  
25 member of the Picayune Rancheria of the Chukchansi

30

PH6-1  
cont.

PH7-1

1 Indians. We thank you for inviting us here.

2 We are today -- we are here today to express  
3 our strong opposition to the current interpretation of  
4 the two-part determination and are in strong opposition  
5 to this off-site, off-reservation gaming project of the  
6 Los Coyotes Indian casino here in Barstow, California,  
7 hundreds of miles from the actual Coyotes reservation  
8 and completely off of historical lands of this tribe.

9 The Picayune Rancheria does not propose  
10 fee-to-trust acquisition for gaming, as said in the  
11 California Proposition 1-A, constitutional -- I lost my  
12 thought here.

13 California Proposition 1-A is a Federal land  
14 legislation -- Proposition 5 and 1-A assured the voters  
15 of California that appropriate -- that approves --  
16 approval of the measure would not result in tribal  
17 gaming being okayed in urban areas, but located in  
18 tribal land.

19 This is also -- this is following rules of  
20 the regulations, and also the same compacts,  
21 establishing gaming on -- by establishing gaming on  
22 tribal lands.

23 Voters of California rejected the expansion  
24 of non-tribal commercial gaming in urban areas by  
25 rejecting Proposition 68.

1 Proposed in the IGRA -- in the IGRA, it's the  
2 understanding that tribal gaming would be conducted  
3 under authority of the tribal union government and  
4 members of the tribal government would benefit through  
5 the job, and jobs and opportunities that would result  
6 from the tribal casino operations.

7 They -- today oversight by the Los Coyotes  
8 tribe of the casino operations regulations would be  
9 negligible, and most likely non-existent, if -- if -- it  
10 would be -- in reality, it would be a commercial gaming  
11 operation done by non-gaming tribal members and operated  
12 by out-of-state gaming investors by the Los Coyotes  
13 tribal government -- but by Los Coyotes tribal  
14 government.

15 We -- we know that these distances are very  
16 far from their original rancherias and reservations.  
17 And these distances would keep tribal members from jobs.

18 If they do move and they do try to get a job  
19 in the operations here, they will have moved from and  
20 away from tribal lands, losing their identity, losing  
21 their cultural traditions.

22 And it just seems to be that this happened a  
23 long time ago, and sometimes it's better not to have  
24 assimilation, and that's what we're looking at here as  
25 opposition.

PH7-1  
cont.

PH7-2



1           Outside that --

2           MR. BROUSSARD: You're time is up, Chairman.

3           MR. REID: Thank you very much. And I look forward  
4 to the next three minutes, if I have them.

5           MR. BROUSSARD: The next three speakers will be  
6 Picayune tribal council member Dora Jones; David  
7 Grossman, and Jose Guzman.

8           Dora Jones.

**Public Hearing PH8**

9           MS. JONES: Good evening. And thank you for giving  
10 me the opportunity the speak here today. I appreciate  
11 the community that's here to give input.

12           But let me remind you, IGRA was made for the  
13 tribal community, made for building infrastructure of  
14 tribes, not non-tribal communities.

15           And having this casino built in Barstow would  
16 not service the tribal community of Los Coyotes. I and  
17 the tribe also wishes all the tribes people to be able  
18 to do some kind of economic development on their  
19 property.

20           Gaming specifically says -- IGRA says gaming  
21 is to be done on the tribal lands. And this community  
22 of Barstow is not tribal lands.

23           Forty-seven percent -- let me tell you, it's  
24 a horrendous number. But what is the unemployment  
25 record for most of the tribes in California? And this

PH7-2  
cont.

PH8-1

1 is where IGRA came through.

2 With the propositions that were passed, we  
3 promised that we would keep gaming on tribal lands.  
4 This City of Barstow, again, is not tribal lands.

5 The City of San Francisco, downtown L.A.,  
6 they are not tribal lands, as depicted in the current  
7 jurisdiction.

8 We have numerous, numerous Federal  
9 legislatures, Congressmen and woman, senators --  
10 California senators are adamantly opposed to  
11 off-reservation gaming.

12 Many of the California legislatures are also  
13 opposed, both California senators and California  
14 Assembly people.

15 Remember, BIA may put this land into trust,  
16 but it's the California legislatures that have to  
17 approve it. Otherwise, we don't go nowhere.

18 So, again, I would like to thank you for your  
19 time. And Picayune will be submitting these documents  
20 in our written comments before the September deadline.

21 And, again, I appreciate the comments of  
22 everyone in this room, and, hopefully, we will have a  
23 just outcome.

24 Thank you.

25 MR. BROUSSARD: Thank you.

PH8-1  
cont.

1 David Grossman.

**Public Hearing PH9**

2 MR. GROSSMAN: Good evening. My name is David  
3 Grossman. I'm a faculty member serving as the interim  
4 dean of construction here at the college.

5 And on behalf of the Board of Trustees and  
6 the president of Barstow College, we welcome all of you  
7 here today.

8 Unfortunately, the members of the Board, the  
9 District president, and many of the college  
10 administrators are unable to be in attendance for this  
11 very important hearing on a topic of immense interest to  
12 the citizens of the greater Barstow area due to a  
13 scheduling conflict with the regularly scheduled meeting  
14 of the Board of Trustees at this time.

15 It is our position that the building of this  
16 proposed casino would greatly enhance the economic  
17 vitality and livability of the region in many ways --  
18 increase opportunities to significantly improve and  
19 promote the region's workforce and economic development.

20 In this endeavor, Barstow Community College  
21 is committed to assist in achieving this vision by  
22 providing educational opportunities that casino workers  
23 and their families need or desire.

24 Further, the college will look to work with  
25 casino management to help train its workforce in order

35

PH9-1

1 to best meet its needs, including, but not limited to,  
2 business, accounting, culinary arts, electronics,  
3 electrical, alternative energy, technology, public  
4 safety, welding, hospitality, gaming or other special --  
5 specially designed or tailored-training programs.

6 In conclusion, we at Barstow Community  
7 College reiterate our support for the Los Coyotes  
8 Barstow casino project and are confident that a  
9 productive and mutually beneficial partnership between  
10 the two entities will be established that will generate  
11 tremendous benefits for the greater Barstow community.

12 Thank you.

13 MR. BROUSSARD: Thank you.

14 Mr. Guzman.

15 MR. GUZMAN: Yes.

**Public Hearing PH10**

16 Good evening. My name is Jose Guzman. I've  
17 been a truck driver for all -- for the rest of my life.  
18 My life, for the last 15 years -- I've been living in  
19 California for the last 15 years.

20 It's been that during that time, I get -- I  
21 get laid off because of the jobs leaving the state of  
22 California.

23 I also work in Arizona, and I've been a truck  
24 driver over there, too, and all the jobs that I used to  
25 deliver to in the state of Arizona -- Arizona -- excuse

PH9-1  
cont.

PH10-1

1 me.

2 I was a truck driver in Arizona. The same  
3 thing, I got laid off. I came back here -- back to  
4 California and up here in Barstow. I've been a truck  
5 driver in Barstow. Also I got laid off too, also.

6 Right now I'm supporting the -- the  
7 Los Coyotes and the casinos for coming back to work.

8 Right now I'm collecting Social Security.  
9 Right now I'm collecting -- our check for Social  
10 Security is (inaudible).

11 I'd like to get -- I'd like to support the  
12 casino so we can get back to work.

13 Thank you.

14 MR. BROUSSARD: Thank you.

15 The next three speakers will be Joseph Brady,  
16 David Solano, and Rubin -- I can't quite make out the  
17 last name --

18 AUDIENCE MEMBER: Arredondo.

19 AUDIENCE MEMBER: Arredondo.

20 MR. BROUSSARD: Yes. Thank you.

21 Joseph Brady.

**Public Hearing PH11**

22 MR. BRADY: Good evening. Welcome to Barstow. My  
23 name is Joseph Brady.

24 With my wife, Deborah K. Brady, we own Bradco  
25 Company in Victorville, and we're also proud to be the

PH10-1  
cont.

PH11-1

1 owners of Barstow Real Estate.

2 Barstow Real Estate Group and the Alliance  
3 Management Group out there in Barstow are heavily and  
4 financially committed to the citizens of the City of  
5 Barstow for the last 20 years. We also built a  
6 subdivision out here in 20 years, Barstow Highlands.

7 I'm also the publisher of the Bradco High  
8 Desert Report, so we track -- we've tracked the economy  
9 of the Barstow area I think longer than anybody.

10 We know we have 36 percent welfare and cash  
11 assistance, very high unemployment. We're close to  
12 26 percent.

13 We drive the -- the neighborhoods out here,  
14 and the people in the real estate industry can hardly  
15 make a living. And when you look at the unemployment  
16 that challenges us, we need this casino.

17 I'm proud to have worked with Mr. Malik and  
18 Mrs. Ilitch in assembling this land six years ago.

19 We need this. This is about jobs. I believe  
20 that this economy has probably got five to seven very  
21 hard years ahead of it, and without this casino, I think  
22 we're going to see another broken promise out here in  
23 Barstow.

24 I want to thank the key tribal member, Shane  
25 Chaperosa, and everybody for coming on out here. This

1 has been a long road.

2           And also I wish to thank Michael Malik and  
3 his team and Tom Shields and Lance. There's a lot of  
4 money that's been spent on this, and -- and the people  
5 of Barstow need this project. This is the one shot in  
6 the arm we really need to have.

7           And I'd like to commend all the speakers that  
8 have talked about how bad this economy is. This town  
9 has had a lot of broken promises in the 23 years I've  
10 been up here.

11           Thank you.

12           MR. BROUSSARD: Thank you.

13           David Solano.

## Public Hearing PH12

14           MR. SOLANO: Good evening. My name is David  
15 Solano. I'm from Barstow, and I've been here since  
16 October of '84.

17           I would just like to say that I'm amazed at  
18 how many people showed up for this tonight. I was -- I  
19 had been to one before, but I was kind of expecting  
20 50 folks, maybe.

21           Okay. I'll make up for the guy that went  
22 over on his time, because I don't have a whole lot to  
23 say that hasn't already been said.

24           On the positive side, maybe you haven't  
25 thought about this for -- being a win-win situation as

1 far as revenue. But there's four races -- off-road  
2 races in Barstow a year. And with the locations of the  
3 casino, those folks are going to be very interested in  
4 coming down to the casino and spending their money. So  
5 it's a matter of revenue for the Indian tribes. It's a  
6 matter of revenue for the City, so it's nothing but a  
7 win-win.

