

Akela event under review

By Diana M. Alba
Las Cruces Sun-News

LAS CRUCES — The Fort Sill Apache Tribe of Oklahoma and New Mexico gaming officials might once again be at odds, this time over a vehicle given away last week at the tribe's Akela casino.

At issue is a Nov. 29 promotion, which the tribe says was a legal sweepstakes, and the New Mexico Gaming Control Board initially dubbed as an illegal raffle.

The gaming control board on Nov. 26 — the day before Thanksgiving — sent a letter to the tribe, warning it not to conduct the event on Nov. 29 as it had advertised. The agency referred to the event as a "raffle" and claimed it was "illegal because it constitutes Class III gaming, and the Fort Sill property is not eligible for gaming."

But the tribe held the giveaway anyhow on Nov. 29.

Fort Sill Apache Chairman Jeff Houser, in a response dated Dec. 2, said the gaming board's letter didn't reach the tribe's headquarters until after the close of business on Nov. 26, so the tribe didn't see it until after the vehicle had been given away.

But even if the state's letter had arrived beforehand, Houser wrote, the tribe would have continued with the event. Houser said that's because it wasn't a raffle, as the state contended, but rather was a sweepstakes that complies with New Mexico law.

"It's not really illegal; it's not even borderline," said Houser in a phone interview Friday.

Houser said the promotion was meant to boost its café and smoke shop businesses, located in the Apache Homelands Casino off Interstate 10 west of Deming.

Friday, Greg Saunders, spokesman for the gaming control board, said the agency has requested a copy of the rules of the event from the tribe.

"That's what we're waiting for, and we have not received that yet," he said. "We're asking for the rules to clarify what it really was."

Saunders declined to comment further.

Houser said entries to the contest were given out with purchases of meals or smoke shop products, as well as to people who wanted a free entry but didn't purchase anything. He said the state's warning letter might have been based on "misinformation" it had received.

"We think it's a legitimate form of promoting business," he said.

Houser in the letter asked to meet with state officials to "determine if there is common ground that we can agree on."

Houser wrote that he feels New Mexicans would be "better served if we worked together to provide jobs and economic development instead of starting a legal confrontation that would waste state tax dollars and further the growing impression among residents ... that your office's activities with respect to our business are based more on political influences than law."

Houser said the tribe is accepting entries at the casino for a sweepstakes being run by a tobacco company, but the giveaway won't occur at the casino.

The tribe earlier this year built a casino on a parcel of federal trust land it owns in Akela. It attempted to start electronic bingo at the facility, but wasn't able to after a backlash from federal and state gaming officials.

Gov. Bill Richardson and the gaming control board contend the tribe has no grounds to allow gaming at the site, while the tribe disputes that and argues the state has no jurisdiction in the matter.

The tribe is seeking a federal approval that could allow it to open a casino.

Tribe, town miss on wind-energy plans

By Nelson Sigelman
Martha's Vineyard Times

VINEYARD HAVEN, Mass. — The Wampanoag Tribe of Gay Head (Aquinnah) is currently testing the potential for generating significant energy from wind turbines located on tribal land.

At the same time the town of Aquinnah planning board is soliciting public input as it explores public support for a municipal wind energy facility and re-crafts a set of proposed energy bylaws that voters previously rejected at town meeting.

Although the Tribe and town appear to share similar goals of harnessing the prevailing winds that sweep in from the ocean and across the scenic moors and hills of the Island's westernmost town, there has been little or no communication between the two governments.

In 2006, the Massachusetts Technology Collaborative (MTC), which administers energy efficiency funds for the state and promotes renewable energy programs, provided the Tribe with a \$50,000 grant for a wind energy feasibility study through a pre-development finance program, which targets public entities that might not be eligible for the MTC's community wind initiative program.

In October 2007, MTC awarded Aquinnah an \$18,000 Community Wind Project grant through its wind initiative program, which specifically targets municipalities interested in developing wind-energy projects on town-owned land. The money was used to fund a wind turbine site survey completed in April 2008.

Carlos Montoya is a member of the planning board and a leader in the effort to explore a town-owned wind turbine. Mr. Montoya, a landscaper, said there has been no communication that he knows of between the town and the tribe about ways they might

coordinate efforts.

