

# Amador County continues to oppose proposed casino

By Nick Baptista, The Valley Springs News, Friday, May 26, 2017

Legal issues continue to surround a tribal gaming casino proposed near Buena Vista.

The Buena Vista Rancheria of Me-Wuk Indians of California wants to build a \$150 million, 71,000-square-foot casino on 67 acres of tribal land less than 15 miles from Valley Springs in Amador County off Coal Mine Road near Buena Vista.

However, the County of Amador has been opposed to the project and last week was in the U.S. Court of Appeals, D.C. Circuit, seeking dismissal of an earlier decision in favor of the tribe.

The county claims the U.S. Secretary of the Interior couldn't approve a 2004 amended gaming compact between the Buena Vista Rancheria of Me-Wuk Indians and the state of California because the rancheria didn't qualify as "Indian Land" suitable for a casino under the Indian Gaming Regulatory Act.

U.S. District Court Judge Barbara Jacobs Rothstein in March of last year granted a summary judgment to the federal government and in favor of the tribe.

Judge Rothstein ruled Amador County had agreed in a 1987 stipulated judgment to treat the tribe's lands as a reservation and the Rancheria would be governed by "all of the laws" for federally recognized Indians and tribes—despite the county's claim the agreement was limited to property tax issues.

"There is simple no basis to carve out gaming operations from the 'all laws' provision in the judgment," Rothstein said.

Amador County asked the circuit court in February to overturn Judge Rothstein's decision and in a reply brief filed May 18 with the court said the 1987 deal merely resolved the unpaid taxes the tribe owed to the county.

Buena Vista Rancheria has entered into an agreement with WGBV, LLC, a subsidiary of Warner Gaming, to assist in the development, pre-opening and operations of what will be called Buenavue Casino. The facility would have up to 1,650 slot machines and 60 table games. In addition, preliminary plans call for the casino to offer four full-service restaurants and an entertainment lounge.

Site development would include at least 1,000 parking spaces, water and wastewater treatment plants, site utilities, retaining walls, extensive landscaping with site lighting and water features near the main entrance.

Under the terms of the 1987 agreement, the tribe and county agreed that the Buena Vista Rancheria hadn't been lawfully terminated by the California Rancheria Act, that the original boundaries of the rancheria would be restored and that all federal laws relating to tribes would apply to the rancheria.

The Department of the Interior said in an April 13 filing that "nothing in the text, structure, or purpose" of the 1987 agreement backs the county's claim that it was meant to be limited to taxes or should excluded the Indian Gaming Regulatory Act.