8 I was hoping to be able to speak later on  
9 because I wanted to kind of get a flavor for what all  
10 was going to be presented.

11 You know, I know there's a lot of folks here  
12 that are on the positive side. But there's got to be a  
13 number of folks that are going to speak on the con side,  
14 too.

15 And there's processes that can take place.  
16 I'm certain that there's a project management section  
17 within the City of Barstow. They'll assign a project  
18 manager to proceed with this, to kind of work through  
19 the issues and constraints. You know, do the gap  
20 analysis and your risk assessment or your risk  
21 mitigation to get where you need to go, go from current  
22 state to future state.

23 Everything else that I was going to say has  
24 been said, so that's all I have to offer.

25 MR. BROUSSARD: Thank you.



1 Ruben.

**Public Hearing PH13**

2 MR. ARREDONDO: Good evening. I'm Ruben Arredondo,  
3 a long-time resident of Barstow.

4 And everybody's been talking about it, and  
5 it's very obvious that we're in a declining -- our  
6 economy is in sorry condition. And we have between  
7 16 and 17 percent unemployment. And a lot of figures  
8 have already been given out.

9 I think the casino will do a great amount of  
10 good things for this community. This community has been  
11 in a tailspin for a number of years.

12 And it was at one time -- we were a railroad  
13 center and one of the busiest highway junctions in the  
14 West Coast. We've had a lot of promises here, but we  
15 haven't had any delivered to us.

16 One of the things we've lost here -- nobody  
17 talks about it -- is we've lost our pride and dignity.  
18 And I think this casino, Los Coyotes Indian tribe,  
19 BarWest Gaming, will help us bring back our pride and  
20 dignity. This is very important to the people. And I  
21 think most of you realize this.

22 I'm willing to do anything I can to support  
23 this. My daughter is here. My good friends are here.  
24 He's a VFI man. He's a war veteran, as I am. POW --  
25 served in the POW camp in North Korea in the '50s.

1           And I want to say also that I think this  
2 casino would bring prosperity. It will bring new  
3 businesses. It will bring recreation. It will bring  
4 doctors, specialists, and it will improve our school  
5 system.

6           Thank you very much.

7           MR. BROUSSARD: Thank you.

8           The next three speakers will be Harvey  
9 Walker, Charles Wood, and Mariano Rios.

10          Mr. Walker.

**Public Hearing PH14**

11          MR. WALKER: Thank you.

12                 My name is Harvey Walker. I'm a resident of  
13 Barstow.

14                 Good evening. And I thank you for allowing  
15 me to make a few short comments.

16                 I have read all 444 pages over the past three  
17 weeks of the EIS. I have found nothing in the Draft EIS  
18 which would prevent the project from not going to its  
19 successful completion.

20                 Four years ago I wrote letters to all  
21 politicians representing the City, County, State, and  
22 Federal. I stated, let's keep California dollars in  
23 California, and thereby keeping the associated taxes  
24 here to aid the City, County, and State. Some listened.  
25 Some didn't.

PH13-1  
cont.

PH14-1

1           An important mistake to those who didn't heed  
2 good advice. The tribe needs the revenue. This  
3 government needs the revenue.

PH14-1  
cont.

4           Some parts of the EIS are dated and I assume  
5 will be corrected prior to its final publication.

6           Road infrastructure. I was concerned about  
7 the access and egress to the project, and have since  
8 learned that CalTrans is planning an interchange about  
9 one mile south on Outlet Center Drive to connect to  
10 I-15, if the project is approved.

PH14-2

11           Utilities and sewer. It appears the City,  
12 Southwest Gas, Southern Cal Edison, and Golden State  
13 Water are planning to expand south on Outlet Center  
14 Drive to accommodate future facilities that will be  
15 built to support the visitors to the project.

PH14-3

16           The utility upgrades and additions are not  
17 completely mentioned and may be beyond the scope of this  
18 Draft EIS.

19           I have watched the ebb and flow of the  
20 economy of Barstow for the past 30 years. Lately, the  
21 ebb has been greater than the flow.

22           For the good of the entire Barstow area and  
23 its severe influence, a positive outcome in future  
24 project approval would be most welcome.

PH14-4

25           In the words of Larry the Cable Guy, "Git 'er  
43

PH14-4  
cont.

1 done."

2 MR. BROUSSARD: Thank you.

3 Charles Wood.

4 MR. WOOD: Thank you.

**Public Hearing PH15**

5 I'm Charles Wood, chairman of the Chemehuevi  
6 Indian Tribe.

7 And, first, I'd like to say that the tribe  
8 supports Indian gaming in Barstow. However, I'd like to  
9 first go back to the 2006 scoping report, one that  
10 reminds us of several unanswered concerns at that time,  
11 specifically mentioned in the Section 3.2.18, "Tribal  
12 Issues."

13 "Will Indian gaming be allowed only on  
14 ancestral lands?"

15 "Do the Los Coyotes have an ancestral  
16 connection to Barstow?"

PH15-1

17 There's a profound opposition to reservation  
18 shopping. The developer went tribe shopping, and, as  
19 the project was initiated by the developer, they will be  
20 taking 30 percent of the profit.

21 Five years later, these are still major  
22 concerns that must be answered.

23 To address the concerns about the developer,  
24 the Indian proposal and that Barstow -- BarWest went  
25 tribe shopping, one need only to look at the exclusive

1 negotiation agreement with the City that made BarWest  
2 the only developer that could build the casino.

3           You need to look at the disposition of the  
4 development agreement. Again, an agreement that made  
5 BarWest the only developer in Barstow.

6           And, third, the original sign that was  
7 erected on April 1st, 2005, by BarWest, that never  
8 mentioned the tribe at all, only that BarWest would be  
9 the developer.

10           On October 7th, 1988, the Indian Gaming  
11 Regulatory Act was signed into law by then-President  
12 Ronald Reagan.

13           Soon concerns about the proliferation of  
14 off-reservation gaming started to become a national  
15 issue. That fear continues today.

16           Indeed, on April 8th, 2011, Senator Feinstein  
17 introduced the Tribal Gaming Eligibility Act that would  
18 require tribes to have an ancestral and historical tie  
19 to the community where they wish to build their gaming  
20 projects.

21           The underlying concern, of course, is that  
22 tribes with no ancestral ties will try to establish  
23 sovereign authority over lands to which they have no  
24 legal or cultural rights.

25           In the case of Los Coyotes, they are

PH15-1  
cont.

PH15-2

1 attempting to jump over one half of San Diego County,  
2 the complete county of Riverside, and one half of the  
3 county of San Bernardino just to reach Barstow.

4 In addition, they are attempting to leap  
5 over -- to leapfrog over ten other reservations that  
6 stand between them and Barstow.

7 We, the Chemehuevi, believe that tribes  
8 should remain in their ancestral and historical  
9 homelands and within the county they presently occupy.

10 I've run out of time. I hope to speak, too,  
11 later.

12 But very quickly to summarize, and I'll take  
13 my time later, as well, we oppose any fee-to-trust  
14 transfer of land in the City of Barstow, San Bernardino  
15 County to the San Diego County based Los Coyotes Band of  
16 Cahuilla and Cupeno Indians who lack any ancestral or  
17 historical connections to the Barstow community.

18 Thank you.

19 MR. BROUSSARD: Thank you.

20 Mariano Rios.

**Public Hearing PH16**

21 MR. RIOS: Hi.

22 Can you hear me all right?

23 AUDIENCE MEMBERS: Yes.

24 MR. RIOS: My name is Rios -- Mariano Rios. "Rios"  
25 stands for "rivers" in English.

PH15-2  
cont.

PH16-1

1 I want to thank you for letting me advocate  
2 my comments on this beautiful day, summertime.

3 First of all, I've been in Barstow since  
4 1960, and I used to be on the City of Barstow back in  
5 the '70s, next to my -- for landowners.

6 And I'd sure like to see and like to hear  
7 reality for the three tribes which is Cahuilla, Cupeno,  
8 and -- what's the other one? -- Coyote.

9 All right. So I'd like to say, we had a good  
10 turnout. Thank you. I'd sure like to -- I'd sure like  
11 to see the casino become a reality. For our citizens,  
12 it's a -- it's time for entertainment for whatever years  
13 we have left.

14 I'm 80 years old, and I feel like 35. No.  
15 No.

16 I want to thank you very much for letting me  
17 speak. Thank you.

18 MR. BROUSSARD: Thank you.

19 The next three speakers are Jeanne Wist --  
20 Wist -- I may have butchered that badly -- Bette Moses,  
21 and Nancy Dipman.

22 Jeanne Wist, Bette Moses, and Nancy Dipman.

23 Ms. Wist.

**Public Hearing PH17**

24 MS. WIST: I'll have you know this is the first  
25 time anyone has pronounced my name almost right. So I

PH16-1  
cont.

PH17-1

1 knew that you wouldn't pronounce it right, so I was  
2 going to sit in my seat and ignore you. But you had to  
3 pronounce it right.

4 Okay. My name is Jeanne Wist. I'm a  
5 resident of California at Barstow.

6 And I was going to ask a question, but you  
7 eliminated that from the beginning, so all I'll say is,  
8 we've had some really good speakers here. And I really,  
9 really hope that casino goes in because it will be a  
10 boost for Barstow.

11 Thank you.

12 MR. BROUSSARD: Thank you.

13 I should say, it's okay to ask questions. We  
14 just won't provide answers at this hearing, so if you  
15 want to ask questions, it will be in the record, and  
16 then, if it's a substantive question, a response will be  
17 provided in the final document.

18 Bette Moses.

### Public Hearing PH18

19 MS. MOSES: Thank you. Welcome to Barstow.

20 I've been here since 2004. I came from the  
21 Southland. But, anyway, there's several things I'd like  
22 to comment on.

23 I've been a firm advocate of the casino, and  
24 let me say also that I think that the single casino is  
25 much better than having the two casinos. This allows

48

PH17-1  
cont.

PH18-1



1 for only 100 hotel rooms in the casino -- I mean, in the  
2 hotel. That means no problems for filling Hampton Inn,  
3 Holiday Inn Suites, and the other surrounding hotels,  
4 because those are plenty of rooms for everybody.

5 A fact that -- I was devastated when the  
6 Los Coyotes reservation was in the fire. I think that  
7 is horrendous. It was only saved by a wind change.  
8 They deserve to be where they're safe. We have a fire  
9 department here, so we know that they'll be safe.