Mr. Montoya said the potential to generate energy from wind turbines must be examined against the ability of the existing infrastructure to funnel that energy back into the wider grid. At the moment, there is no guarantee that should the Tribe and the town develop turbines that the NStar infrastructure would be sufficient to absorb the power.

Mr. Montoya, point man on the town's community wind energy committee, said that in March he received the approval of the board of selectmen for permission to contact the Tribe to discuss the possibility of collaborating on wind energy. "I contacted Cheryl Andrews-Maltas shortly thereafter for an appointment," said Mr. Montoya in an email to The Times. "I attempted to reach her by e-mail, phone, fax and, finally, by hand-carrying a letter to her to the receptionist at the Tribal headquarters, but with no luck or response that I know of."

Ms. Andrews-Maltas did not respond to several messages left on her telephone answering machine.

Yesterday afternoon Tobias Vanderhoop, tribal administrator, emailed The Times in response to earlier telephone messages left for Ms. Andrews-Maltas. He wrote, "Chairwoman Andrews-Maltas will be happy to respond to any questions you have but requests that you forward your questions to us in writing so that she can respond via e-mail."

After two years of delays, in June the Tribe erected a 164-foot meteorological (MET) tower to support scientific equipment that will track weather information to determine if the site located on tribal land is optimal for electricity-producing wind turbines.

According to the Tribe's project grant application, "The wind feasibility study will analyze and evaluate the site, wind resources, permitting issues, visual and community impact

and the project economics. It is envisioned that wind turbine(s) ranging from 850 kW (kilowatts) to 2.1 MW (megawatts) in size would be well suited to the site and the total project size may range from 1.7 to 6 MW."

According to one builder familiar with wind energy projects, if the annual wind speed at the site were approximately 12 miles per hour, which is likely, each megawatt of capacity would produce enough energy for 300 to 350 typical homes using 6,000 KWh per year.

Reached at his office Monday, tribal planner Durwood "Woody" Vanderhoop said the MET tower is operational. He said the Tribe expects to be in a position by July 2009 to evaluate the collected data and examine the options and possibilities for developing wind energy facilities. He added that the Tribe is actively seeking a developer experienced in wind energy to partner with the Tribe.

Mr. Vanderhoop said he has attended several town forums to discuss wind energy in order to keep informed about what the town is doing. "I am very much willing to work with the town and let folks know that we are happy to share resources where it makes sense," he said.

The Tribes grant application describes a comprehensive community education effort. It said the Tribe will "...produce education materials that describe the wind project to the community surrounding the proposed wind project; provide information in education materials that will empower community and tribal group members to make well-informed decisions concerning support of our wind project."

That outreach includes building partnerships with other organizations committed to developing wind energy on the Cape and Martha's Vineyard. According to the grant, the Tribe will "Cultivate community support by encouraging community participation

in the planning process; Inform and educate community on the attributes and benefits of renewable energy resources, benefits to Martha's Vineyard residents, environmental health issues, and the connection with the proposed wind project."

The last advertised tribal public hearing was in May 2006 when the Wampanoag Tribe's land-use commission met with consultants and Aquinnah citizens to discuss the tower.

Camille Rose, selectman and chairman of the planning board, said that if the Tribe held a public meeting to discuss their wind plans, she was unaware of it. She said the only public meeting she is aware of was a meeting of the Aquinnah planning board in June 2006 about a special permit for the MET tower. "They did not discuss plans other than the hope to provide wind power for tribal housing," she said.

On Monday, Mr. Vanderhoop downplayed any sense that the Tribe is unwilling to provide information about its wind energy plans or engage in community outreach. He said the lack of outreach is tied to the absence of a consultant and the fact that the proposal has not advanced beyond the MET tower phase.

"There is no public discussion because there has been nothing put together past getting the MET tower up," Mr. Vanderhoop said. "Once we begin looking at possibilities then there will be some time for public discussion."

Although the MET tower is up, the Tribe has yet to receive a town building permit. It is one of three Tribe projects, along with a community center and shed, without town building permits.

Yesterday, Tribe and town leaders were scheduled to meet about the permitting issues in an attempt to resolve the procedural issues that are at the root of the permitting delay.