10 I, too, went through the EIR thing, too, for  
11 several pages and pages and pages. And I saw nothing  
12 either that would . . .

13 The gambling here in California will save  
14 money in California, rather than sending it to Nevada.  
15 So I think that is a good thing also.

16 But most of all, I'm so concerned about the  
17 tribe. I've met many of them, and they're such  
18 wonderful people. They deserve more than they got.  
19 They've had a horrible life, and Mother Maria is just a  
20 wonderful person. I'm so sorry she's not here.

21 But I hope that this happens. We need the  
22 jobs. I'm a full-time student here, as well, at 87.

23 And I expect to be around for a long time  
24 more, and I want to see this happen.

25 Thank you for your time.

1 MR. BROUSSARD: Thank you.

2 Nancy -- Nancy Dipman. Nancy Dipman.

3 Okay. So then the next three speakers will  
4 be Marianne Treese or Treese, Sean Fowler, and Bob  
5 Conaway.

6 Ms. Treese.

**Public Hearing PH19**

7 MS. TREESE: Hi. My name is Marianne Treese. My  
8 husband Jim and I moved to Barstow 49 and a half years  
9 ago.

10 And at that time we had a thriving community.  
11 Over these years, we've taught school for many, many,  
12 many of them. And we've watched everything decline,  
13 just the way you've heard from everybody else who's been  
14 speaking.

15 What I want to say is, we need the casino. I  
16 don't say that because I love to play video poker. I  
17 really -- we really need all of the advantages that the  
18 casino will bring us.

19 And it would be wonderful if people didn't  
20 just pass through Barstow the way they always have for  
21 the past -- forever. It would be nice to have this be a  
22 destination for them.

23 And since Barstow has always been wonderful  
24 to us -- it's a very welcoming community and also has  
25 been -- and we welcome the Los Coyotes here.

50

PH19-1

1 Thank you.

2 MR. BROUSSARD: Thank you.

3 Sean Fowler.

**Public Hearing PH20**

4 MR. FOWLER: Good evening. My name is Sean  
5 Fowler -- I almost knocked this over -- I'm the chief  
6 executive officer for Barstow Community Hospital.

7 Barstow Community Hospital is in full support  
8 of the Los Coyotes Band of Cahuilla and Cupeno Indians  
9 developing an Indian gaming facility in Barstow with  
10 more than 60 percent of our workforce unemployed, many  
11 others underemployed, and estimates as high as  
12 45 percent of the community are on some form of  
13 government aid.

14 This economic development project is crucial  
15 to this community. There will be permanent jobs created  
16 by the casino that are going to come with benefits,  
17 including health insurance.

18 In 2010, as an example, Barstow Community  
19 Hospital provided community members with nearly  
20 \$20 million in charity and uncompensated care.

21 Putting our community members back to work  
22 through a living-wage job with benefits is imperative to  
23 the long-term viability of Barstow Community Hospital,  
24 as well as the local community, especially in times when  
25 we are investing tens of millions of dollars in a new

1 hospital for Barstow.

2 In addition to the economic benefits of this  
3 project, it will provide our community with  
4 recruitment -- with recruitment attraction for new  
5 professionals, physicians and businesses.

6 Barstow Community Hospital has considerable  
7 challenges in recruiting physicians and other  
8 professionals to Barstow because the community is not  
9 what many of them are seeking.

10 This first-class resort will provide some of  
11 those amenities that professionals are seeking, like  
12 entertainment and dining options.

13 In closing, I appreciate the opportunity to  
14 provide you with a few but relative facts of the benefit  
15 that we at Barstow Community Hospital see this casino  
16 resort providing as service to the greater Barstow area.

17 Thank you.

18 MR. BROUSSARD: Bob Conaway. **Public Hearing PH21**

19 MR. CONAWAY: Good evening. I'm Bob Conaway from  
20 Hinkley. I have a business in Barstow.

21 I have a number of comments. Gambling is a  
22 predatory type of industry. It basically goes after and  
23 takes the economy away, in some instances even from the  
24 local economy, from the projection that the Indian  
25 tribal chairman suggested, it would take as much as

52

PH20-1  
cont.

PH21-1

1 15 to 20 percent of the local revenue away from existing  
2 businesses and needs.

PH21-1  
cont.

3 I think that that particularly is a problem  
4 in an economy that is impacted, such as Barstow, with  
5 such a high percentage of people that are on public  
6 assistance. I'm troubled by that. And I think that  
7 leads into the next point that I have.

8 Which is, I'm concerned about the political  
9 impact of a tribe with a relatively small number of  
10 people with no success in developing properties or any  
11 sort of business enterprise, keeping up with an outside  
12 company that's going to take 30 percent of the profit  
13 revenues, and what's that going to do to local  
14 self-determination?

PH21-2

15 In the San Manuel development, \$200,000 was  
16 spent on a college board race by one of the members of  
17 the tribal council. That is historative of what the  
18 normal political equation is in the local community.

19 I am deeply concerned that the economic slide  
20 that's going to take place is going to take place in  
21 terms of who gets elected to offices, whether local  
22 people have a voice, and to what extent these outside  
23 agencies, i.e., BarWest, is going to have in terms of  
24 the economy.

25 More specifically, I'm concerned about road

PH21-3

1 safety. You're going to have a 24/7 operation where  
2 alcohol is served. They're going to be dumping those  
3 people on the streets between here and the BLM land,  
4 where there is recreational driving, and between here  
5 and the freeway, which goes through the areas where our  
6 citizens are involved. I see no mitigation steps being  
7 proposed for this.

8           Finally, if the purpose is of these programs  
9 to get, in fact, tribal leadership to get a strong  
10 tribal government, I submit that there needs to be  
11 something in the report that shows what good-faith  
12 efforts have been made by the tribal using BLM resources  
13 and using BarWest resources to develop their own land.  
14 That is an opportunity that is not even addressed.

15           And I think the report in its current form  
16 and its prior form is sorely in need of addressing.  
17 What efforts have been made to show that their land is  
18 not developable, such as a recreation area, a retreat?  
19 It's a beautiful high mountain area. It's a preserve  
20 for animals. Why could that not be developed into a  
21 resort?

22           I think questions need to be asked and not  
23 simply slide the ball, if you would, over to the  
24 conclusion that, gee whiz, let's make them another  
25 gambling magnate, and Barstow skims in another three or

PH21-3  
cont.

PH21-4

1 four percent of the revenue profits.

2 We need to address the alternatives and  
3 what's good for the tribal government and whether or not  
4 creating this cash windfall is going to be good for even  
5 them.

6 MR. BROUSSARD: Thank you.

7 The next three speakers will be Pastor  
8 Clarence Luckey, Cheryl Wachel, and Glorial Hentrell.

9 Pastor, how do you say your last name?

10 MR. LUCKEY: Luckey.

11 MR. BROUSSARD: Thank you.

12 MR. LUCKEY: Good evening. **Public Hearing PH22**

13 My name is Pastor Clarence Luckey. I'm the  
14 pastor at the AME church here in Barstow, and I'm here  
15 this evening to express my complete support for the  
16 Barstow community resort -- casino resort, primarily  
17 because it will improve the lives of individuals here in  
18 Barstow, but in more ways than one.

19 In particular, the self-esteem of families  
20 who have depended on governmental support for a number  
21 of years. And I believe that, by the construction of  
22 this project, it will assist a lot of individuals in  
23 improving their self-esteem because they'll be able to  
24 support themselves by the sweat of the brow, as the  
25 Bible says.

55

PH21-4  
cont.

PH22-1

1           And not only that, but the children will be  
2 able to look up to their parents because they're out  
3 supporting their family as opposed to sitting and  
4 waiting for someone to give them a handout. And that's  
5 the reason why I'm here to support that project this  
6 evening.

7           Thank you.

8           MR. BROUSSARD: Thank you.

9           Ms. Wachel.

**Public Hearing PH23**

10          MS. WACHEL: Hi. Cheryl Wachel, W-a-c-h-e-l.

11           My husband and I came up from Victorville in  
12 support of this project. I think it will benefit the  
13 entire area, not just Barstow.

14           For one thing, the state of California can  
15 hold on to the revenue that's going to the state of  
16 Nevada at this point.

17           The other thing that I wanted to point out is  
18 that I have visited many Indian gaming casinos, and the  
19 environmental impact of this casino is so much lower  
20 than many others.

21           The Cahuilla Creek Casino in the city -- in  
22 the town of Anza, you drive many, many miles to get to  
23 it. That's an impact on the environment.

24           And so the environmental impact of this  
25 casino is really minimal compared to all the benefits.

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PH22-1  
cont.

PH23-1



1           And I don't want to forget to mention the  
2 fact that the benefit is not just to the City of  
3 Barstow, but to the tribe, who have very little other  
4 resources to give them. It will be a benefit, which  
5 will eventually benefit their environment.

6           Thank you.

7           MR. BROUSSARD: Thank you.

8           Glorial Hentrell.                   **Public Hearing PH24**

9           MS. HENTRELL: My name is Glorial Hentrell. It's  
10 spelled -- Glorial is spelled G-l-o-r-i-a-l, and  
11 Hentrell is H-e-n-t-r-e-l-l.

12           I'm here to support the casino, not only  
13 because it will bring jobs for us, but it will help them  
14 to be able to stand on their own.

15           And I heard the man a few minutes ago talk  
16 about San Manuel. Well, I used to coordinate a bus to  
17 the Indian reservation, to Morongo, when they were  
18 building San Manuel, and there was a discrepancy. They  
19 didn't want it. They fought against it, but the -- the  
20 tribe won. They got this casino.

21           It is a trillion-dollar business now, and the  
22 homes that they did have, nowadays look nothing like  
23 what they did have. If we can help them while helping  
24 ourselves, why not help them.

25           My thing is, they're building a bullet train

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PH23-1  
cont.

PH24-1

1 to go shoot past Barstow to Vegas. Don't let this  
2 casino shoot past Vegas, going to somewhere else,  
3 because we need it. We need dimes, and they need dimes.

4 Barstow, from what I heard from another --  
5 one of the community members that's been here a long  
6 time, Barstow used to be booming. It isn't anymore.

7 And if we don't do something, the way they  
8 described the situation they're in, we're going to wind  
9 up in the same situation, because people are leaving  
10 because there are no jobs and they have no recourse.  
11 And they're losing their properties and everything else.

12 So if we can help them while we help  
13 ourselves, go for it.

14 And God bless us all because we all need it.  
15 Thank you.

16 MR. BROUSSARD: Thank you.

17 The next three speakers are Joe Alberta, Jeff  
18 Eason, and Patricia Ramirez.

**Public Hearing PH25**

19 MR. ALBERTA: Good evening. I'm Joe Alberta,  
20 Picayune Rancheria of the Chukchansi, tribal community  
21 representative.

22 I would like to --

23 MR. BROUSSARD: Mr. Alberta, pull the microphone up  
24 a little. Thank you.

25 MR. ALBERTA: I would like to go with

1 Alternative C, the Los Coyotes building the hotel/casino  
2 on their pre-existing reservation. It's a very large  
3 reservation.

4 We come from a reservation of less than  
5 8,062, where we built our hotel/casino. We followed the  
6 rules of Proposition 1-A and IGRA. And we expect that  
7 the other 110 tribes of California to follow the same  
8 rules of IGRA as we have.

9 It's a struggle. We have over a thousand  
10 members in our tribe; they, only 383. And this is going  
11 to be a very, very lucrative casino proposition for them  
12 here in Barstow.

13 I believe that this is a very slippery slope.  
14 If you allow one Indian tribe, it's -- you have a  
15 fiduciary responsibility to all Indian tribes of  
16 America. There's 535 of us -- to take care of all of  
17 us. Make sure that we all have equal chances to move  
18 into urban areas to do casino gaming.

19 So this is a slippery area. And this is  
20 where it gets into the EIS. This is when we get into  
21 problems of pollution. Who's going to take care of the  
22 sewage, the air-quality control, as well as water issues  
23 when we come to build in your urban areas and your  
24 cities? Who's going to take care of the children when  
25 their families aren't home? They're in these gambling

1 institutions that we provided.

PH25-2  
cont.

2 It's -- it's funny to say, but it's a great  
3 thing that's been bestowed upon Native Americans and  
4 voted on by Californians. The law has been here since  
5 2000.

PH25-3

6 But I just want to make sure that these  
7 impacts are not negative on the tribes and to the gaming  
8 here in California.

9 That's why we should always look at the EIS  
10 and how it's going to impact it if we allow this one.  
11 What are the road impacts going to be in Barstow?

12 Barstow might be the gateway for the rest of  
13 the 45 non-gaming tribes at this time in California to  
14 come. I mean, this is just opening the door.

PH25-4

15 If you're going to allow one tribe to come  
16 115 miles, the next tribe is like 300 miles, they'd like  
17 to move, too, just like them, the same way.

18 So I just want to make sure we don't forget  
19 about the social impacts on small businesses, as well.  
20 As you know, once comes the Indian casino, next come the  
21 gas stations, and then comes smoke shops, next comes  
22 small businesses, the ventures that they do.

PH25-5

23 This puts moms and pops in Barstow out of  
24 business because we don't pay California State tax. And  
25 people need to be reminded of that.

PH25-6

1 I don't want to say, I told you so, and I  
2 don't want us to be -- as Native Peoples the  
3 repercussion of American citizens when it comes up to  
4 voting time.

5 So I just want to make sure you're very aware  
6 of these things before they come back to bite us.

7 As you know, we're not the only Indian tribe  
8 against off-reservation gaming. There's also a  
9 coalition of Indian tribes, the gaming association is  
10 (inaudible).

11 So, thank you.

12 MR. BROUSSARD: Thank you.

13 Jeff Eason.

**Public Hearing PH26**

14 MR. EASON: I'm Jeff Eason from Barstow. I've been  
15 here since 1969. I'm currently living at the Barstow  
16 Senior Center.

17 I like to voice my opinion; it's positive for  
18 Barstow. I believe this is going to be the kick start  
19 for our community, we've been waiting for a long time.

20 It will impact the 27,000 people living in  
21 this area. It's going to be unanimous.

22 This is going to bring new business, new  
23 hospital, expand the Wal-Mart. It's a positive thing  
24 all the way around.

25 I want to say one thing: It's going to help  
61

PH25-6  
cont.

PH26-1

1 out the seniors of Barstow, like Mr. Rios said, as for  
2 entertainment. But also it's going to help out the  
3 seniors through nutrition programs with the seniors --  
4 many seniors in Barstow are homebound and can't get out  
5 and that the Department of Aging and Health Services  
6 support. This will be an offspring that will help the  
7 community there. I'm very positive for this.

8 Thank you.

9 MR. BROUSSARD: Thank you.

10 Patricia Ramirez.

**Public Hearing PH27**

11 MS. RAMIREZ: Hello. My name is Patricia Ramirez.  
12 And thank you for the opportunity for allowing me to  
13 speak at this meeting.

14 I've been a resident of Barstow since 2008,  
15 and as much as I hate to admit this, I'm one of the  
16 46 percent on public assistance.

17 I do currently hold a job with a local  
18 business that's actually within walking distance of the  
19 proposed casino site.

20 I know nothing about tribal lands, locations,  
21 nothing like that. But I do know need.

22 It took me two and a half years to find the  
23 current job that I hold, which is a two-day-a-week job  
24 cooking in a local restaurant.

25 I'm very much in favor of this casino. It

1 will help Barstow. It will help our economic growth,  
2 which is something that we are in desperate and dire  
3 need of, as well as the Los Coyotes Band of Cahuilla  
4 Indians.

PH27-1  
cont.

5 Thank you very much.

6 MR. BROUSSARD: Thank you.

7 The next three speakers are Curt Mitchell,  
8 Marcella Espinoza, and David Carr.

9 Mr. Mitchell.

**Public Hearing PH28**

10 MR. MITCHELL: My name is Curt Mitchell. I'm the  
11 City Manager for Barstow. And thanks for being here  
12 tonight.

13 Also thanks to Los Coyotes for their  
14 perseverance and hard work in bringing the project to  
15 this point. It's been a very long process with many  
16 difficulties, and I certainly commend their efforts.

17 The Municipal Services Agreement with the  
18 Los Coyotes contains many important provisions,  
19 including revenue sharing, and active tribal laws be  
20 consistent with the Barstow Municipal Code, ensuring  
21 that the project is consistent with the California  
22 Environmental Quality Act, mitigating impacts from  
23 tribal development on trust land, using utilities and  
24 services from the City and local franchise companies,  
25 establishing a fund for problem gambling, counseling

PH28-1

1 programs, providing land and funding for future police  
2 and fire stations, training programs for local residents  
3 for job opportunities and other requirements.

4           While I appreciate and respect the opinions  
5 expressed tonight by other tribes, I also believe they  
6 are certainly doing their best to defend their tribe's  
7 own self-interest. However, there is a process that  
8 exists to address off-reservation gaming.

9           This process will help Los Coyotes become  
10 self-sufficient. And the off-reservation process  
11 requires that the Secretary of Interior make a  
12 determination that the gaming project would be in the  
13 best interest of the tribe, and also not be harmful to  
14 the community.

15           In my opinion, this is certainly the case.  
16 From the City's perspective, the 160 million dollar  
17 development will create more than a thousand  
18 construction jobs and a similar number of permanent jobs  
19 for our community and surrounding areas which have  
20 struggled with the state and national economic  
21 difficulties.

22           It will help reduce the high unemployment  
23 rate, help improve the quality of life for our  
24 residents, and provide revenue for continuing to upgrade  
25 the City's infrastructure.



1           The potential benefits from this project for  
2 both parties are substantial and, perhaps, more  
3 important, long lasting.

4           I strongly believe this project should be  
5 approved, and the City looks forward to working with the  
6 Los Coyotes to help make them self-sufficient and also  
7 to make this project a reality in the coming months as  
8 we strive to make our community a better place today and  
9 in the future.

10           Thank you very much.

11           MR. BROUSSARD: Thank you.

12           Marcella Espinoza.

### Public Hearing PH29

13           MS. ESPINOZA: Hi. My name is Marcella Espinoza.

14           I've been in Barstow since the early '50s.  
15 And I came here -- when I came here, I thought Barstow  
16 was humongous. There's this little town that was close  
17 to us that was way tinier than ours.

18           But now being here this many years, yes,  
19 Barstow has improved to a certain degree. But many of  
20 our children have left, and not because they didn't  
21 like -- it's nothing to do with Barstow. It's because  
22 there's no jobs in Barstow.

23           We have family here. We know each other.  
24 Everybody knows everybody. And I think -- not so much  
25 the gambling thing, because it's -- that's up to a

1 person if they want to or not, but, see, people go past  
2 our town, and all they do is use the bathroom and gas up  
3 to go to another state. We've got bathrooms here, but  
4 we want to keep the people, tourist. And I believe that  
5 it will help Barstow a lot.

PH29-1  
cont.

6 And I don't do a whole lot of gambling, but I  
7 do hope they have penny machines. Okay?

8 MR. BROUSSARD: Thank you.

9 David Carr.

**Public Hearing PH30**

10 MR. CARR: My name is David Carr. I'm the pastor  
11 of Lenwood Community Church, and I've been asked to  
12 share a statement from Pastor Joe Green at this Life  
13 Fellowship very quickly.

14 He has a question that, if the casino is  
15 built 150 miles away from the Los Coyotes reservation,  
16 how many of their tribal members of the 300 will come  
17 for employment? Is that not part of the program to get  
18 them employed?

PH30-1

19 This Draft EIS already appears flawed --  
20 remember this is his statement -- on the surface as it  
21 only looks like two options, even though they are laid  
22 out in different formats. It still either is a casino  
23 or a campground.

PH30-2

24 It appears that the tribe already has a  
25 campground. I just looked that up on my cell phone.

1 They do have a campground. It's a horse camp, which is  
2 described on their own website "www.LosCoyotes.info."  
3 There also appears to be something about a country club,  
4 and I cannot verify the connection with that.

5 He's -- and then Joe Green says, I discovered  
6 in my brief internet searches that the newspaper has  
7 written several articles since April telling us that the  
8 tribe already has business partners on the reservation,  
9 work with U.S. military, law enforcement, and movie  
10 studios.

11 Why is the tribe's current revenue-generating  
12 business not mentioned in the Draft EIS?

13 In the brief revenue -- or the document does  
14 not appear to explain why the current business is not  
15 mentioned as an alternate -- or alternative which is  
16 required by the National Environmental Protection Act.