Oglala Sioux inaugurate new leader

Rapid City Journal

OGLALA, S.D. — The new president of the Oglala Sioux Tribe was inaugurated into office Friday during an afternoon ceremony marked by honoring songs, prayers and presentations of gifts.

The inauguration of OST President Theresa Two Bulls and Vice President William "Shorty" Brewer for the 2008-2010 term began at 1 p.m. in the Loneman School Gymnasium in Oglala. The program included a 5 p.m. supper and a 6:30 p.m. powwow. The theme for the inauguration was "Unity, Understanding and Peace."

Two Bulls, only the second female president of the tribe, gave her presidential address toward the end of the ceremony. Brewer also spoke at the inauguration.

Two Bulls defeated Russell Means in a runoff election Nov. 4 for the right to lead the more than 20,000 residents of the Pine Ridge Indian Reservation. She won 2,277 votes to 1,918 votes, after she and Means defeated incumbent president John Yellow Bird Steele in the primary.

Guest speakers included two tribal chairmen: Joseph Brings Plenty of the Cheyenne River Sioux Tribe and Robert Cournoyer of the Yankton Sioux Tribe. The Rosebud Sioux Tribal Council also made a presentation.

Lower gas prices



Associated Press

Dakota Snyder lowers the price of unleaded gasoline at the Catt-Rez Enterprises gas station on the Cattaraugus Indian Reservation, in N.Y., Nov. 11. With the state a signature away from collecting tax from tribal cigarette sales and a mega casino project mothballed because of economic and legal challenges, even by a former warrior nation's standards there are tough battles ahead.

210 employees laid off from jobs at casinos, hotels

By Michael Beebe
and Dan Herbeck
Buffalo news

BUFFALO, N.Y. — Seneca Gaming Corp. is going to have to get along with fewer employees because of the recession.

Seneca officials Tuesday announced a 5 percent across-the-board layoff, or 210 of its 4,200 employees.

Pink slips were handed out in the gambling operation's casinos, hotels and entertainment complexes in Niagara Falls and Salamanca, as well as the temporary casino in Buffalo.

It's another sign that the economy is affecting those who gamble. Fewer people are

throwing the dice or playing slots, and revenue is down.

Besides the layoffs, the corporation announced a salary freeze for those making more than \$70,000 a year, suspended yearly bonuses and will reduce salaries for its senior management and board of directors.

Brian Hansberry, president and chief executive officer of Seneca Gaming, said the company has been reducing expenses over the last six months.

"Unfortunately, that was not enough, and we had to take a measure that all of the members of the senior management team wanted to avoid," Hansberry said in a prepared statement.

The announcement did not

come from Philip Pantano, who since April 2005 has served as spokesman for Seneca Gaming. Pantano was among those who lost his job, and though he declined extensive comment, he said he was not laid off, but his position was eliminated.

Susan L. Asquith, a senior vice president with Travers Collins & Co. who has served in the past as a spokeswoman for Barry E. Snyder Sr., the chairman of Seneca Gaming and newly elected president of the Seneca Nation, made Tuesday's announcement.

"We are confident in the strength of our long-term business model," said Snyder, "but have to be realistic about what

is happening in the economy locally, regionally and nationally and how that impacts discretionary spending habits."

Snyder said that net revenues have dropped over the last several months and that the layoffs are being made to preserve as many jobs as possible.

Late last month, Barry Brandon, the gaming corporation's general counsel who had disagreements with Snyder, lost his \$700,000-a-year job.

The downturns at Seneca Gaming are reflected across the industry. At a casino conference last week in Las Vegas, some of the country's biggest casinos said they, too, were cutting back.

The chairman and chief executive officer of Harrah's Entertainment said that casinos had been spending like "drunken sailors" and said problems with the economy will change how they do business.

The layoffs continue the grim news for Seneca Gaming. In August, the company suspended work on \$463 million in expansion projects in Buffalo and Salamanca.

Construction was halted on the \$333 million Seneca Buffalo Creek Casino and Hotel project after \$47 million was spent on the steel superstructure. Seneca Gaming also halted work on the expansion of the Seneca Allegany Casino and Hotel in Salamanca.