17 There does not seem to be a reasonable range  
18 of alternatives or alternative projects that would still  
19 satisfy the purpose and the needs of tribe, some of  
20 which are solar-powered generation and wind turbine or a  
21 combination of both.

22 He goes back to the campground, which already  
23 has bathroom facilities, water, grills, park benches and  
24 picnic tables and children playgrounds. Why is this not  
25 expanded?

1           Ideally, the tribe should reach out to  
2 San Diego Gas & Electric and other energy providers to  
3 discuss options for leasing land for generating some of  
4 the renewable power that has been mandated by the State  
5 of California.

PH30-2  
cont.

6           Why is the casino even being considered this  
7 far from the reservation when the tribe has no ancestral  
8 ties to Barstow and already appears to be capable of  
9 generating income on their current reservation?

10           Why is BarWest of Michigan being allowed to  
11 reservation shop and to promote this casino in a  
12 location that no one else can?

PH30-3

13           And he says, thank you, and thank you for the  
14 time.

15           For my own self, I would like to say that not  
16 everybody in Barstow supports this. We shepherd  
17 congregations that are against this.

18           Reading reports on my own time, I have read  
19 several. One lately from University of Illinois that  
20 talks about a 12 percent crime increase. It talks about  
21 increased property taxes because of the things  
22 associated with the casino and things that have to be  
23 fulfilled for services for the casino. The many --

PH30-4

24           Oh, thank you.

25           MR. BROUSSARD: Thank you.

1           The next three speakers will be Michael  
2     Burton, Ted Weasma, and Ricardo Arredondo.

3           Mr. Burton.

**Public Hearing PH31**

4           MR. BURTON: Yes. Hello, everybody. I'm  
5     Dr. Michael Burton. I'm a practicing physician in  
6     Los Angeles, but I've been connected to Barstow for  
7     about 30 to 40 years now. I'm Mariano Rios' neighbor.

8           And I know that he said "Rios" stands for  
9     river, and he does get a river when it rains in the  
10    San Bernardino mountains. It runs across his property.

11          I want to address the issue of access to  
12    medical care. I know the unemployed in Barstow have  
13    little or no access to medical care.

14          And a thousand jobs created by the casino  
15    tied to medical insurance would translate to about 3- to  
16    4,000 people, family members, children, with access to  
17    medical care.

18          Those people would be able to be treated by  
19    doctors for their illnesses before they become serious  
20    illnesses that require emergency room visits.

21          And that would be a plus for the Barstow  
22    Hospital, because they need to reserve their emergency  
23    room services for the really serious ill people.

24          So, again, the casino would provide  
25    1,000 jobs with medical insurance for people who do not

1 have medical insurance. They would have access to  
2 medical care, and it would be a really great thing for  
3 them and a great thing for Barstow. I think it should  
4 happen.

5 Thank you.

6 MR. BROUSSARD: Thank you.

7 Ted Weasma.

**Public Hearing PH32**

8 MR. WEASMA: I'm Ted Weasma, a resident here in  
9 Barstow.

10 I have a couple points on this. One is  
11 traffic. It clearly indicates to me from traveling down  
12 I-15 to Victorville and back that the Lenwood exit is  
13 backed up every weekend, and that's not going to be a  
14 good exit to get people in and out of the casino.

15 So they're clearly going to have to use the  
16 mall exit, and I believe the road from the mall exit  
17 down to the mall area is -- it's only a two-lane road,  
18 and it's going to be insufficient for the traffic that's  
19 going to need it. So, hopefully, that will be addressed  
20 in the EIS.

21 Also note that there's going to be a lot of  
22 air pollution associated with vehicular traffic,  
23 stopping and going at low speeds to the mall area.

24 Barstow already has the number one diesel  
25 pollution spot in all the state of California. Our

PH31-1  
cont.

PH32-1

PH32-2

1 railroad site and the I-15 also produces an awful lot of  
2 ozone in particulate matter that causes pollution  
3 problems and health problems. So, hopefully, that's  
4 another place addressed in the EIS.

5 A couple years ago there was a bunch of State  
6 propositions and -- sorry, people -- I think they were  
7 all sleazily written.

8 They specifically stated that there would be  
9 no new casinos in California for any tribe that doesn't  
10 already have a casino.

11 And it also said that existing casinos would  
12 balance out this prevention -- or help out the tribes  
13 that have no casinos. They would distribute funds to  
14 the existing tribes.

15 Hopefully the EIS will address if this has,  
16 indeed, happened. Were the other tribes honest in  
17 saying that?

18 Also, I note that the original tribe that  
19 proposed the casino in Barstow was the Chemehuevi tribe,  
20 and somehow they seem to have disappeared from this  
21 whole process. That needs to be fully addressed in the  
22 EIS, as far as background and why they are no longer  
23 part of this process, because they, indeed, have a good  
24 tribal connection to this area.

25 The last thing is jobs. We keep talking

PH32-2  
cont.

PH32-3

PH32-4

1 about all these quality jobs. Let's be honest. The  
2 businesses that are here in Barstow -- the construction  
3 businesses and so on cannot meet the needs of this  
4 project. So these jobs are going to go to companies  
5 outside of the Barstow area and not to Barstow.

6 Also, remember that Home Depot, when they  
7 came in, they said that there was going to be a lot of  
8 jobs for Barstow residents.

9 Well, if you go over to Home Depot -- like I  
10 have many times -- you'll find that a number of their  
11 employees come from Victorville, and not Barstow. They  
12 interviewed lots and lots of people, but decided that  
13 Barstow people weren't sufficient for them.

14 So, hopefully, this will address whether,  
15 indeed, they are going to be local jobs or are they  
16 going to be coming in from outside areas.

17 Thank you.

18 MR. BROUSSARD: Thank you.

19 Ricardo Arredondo. **Public Hearing PH33**

20 MR. ARREDONDO: Good afternoon. I'm Ricardo  
21 Arredondo.

22 Well, as a result of a global economic crisis  
23 or meltdown, Barstow has, with many other communities,  
24 is obviously suffering.

25 Desperate times call for desperate measures,

PH32-4  
cont.

PH33-1



1 but we should not do so at the expense of better  
2 judgment or values.

3           Would this project -- could this project  
4 bring jobs, revenue, and opportunities? Of course, it  
5 can. Number one, to the tribe. Number two, to the  
6 BarWest developers. Then to the City government with a  
7 nominal impact to community residents.

8           It puzzles me that the Chamber of Commerce,  
9 which is established to protect and enhance  
10 opportunities for local business, but how? By  
11 supporting this entity, by its very nature, severely  
12 undermines the efforts to protect and improve local  
13 businesses.

14           Understanding that land taken into trust  
15 possess a great threat to the future of Barstow's  
16 already struggling economy.

17           I've read how generous the MOU is of the  
18 City. But the generous MOU is because it's needed to  
19 offset the unavoidable impact. The MOU is for City  
20 government. It grows the government. But it does not  
21 positive impact the community residents, and certainly  
22 does not help businessowners.

23           Understand that business conducted on land in  
24 trust are tax exempt, as mentioned earlier this evening  
25 in comments that others have made. That development of

PH33-1  
cont.

1 service stations, gas stations, are exempt from the gas  
2 tax.

3 Not too far away from there at Red Earth a  
4 station was developed, and it's impacting the  
5 surrounding stations that do pay taxes. They're  
6 obligated to pay taxes to the county and state.

7 The service stations around here near Outlet  
8 Center and Lenwood Drive, across from the proposed site,  
9 would severely be hindered and would not be able to  
10 compete.

11 Understand that hotels pay TOT, transient  
12 occupancy tax. Hotels on this land, the proposed site,  
13 would be exempt from that. Another disadvantage for  
14 businessowners in the community.

15 So we should not compromise value for a  
16 perceived quick fix. This project is for the tribe, the  
17 casino is not for the community.

18 I am in support of the rights of Native  
19 Americans to game on traditionally historic and tribal  
20 lands. Their aboriginal land.

21 Just as all the tribes over the past 20 years  
22 have done, they should build on their ancestral land,  
23 rather than be led by a big-time casino developer to  
24 areas of greater market share.

25 Work to improve the tribal land that's

PH33-1  
cont.

PH33-2

1 already owned by the tribe and preserve their culture  
2 and heritage.

3 In a closing note, I would ask that you  
4 consider the time that devoted religious groups give to  
5 their churches on Wednesday evenings for service  
6 meetings and that the following meeting be held on  
7 another day, other than Wednesday, so that more of the  
8 community can attend.

9 Thank you for your time.

10 MR. BROUSSARD: Thank you.

11 The next three speakers are Myron Benally,  
12 Nokomis Hernandez, and Dennis Malloy.

13 Mr. Benally.

**Public Hearing PH34**

14 MR. BENALLY: Thank you, sir.

15 Good evening. Welcome to Barstow. Myron  
16 Benally, 109 Surrey Court.

17 My first comment and question is, on the  
18 2006 -- on the -- work on the -- the work issue was  
19 stopped from the BIA, is that there was 24 concerned  
20 issues from the public at that scoping meeting back in  
21 2006. And on the -- the EIS, 18 of those issues were  
22 brought up.

23 I'm not sure what other issues -- the other  
24 issues that weren't taken into consideration, because  
25 Mr. Charles Wood indicated that tribal issues was not

PH33-2  
cont.

PH34-1

1 discussed on the matter of the EIS and that it is up to  
2 current date.

3 I just want to make sure that everything is  
4 covered so this project can move forward.

5 And my second comment is referring to the  
6 summary of the potential environmental effect and  
7 mitigation measure. It was a study done by the  
8 Analytical Environmental Studies, and it was under a  
9 section about problem -- problem gambling.

10 My current concern with the BIA for the tribe  
11 is to look at the issue of not allowing individuals on  
12 State assistance, which is 47 percent here in Barstow,  
13 to spend, cash or use the money for personal gain and  
14 profit.

15 That was brought up in the news. I guess  
16 there were some people from California going to Vegas,  
17 cashing in or using their debit card on State  
18 assistance. So if the tribe or the BIA could look at  
19 that, if this project moves forward, I'd appreciate  
20 that.

21 And Number 3 is, according to this letter I  
22 got on the -- on the summary of the history of  
23 Los Coyotes -- on their background -- excuse me.

24 It indicates that -- it says the Los Coyotes  
25 have requested BIA to take into trust 23 acres of land

PH34-1  
cont.

PH34-2

PH34-3

1 currently held in fee by the tribe, which is not true.  
2 BarWest owns that property.

3 But I guess I would ask, why doesn't the  
4 tribe own that property before it's taken into trust?  
5 That's something that concerns me.

6 And also the investor. Why does BarWest  
7 reside out in Michigan when, in fact, they're invested  
8 here in California. That can work with the tribe.

9 You know, there was a comment made about  
10 San Manuel. San Manuel is about business.

11 And I'd like to see this project, like I  
12 said, move forward, but be equal with all tribal members  
13 that represent the surrounding communities, because the  
14 last time when this project did fail, the City was  
15 divided. BarWest was part of that.

16 And I'd just like everybody to be given equal  
17 opportunity to -- to move forward with any casino that  
18 comes to Barstow.

19 But thank you very much.

20 MR. BROUSSARD: Thank you.

21 Nokomis Hernandez.

**Public Hearing PH35**

22 MR. HERNANDEZ: My name is Nokomis Hernandez,  
23 Buffalo Clan of the Eagle People. I'm from Central  
24 California. I am here to represent the better interest  
25 of Native Americans of California.

77

PH34-3  
cont.

PH35-1

1           Unfortunately, I'm here on -- you know, we  
2 used to gather together as Native people, and we'd  
3 transfer, and we'd share medicine. We'd trade. And  
4 this was our way of -- the system that we established.  
5 We all got along.

6           Unfortunately, we've come a long way since  
7 then. Our words are -- are manipulated. Our traditions  
8 are being put in the back, when this is who we are, our  
9 culture.

10           We are our land. This is where we get our  
11 medicine from. This is who we are as Native Americans,  
12 with the eagle, with the hawk, with the deer.

13           With these things, I'm afraid -- if you move  
14 this gaming off the land -- the reservation land, my  
15 people will lose their identity in the future.

16           This -- unfortunately, once again, this  
17 investment company is putting a community in the center  
18 of making a decision for the people, it seems, of the  
19 tribe. What is better for the tribe, only the tribe  
20 knows.

21           And, unfortunately, outside investor  
22 management, they really don't know. The tribe is unable  
23 to sight and learn their jobs and move into higher  
24 positions.

25           You know, we were facing the same situation

1 here. But, unfortunately, the investors didn't give my  
2 people the chance. We didn't get the higher management  
3 jobs. We were held to the lower positions.

4 Eventually, we -- we gained that back. We  
5 gained our power. We gained the right. We learned to  
6 read this document that they have the fine print without  
7 signing.

8 But, oftentimes, it's not for the betterment  
9 of our people. It's the personal interest of the  
10 investors.

11 Now, I want to talk about dreams. I'm all  
12 about fulfilling dreams of my people. The Native  
13 Americans up here who stand above and their children,  
14 they look just like my nieces. But, unfortunately,  
15 without running water, without food, without shelter,  
16 these dreams are not there anymore.

17 And I understand the hardships that Barstow  
18 is facing. I understand the broken promises. I'm  
19 sorry.

20 But, unfortunately, you don't put your faith  
21 in our mayor or the supervisors. It's a community.  
22 And, with the tribe, you've got to really look here.

23 I'm here for my brothers. From a brother to  
24 a brother as Native Americans, I'm saying, just be  
25 careful, because, oftentimes, when you get with these

1 big companies, they're just looking for the betterment  
2 of themselves.

3 And I wish you well in all your ventures, but  
4 for our people, I hope you stay close to your land,  
5 because this is what keeps us healthy. This is what has  
6 preserved our lives for the past 10,000 years.

7 Without this, I cannot see where we're  
8 headed. I mean, without my land, I'm sure my hair would  
9 be cut short. I'm sure I wouldn't even know that -- my  
10 language. I wouldn't know that medicines that keep  
11 us -- you know, I'd probably be taking an aspirin. You  
12 know, I wouldn't be taking my native sage.

13 MR. BROUSSARD: Your time is up.

14 MR. HERNANDEZ: Thank you. **Public Hearing PH36**

15 MR. BROUSSARD: Dennis Malloy.

16 MR. MALLOY: Good evening. My name is Dennis  
17 Malloy.

18 I came to Barstow in 1989 as an active-duty  
19 Marine. I retired in '92 and watched my children finish  
20 school and move away. There's nothing for them here.

21 I found it interesting to note that some of  
22 the first speakers emphasized that this casino is going  
23 to be built away from the schools and the churches.

24 But I'd like to point out, I see a big  
25 benefit for both of those institutions here in town.



1 Both schools and churches here in town rely  
2 on fundraisers for many of the activities that are very  
3 beneficial for them that they cannot afford through  
4 their normal funds coming in.

5 With the increase in employment in the local  
6 area and the potential Sunday visitors to our churches,  
7 I can see the casino providing additional positive  
8 benefits for our children through those organizations.

9 As a member of one of the church committees  
10 here in town, I'd just like to point out, I'm strongly  
11 in favor of having the casino come here to town.

12 Thank you.

13 MR. BROUSSARD: Thank you.

14 The next three speakers will be Tina Johnson,  
15 Jennifer Rodriguez, and Nancy Dipman.

16 Ms. Johnson.

**Public Hearing PH37**

17 MS. JOHNSON: My name is Tina Johnson. I'm from  
18 Los Coyotes.

19 Indian gaming has brought many great things  
20 to the tribes across the nation, in California, and  
21 everywhere. Tribes have been able to increase revenue,  
22 have resources for jobs for their members, for cultural  
23 programs, educational programs.

24 But it also causes a lot of negatives as  
25 well. Once a tribe has a casino, they turn on their

PH36-1  
cont.

PH37-1

1 fellow Indians to hold them down instead of helping them  
2 up, like when we had originally made these compacts  
3 saying that they would give to other Native Americans.

4 And then they turn around and renegotiate  
5 other compacts that no longer put these revenues into  
6 trust funds anymore.

7 They want to sit here and talk about what  
8 people should do. How dare you talk about saying these  
9 kids are like your kids out there, my nieces and  
10 nephews, because they're not. They still suffer.

11 I don't see you trying to help when you were  
12 renegotiating and taking away things you were going to  
13 give. You guys want to stand up here and talk about --  
14 you should travel to my tribe and see the past.

15 And IGRA was not (inaudible) us to help us  
16 have a chance, have opportunities and gaming. It's  
17 Section 20. That's why this is a process.

18 And, in case nobody heard, the President of  
19 the United States has taken commute-ability out of the  
20 process anyways. Okay? So there isn't a mileage issue  
21 anywhere.

22 And come and -- you want to tell these people  
23 in the hall like we can't think for ourselves, to be  
24 taken advantage of.

25 And what happens when you tell people that we

1 don't deserve something -- and we don't deserve  
2 something is wrong.

3 And, like I said, in 1988, the story of the  
4 hardship of one our tribal members was used by Prop 1-A.

5 And IGRA, like I said, allows a tribe like  
6 us -- and Congress, they made this together to  
7 benefit -- to try to benefit from this Section 20.

8 When this casino is approved, I will  
9 guarantee that our tribe -- and we'll fight for other  
10 tribes like us. We'll always continue to help other  
11 tribes that want to get these big gaming facilities that  
12 turn and forget everybody else.

13 MR. BROUSSARD: Thank you.

14 Jennifer Rodriguez. **Public Hearing PH38**

15 MS. RODRIGUEZ: I'm Jennifer Rodriguez, Tanger  
16 Outlet Center manger.

17 I just want to let you guys know that Tanger  
18 Outlet is pleased to see new and exciting development  
19 come to the area where we have our centers.

20 High-profile casino and developments, in  
21 particular, are viewed very favorably by Tanger Outlets,  
22 as they attract visitors to the region and also  
23 establish shopping demographics.

24 Outlet shopping is perfect for Barstow. And  
25 we also want to welcome Los Coyotes and visitors that

1 come to Barstow and hope they stay here a little bit  
2 longer. They will make a great addition to our Barstow  
3 market.

PH38-1  
cont.

4 Thank you.

5 MR. BROUSSARD: Thank you.

6 Nancy Dipman.

**Public Hearing PH39**

7 Okay. The next three speakers will be Tina  
8 Johnson, Laurence Dale, and Viola Pasitos.

9 Tina Johnson, Laurence Dale.

10 MR. DALE: Good evening. My name is Laurence Dale.  
11 I reside at 941 Senita Drive, Barstow, California.

12 First of all, I want to say I'm here in  
13 favor -- in favor of the casino in Barstow.

14 I want to thank Shane Chaperosa, the chairman  
15 of the tribe, along with the tribal council for their  
16 dedication and persistence in making this project move  
17 ahead, along with BarWest.

18 This project will be a big stimulus for the  
19 tribe, as well as the City of Barstow. It will bring  
20 about the growth that we need to help bring about  
21 economic stimulus to this community.

PH39-1

22 This casino is going to be in an area out  
23 here in the Tanger mall area where it can have positive  
24 access for traffic coming in off the 15 from both  
25 directions.

1           The issues with the casino are none, as far  
2 as I can see. It's a win-win situation for both the  
3 tribe as well as the City.

4           I know we've heard about the woes of the city  
5 and the amount of people on assistance here, some  
6 47 percent, 16-plus percent on unemployment, and there's  
7 nothing that will help us more than economic growth here  
8 in this community, which is the casino.

9           It not only will bring about economic growth  
10 to the casino, but we will see economic growth attached  
11 to that from the other.

12           This casino is in an area in our community  
13 which gives positive access along with growth for the  
14 area, and it does not bring about congestion in the City  
15 itself. It is a major plus for this community.

16           I certainly want to take time to applaud the  
17 mayor and council for their dedication to this project.  
18 I think it is important that we receive the dedication  
19 from our council people, and they certainly have showed  
20 it here tonight.

21           The tribal council and Shane Chaperosa have  
22 gone the full distance to bring about this project to  
23 our community along with BarWest, and I certainly  
24 applaud them and thank them.

25           I thank you for being here tonight. I look

1 forward to the groundbreaking that we can see soon with  
2 everything coming out of here.

3 Thank you.

4 MR. BROUSSARD. Thank you.

5 Viola Pasitos.

6 Okay. The next three speakers will be Mindy  
7 Mojada-Stoneburner, I believe; Rich Harpole, and Brenna  
8 Baynard-Smith.

**Public Hearing PH40**

9 MS. MOJADA-STONEBURNER: Hello. My name is Mindy  
10 Mojada-Stoneburner. I am the wife of a Los Coyotes  
11 member, and I am the mother of two youth Los Coyotes  
12 members.

13 Excuse me. I'm not a very good public  
14 speaker.

15 I would like to say something on behalf of  
16 the youth of Los Coyotes who go to the Warner Springs  
17 Unified School District.

18 Our school district is -- the school actually  
19 is from preschool to high school, seniors -- preschool  
20 to seniors, and they only hold -- well, there's only  
21 250 kids that go to that school.

22 This school is very tiny. That will give  
23 you -- that should give you the amount of how many  
24 people are in the Warner Springs community, period.

25 The amount of Native American children that

PH39-1  
cont.

PH40-1

1 go to this school is about a hundred students. They --  
2 they are trying to take away our Title 9, which is money  
3 that helps these schools that the Native Americans that  
4 don't pay any State taxes, that go to -- that live on  
5 the Indian reservation, poor Indian reservations, like  
6 ourselves, Los Coyotes, and help give the school  
7 districts money.

8 Well, if they're going to take this money  
9 away, our school is going to be even worse.

10 Our football field is just horrible. Our  
11 baseball fields are just -- just despicable. My  
12 children play T-ball on these fields, and it's really  
13 bad.

14 Not only am I supporting the casino. I'm for  
15 it. I also have family members from Pala, which is a  
16 big gaming tribe. I have family members from Pechanga,  
17 which is a big gaming tribe in California.

18 They -- they -- what they do for their  
19 communities is terrific. How they treat school  
20 districts and the kids, it's just awesome.

21 And I hope that this casino goes through in  
22 Barstow, helping Barstow out and their schools and their  
23 children that go to this community and -- and helping  
24 our little Warner Springs community out with our -- with  
25 our students.

1           And that's pretty much all I have to say.  
2 The Los Coyotes kids are awesome little kids, and I'm  
3 all for this casino. I hope that it goes through for  
4 the children.

5           Thank you.

6           MR. BROUSSARD: Thank you.

7           Rich Harpole.

**Public Hearing PH41**

8           MR. HARPOLE: How you doing? Rich Harpole. And  
9 I'm a newcomer to Barstow. I've only been here since  
10 1983.

11           Today, I'm retired. But the last time our  
12 community looked at this, I was a lieutenant for the  
13 Barstow Police Department, and I was tasked with looking  
14 at the issue of crime in areas where Indian casinos  
15 exist. And I visited a number of communities and talked  
16 to other police officials that provide law enforcement  
17 to those communities.

18           And I didn't hear anything. I didn't read  
19 anything. I didn't learn anything that causes me to  
20 believe that there would be a significant increase in  
21 crime associated with Indian casinos.

22           On the contrary, I found that there were a  
23 number of studies and a great deal of statistical  
24 information thrown around by people either opposed or in  
25 support of.

PH40-1  
cont.

PH41-1



1           And those folks would look for any connection  
2 to crime that they could -- that they could link to that  
3 casino, such as an increase in domestic violence,  
4 because the -- one of the participants may have visited  
5 the casino before the argument. It's simply not true.

6           The fact is, any time you put in any type of  
7 large event that will bring a lot of people, there's a  
8 risk of crime. I think we all know that.

9           If you build a large mall, there's going to  
10 be a risk of crime. You're going to see an increase.  
11 But it's how you manage those issues.

12           And, in this case, we have an effective MSA  
13 that's been negotiated that, to my understanding, is  
14 going to address that and mitigate those issues.

15           And I have every confidence that the Barstow  
16 Police Department can rise to any challenge that may  
17 exist.

18           So with proper management, with the  
19 appropriate MSA, with people willing to do things to --  
20 to manage and control crime, I don't see crime as an  
21 issue with respect to a casino in our community. And I  
22 fully support it.

23           On another note. I'm very involved in the  
24 Boys & Girls Club here in Barstow. I've been involved  
25 since 1996. And I'm very concerned about the children

PH41-1  
cont.

PH41-2

1 in our community.

2 The fact that 50, 60 percent of the children  
3 in our community are getting free or discounted lunches  
4 from schools, it's -- it's -- it's a greater travesty to  
5 deny a family jobs on standing on some moral issue -- or  
6 moral grounds.

7 You know, I think it's a bigger harm, is  
8 denying children the opportunity to see their parents  
9 working and earning money, putting their own dollars in  
10 their pockets as opposed to handouts.

11 We need -- we need to increase the -- the  
12 image of our community, the esteem of our residents.  
13 And by giving them the opportunity to have jobs to work  
14 for the money that they bring home every day is going to  
15 do a great deal for us and the Los Coyotes.

16 And I fully support this. And thank you all  
17 for coming. I really appreciate your time.

18 MR. BROUSSARD: Thank you.

19 Ms. Baynard-Smith. **Public Hearing PH42**

20 MS. BAYNARD-SMITH: Hello. Thank you for the  
21 opportunity to speak.

22 Unfortunately, I didn't find out until about  
23 5:45 when I got off work that this meeting was even  
24 happening.

25 My name is Dr. Brenna Baynard-Smith. I'm a

PH41-2  
cont.

PH42-1

PH42-2

1 physician here in Barstow, and I've been here since  
2 1993.

3 My husband was brought here, who's also a  
4 physician, to Fort Irwin. This was his first duty  
5 station. And we stayed here after that.

6 The Lord led us to stay in the community. We  
7 have a marvelous church and a very supportive church who  
8 is against this casino.

9 Unfortunately, it's Wednesday night, so  
10 they're having church service. I think I'm the only one  
11 I've seen in our church group.

12 But I'm concerned about the moral impact on  
13 the community. I'm concerned about crime. I'm  
14 concerned about gaming, prostitution, and addiction, and  
15 addiction cases increases in our dear town.

16 I think it would be a horrible place to raise  
17 a child, and I don't know if I'd be able to stay here  
18 and work in the community if the casino comes.

19 Thank you.

20 MR. BROUSSARD: Thank you. Thank you.

21 The next speakers will be Joel Valenzuela and  
22 Mark Franey.

**Public Hearing PH43**

23 MR. VALENZUELA: Good evening. I'd like to say  
24 that, from what I've heard, the majority of the people  
25 of Barstow that's what they want. I've heard some

PH42-2  
cont.

PH43-1

1 negative stuff up here, like maybe about three or four  
2 percent.

3           But it seems that -- the negative -- the  
4 negative is coming from people that are not from this  
5 community. It looks like the tribes from other  
6 communities are coming in here and trying to dictate or  
7 trying to strong-arm you.

8           I believe that Barstow is due for this, and  
9 let's not let some outsiders come in and get in between  
10 this venture with the Coyotes and the citizens of  
11 Barstow, because, from what I'm seeing tonight, the  
12 majority of the people from Barstow want it.

13           There's only like three or four percent that  
14 I've heard tonight that -- those are the other tribes  
15 that are complaining about the casino.

16           On the contrary, they should be happy,  
17 because they could use this in the future. They could  
18 use this as an --

19           AUDIENCE MEMBER: Example.

20           MR. VALENZUELA: -- example. That's true. That's  
21 right. Yes.

22           But I can tell you, I've been here since  
23 1991. I've seen the businesses -- the big businesses  
24 just disappear, close doors, the malls.

25           Barstow needs something to keep the people

1 traveling through. There's millions of cars traveling  
2 back and forth, and they're visiting to Las Vegas, and a  
3 lot of the money is leaving this area.

4 So there's an opportunity for the people of  
5 Barstow, and I'd like to see it. Because I've seen it  
6 here since 1991. I've seen how everything has just been  
7 going down; the businesses have left town. The children  
8 don't even stick around because there's nothing for  
9 them. There's no jobs. There's no entertainment.

10 Fort Irwin soldiers, they come, and they have  
11 to go to Victorville and Hesperia to Los Angeles or to  
12 Vegas.

13 This is an ideal situation for the citizens  
14 of Barstow, and let's give it to them. And let's --

15 You know, like I said, I'm Indian, too. It's  
16 not going to kill them to go out there and assimilate.  
17 It's not. Okay. You're not going to lose nothing.

18 Let's -- let's just get over it, and let's  
19 get it moving forward. Okay? That's all I've got to  
20 say tonight.

21 Thank you.

22 MR. BROUSSARD: Thank you.

23 Mark Franey.

**Public Hearing PH44**

24 MR. FRANEY: Good evening. My name is Mark Franey,  
25 and I've been a resident of this city since 1957. I

PH43-1  
cont.

PH44-1

1 spent all my time growing up here and working here.

2           There's two things I wanted to address. I'm  
3 saying this because of my next point. Back in around  
4 2005, 2006, I was instrumental in working with other  
5 staff of the Barstow Police Department, where I'm now  
6 retired from, putting together the police department's  
7 portion of the MSA.

8           During that, I did do a lot of research and  
9 looking -- and delving into other casinos that had  
10 off-reservation gambling.

11           I tried looking at communities that came the  
12 closest to ours in regards to the demographics. And I  
13 could not find much of anything at all increasing the  
14 crime, of which seems to be the concern of some of the  
15 people, while doing my research on that. And that was  
16 one of the points that I wanted to bring across.

17           The other one is, I graduated from high  
18 school here in 1973, and at that time the population of  
19 our community was 17,000. Currently, our population is  
20 23,000. That's a growth of about 5,000 in about 30-some  
21 years -- 38 years, I believe. And we haven't had that  
22 much growth, and we need it.

23           And in these economic times, I realize we're  
24 not the only ones that are hurting. But we've never  
25 gotten out of the slump, and I think this is the shot in

PH44-1  
cont.

PH44-2

1 the arm that we need, that will help and benefit our  
2 community.

3 And I think it's something that's a win-win  
4 for, not only the community, but the tribe also.

5 Thank you very much for your time.

6 MR. BROUSSARD: Thank you.

7 So that concludes our list of individuals who  
8 initially signed up to share their comments, and I thank  
9 everyone for their comments.

10 We still have time for anyone else who would  
11 like to make a comment or for those who would like an  
12 additional three minutes to conclude their initial  
13 remarks.

14 So if you'd like to speak, please fill out a  
15 speaker card and give it to one of the attendants or put  
16 it in the box.

17 And we're going to take about a five-minute  
18 break to give our stenographer some much deserved rest,  
19 and then we'll -- I'll call any cards that have been  
20 submitted to the attendants.

21 Thank you.

22 (Recess taken.)

23 MR. BROUSSARD: If I could have everyone's  
24 attention, please. We'd like to reconvene the meeting.

25 I'd like to call the next three speakers. If

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PH44-2  
cont.

1 I could have everyone's attention, please. The first  
2 speaker is Morris Reid, Charles Wood, and Anthony  
3 Imandi.

4 Chairperson Reid. **Public Hearing PH45**

5 MR. REID: Hello there.

6 I'd just like to say, there's been a lot of  
7 questions about the outside tribes being here. We are  
8 not here just because we're against Indian gaming. We  
9 are for Indian gaming. We are for all Indians  
10 benefiting from gaming money.

11 In fact, the outside tribes that don't have  
12 gaming, have access and are given revenues of  
13 \$1.3 million annually. And that's from the gaming  
14 tribes that go to a revenue shared fund.

15 And another thing is that, we're not here  
16 just because we're against gaming. We're for gaming for  
17 all Indians, but the fact is, we want the rules to be  
18 followed in gaming. We want the tribes to stay in and  
19 on the reservations within their ancestral tribal lands.

20 This is what it states in California, IGRA,  
21 the compact. And this is where, if we regulate  
22 ourselves, we will be fine. If we don't regulate  
23 ourselves, then we'll be regulated, and we're not going  
24 to like it.

25 And the thing is, is that once all this moves



1 along, once this starts, there's going to be a snowball  
2 effect.

3 All tribes -- tribes coming in, existing  
4 tribes will want to make that move to urban areas. And  
5 we can't do that because we made a promise on 1-A-5 to  
6 the voters of California that we would promise to stay  
7 on our tribal lands and not move in the direction of  
8 expansion of gaming to urban areas and cities. That's a  
9 promise we made.

10 And if we started to break this promise, it  
11 will be a landslide, and this will build as negativity.

12 You can bet that the State of California will  
13 look at this negativity down the road as to building up,  
14 and they'll say, you know what? They made a promise,  
15 and they just keep going against that promise.

16 And we're looking at it now, and we're  
17 saying, they go where they want. They do what they  
18 want. Let's just remove gaming from the Indians.  
19 That's -- they'll take it away and open it up to all of  
20 California, to non-Indians.

21 There goes the opportunity that the Indians  
22 were given this for, that window of opportunity to  
23 better themselves, their Indian ways, and to better  
24 their lands. That's what this is all about.

25 This is what the California voters gave us.

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PH45-1  
cont.

1 They seen that the tribes with lands -- that they were  
2 on, they cannot exist. They cannot have used it.

3 But gaming was something that they knew that  
4 we could benefit to upgrade ourselves and put ourselves  
5 into the position in this society.

6 And this is what we have to protect, and we  
7 have to regulate ourselves to do so. So we're just not  
8 up here to go against gaming. We're up here to say,  
9 follow the rules as they exist.

10 Thank you.

11 MR. BROUSSARD: Thank you.

12 Chairman Wood.

#### Public Hearing PH46

13 MR. WOOD: Thank you. Chairman Wood again,  
14 Chemehuevi Indian tribe.

15 I had just gotten up to the point where I was  
16 discussing where people would have always envisioned  
17 tribes moving and staying with the ancestral and  
18 historical communities.

19 This strongly held opinion is currently  
20 shared by Stand Up for California, the Coalition for  
21 Responsible Growth, the Barstow City Group, and the  
22 Barstow Christian Ministerial Association who wrote a  
23 joint letter to the National Indian Gaming Association  
24 stating they were writing on behalf of those who were  
25 very concerned about the off-reservation casino proposal

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PH45-1  
cont.

PH46-1

1 by Los Coyotes Band of Mission Indians and BarWest  
2 Investors from Michigan.

3           There is heightened public interest in  
4 landing a prompt response here because of the  
5 Los Coyotes Band of Mission Indian and BarWest and the  
6 City of Barstow's actions to move forward with the  
7 casino project on land required after the 1988 cutoff  
8 date of the Indian Gaming Regulatory Act.

9           An immediate response from your -- your  
10 commission would be greatly appreciated by the many  
11 citizens who remain supportive of tribal gaming but are  
12 opposed to the establishment of reservations on  
13 non-historic lands, specifically for casinos and  
14 out-of-state investors.

15           Moreover, the recent letter from the  
16 Republican leadership of the House of Representatives  
17 makes clear that the acquisition of lands off  
18 reservation without historic ties goes well beyond the  
19 intent of Congress in passing of the Indian Gaming  
20 Regulatory Act.

21           The proposed casino project for the City of  
22 Barstow is a clearcut case of reservation shopping.

23           We Chemehuevi -- I'd like to stress that,  
24 again, we're in support of gaming in Barstow. We would  
25 not and we do not oppose any project presented by any

1 tribe with legitimate ancestral ties that are currently  
2 within San Bernardino County. Those would be  
3 San Manuel, the Fort Mojave, the Colorado River Indian  
4 Tribes, and Twenty-Nine Palms.

5 So we are not against gaming in Barstow. We  
6 would just like to see the appropriate tribes that have  
7 legitimate ancestral and historical ties to the  
8 community.

9 We have seen a couple other -- of other  
10 tribes who have spoken. And I appreciate all their  
11 comments.

12 And I want to appreciate the -- the members  
13 of Los Coyotes for coming. I think that Chairman  
14 Chaperosa speaks very well of his people -- for his  
15 people, and I wish them the best of luck.

16 Thank you.

17 MR. BROUSSARD: Thank you.

18 Anthony Imandi.

**Public Hearing PH47**

19 MR. IMANDI: Hello. My name is Anthony Imandi.

20 First off, I'd like to say that I'm in  
21 support for the Los Coyotes casino being built here in  
22 Barstow.

23 I myself work at a casino -- a tribal casino,  
24 and I believe that building it here will bring plenty of  
25 jobs, especially with the unemployment rate being

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PH46-1  
cont.

PH47-1

1 11 percent. That's all of California.

2 Not only will it help Barstow, that will  
3 help, you know, everywhere in California.

4 I car -- drive 60 miles to go to my job. I  
5 live in Helendale.

6 I was unemployed myself before I got hired by  
7 the casino, and I've been there three years now.

8 Just, you know -- sorry. It says here that  
9 they will bring over -- one-time construction jobs on  
10 the flyer here that they gave, it says over 1,068 for  
11 one-time construction. And then for operations over  
12 1,000 jobs. That's over 2,000 jobs being brought here  
13 to Barstow, which the City needs it. It needs to bring  
14 up the revenue.

15 As far as traffic, that was brought up  
16 earlier. I know casinos that have a lot of traffic,  
17 but, you know, they get around it. People still do --  
18 you still see plenty of people going to the casino  
19 dealing with the traffic, and it's not a problem.

20 As far as traffic coming to and from Vegas,  
21 you know, they stop in Stateline because that's the  
22 place to go. Now they can stop in Barstow, and they can  
23 play here. They can enjoy the entertainment here  
24 instead of, like somebody said, just using it for the  
25 rest room.

1 I believe that it will bring plenty of jobs  
2 and that Los Coyotes definitely needs this.

PH47-2  
cont.

3 Thank you.

4 MR. BROUSSARD: Thank you.

5 The next speakers will be Curt Mitchell and  
6 Lynn Chaperosa.

7 Curt Mitchell. **Public Hearing PH48**

8 MR. MITCHELL: My name is Curt Mitchell.

9 I want to clarify some of the concerns that  
10 have been expressed tonight about gas stations, bed tax,  
11 sales taxes, et cetera.

12 The negotiated Municipal Services Agreement  
13 with Los Coyotes includes 4.3 revenue sharing, and it  
14 takes into account the taxes that would normally be  
15 received from business operations and the anticipated  
16 increase in public safety employees needed to meet the  
17 additional requirements.

PH48-1

18 In addition, gas stations are specifically  
19 prohibited on trust land. They must abide by California  
20 liquor laws and \$40,000 set aside annually for gambling  
21 addiction programs.

22 Thank you.

23 MR. BROUSSARD: Thank you.

24 Ms. Chaperosa. **Public Hearing PH49**

25 MS. CHAPEROSA: Hi. I'm Lynn Chaperosa,

PH49-1

1 Los Coyotes Executive Council.

2 I just wanted to like move it along. Some of  
3 the stuff that was going, these are some -- she talked  
4 about having a casino on tribal land. When Christopher  
5 Columbus came, this was all tribal land.

6 And they talked about doing the leap frog  
7 from one county to another. All the other counties in  
8 between here and San Diego County have major casinos.  
9 They're not going to share with us. We have to go  
10 someplace else.

11 They want to preserve our land. Our land is  
12 like a canyon, and we barely have deer. We have all our  
13 plants and historical sites there.

14 If we put something else on there, all of  
15 our -- all our culture is gone right there. This is the  
16 only way for us to preserve our culture. No matter  
17 where we go, it's always in our heart.

18 So there -- we have talked -- if we leave our  
19 reservation, it's always going to be in our heart.  
20 There's no way we can lose our culture, only if we want  
21 to.

22 Thanks.

23 MR. BROUSSARD: Thank you. **Public Hearing PH50**

24 The next speaker will be Rilda Contreras.

25 MS. CONTRERAS: Hello. My name is Rilda Contreras.

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cont.

PH50-1

1 I'm a Los Coyotes member.

2 And I would like to thank Barstow from the  
3 bottom of our hearts and my family for allowing us to be  
4 here and get to meet so many of the people that have  
5 welcomed us into this town.

6 We are thankful and grateful to have such  
7 good friends. And we just love all you guys for -- that  
8 allows us to be here.

9 And no disrespect to the other tribal members  
10 that have come, because, you know, everybody's allowed  
11 their own opinion.

12 But I am up in age. I'm an elder now. And I  
13 have been around God's good earth, and I do believe I  
14 know who I am and where I come from.

15 So I know that they probably think they have  
16 some interest in what we do and believe in, but our  
17 people, our culture has been preserved in our tribe.

18 And, again, I'd like to thank you for having  
19 us here.

20 MR. BROUSSARD: Thank you.

21 Any more comments?

22 If there are no more comments, then this  
23 concludes the BIA's public Draft EIS hearing for the  
24 Los Coyotes fee-to-trust and proposed casino project.

25 I want to thank everyone very much for their



1 participation and for their respectful behavior through  
2 all of the comments here.

3                   And everyone have a good night.

4                   (The hearing was concluded at 8:29 p.m.)

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REPORTER'S CERTIFICATE

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  )  SS.  
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