

Biesack joins Tribal law department

Packer fan misses home state during football season

By Dean Rhodes

Smoke Signals editor

New Tribal attorney Jennifer "Jenny" Biesack is missing one thing about her frozen home state of Wisconsin this rain-drenched January in western Oregon.

And it's not white, cold and on the ground.

She's missing something that is green and yellow, and plays at Lambeau Field.

It's the Green Bay Packers.

Biesack, 30, and her family are avid Packer fans.

To remedy that, she and her husband, Ryan, have been discovering new sports bars in the Corvallis area where they live to follow the Brett Favre-led team in the National Football League playoffs.

Biesack, 30, started working for the Confederated Tribes of Grand Ronde Legal Department on Oct. 1, handling issues involving land, construction and housing.

"Jenny is a welcome addition to the Tribal Attorney's Office," said Tribal staff attorney Lisa Bluelake. "She comes to us with a lot of experience, having previously worked



Photo by Dean Rhodes

**Tribal attorney
Jennifer "Jenny" Biesack**

as an in-house attorney for another Tribe. Her experience and personality complement the other attorneys in the office. It is a great fit."

Biesack grew up in central Wisconsin in the small town of Amherst, a short drive west of Green Bay. She received her undergraduate degree from the University of Wisconsin in Madison and her law degree from Hamline University in

Name: Jennifer Biesack

Age: 30

Tribal job: Staff attorney

Family: Husband, Ryan, and 1-

year-old daughter, Sylvie Wren

Education: Undergraduate

degree from University of Wis-

consin-Madison; law degree

from Hamline University in St.

Paul, Minn.

Quote: "We're looking forward

to exploring Oregon."

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St. Paul, Minn., in 2002.

She said her law career grew out of being a political science major and her affinity for public interest law.

After graduating from law school, she worked for the Oneida Nation of Wisconsin as a staff attorney for five years. She applied for and accepted the position with the Confederated Tribes of Grand Ronde as she and her husband sought "to find new adventures."

Her husband, a jazz percussion-

ist, previously lived in Portland and is currently a graduate teaching fellow in music at the University of Oregon.

"I had been out to Oregon once before for a wedding and had a great time," Biesack said.

The only drawback to the move west was taking 1-year-old Sylvie Wren away from two sets of doting grandparents. But with Biesack's younger brother living in Portland and working for the U.S. Forest Service, her parents — father is an independent insurance agent; mother owns a personnel services agency — have numerous reasons to head west for a visit.

In her spare time when she's not studying to pass the Oregon bar exam, Biesack said she likes reading, cooking and being outdoors.

"We really like fishing, cross-country skiing and camping," she said. "We're looking forward to exploring Oregon."

But those explorations will have to wait for several things — better weather, passing the bar exam and the end of the Packers' pursuit of another Super Bowl title. ■

New Interior guidelines may affect Gorge casino proposal

Commutability, environmental impacts to be taken into consideration in accepting land into trust

By Dean Rhodes

Smoke Signals editor

New Department of Interior guidelines concerning off-reservation casinos and how close they are for Tribal employees to work at may affect the 10-year-old proposal by the Confederated Tribes of Warm Springs to build a casino and resort in Cascade Locks, 113 miles away from the Tribe's current central Oregon casino.

Assistant Interior Secretary for Indian Affairs Carl Artman issued a Jan. 4 memo that contains new guidelines for off-reservation casinos that mandate more scrutiny of environmental compatibility and "reasonable, regular" commuting distances between reservation residents and a new casino location.

Although the reservation's northwestern border is less than 40 miles from Cascade Locks as the crow flies, most reservation residents live more than 100 miles away near the Kah-Nee-Ta High Desert Resort and Casino in Warm Springs near Madras.

Artman's memo indicates that the federal government will increase scrutiny of off-reservation casino proposals the farther they are located from Tribal residents who could potentially work at and benefit from the new off-reservation casino.

The proposed Warm Springs Gorge casino would replace the Tribe's casino in central Oregon and be only a 45-minute drive from the Portland-Vancouver metropolitan area along Interstate 84.

Another potential hurdle for the Warm Springs proposal to build a casino in the Columbia River Gorge, a federally designated National Scenic

Area, is that the new guidelines also say that off-reservation casinos are incompatible if located on or near environmentally sensitive lands, such as national parks.

"A one-way, 113-mile commute on difficult and sometimes dangerous roads is not a reasonable commute for most Warm Springs Tribal members," said Dan Lavey, a spokesman for a coalition of environmental, small business, pro-family and Tribal interests who oppose the Warm Springs' Gorge casino proposal.

"These new guidelines are another barrier to an off-reservation casino in the Gorge and reinforce the need for casino advocates to consider an on-reservation or nearby central Oregon location."

Michael Lang, conservation director for Friends of the Columbia Gorge, said the Department of Interior is recognizing its responsibility to protect national scenic treasures, such as the Gorge.

"The noise, traffic and pollution from a massive 600,000-square-foot casino resort with an estimated 3 million visitors a year would simply not be compatible with Oregonians' vision for the future of the Gorge area," Lang said.

Artman's memo states that if a gaming facility is not "within a commutable distance of a reservation," then Tribal members who live on the reservation will not be able to take advantage of the job opportunities and remain on the reservation, or Tribal members may be forced to leave the reservation to obtain the casino jobs, both of which would have negative ef-

fects on reservation life.

Eleven Tribes received letters on Jan. 4 that the Department of Interior would not exercise its discretionary authority to take respective properties into trust. Eleven other Tribes received letters stating that the department would take no further action on their off-reservation casino applications.

The Warm Springs Tribe did not receive a letter.

For instance, the Jemez Pueblo Tribe located northwest of Albuquerque was informed that it could not build a casino almost 300 miles away in southern New Mexico on almost 79 acres off Interstate 10. The reason? The proposed trust land was too far away to provide jobs for Tribal members.

The Los Coyotes Band of Cahuilla and Cupeno Indians in southern California blasted the decision because the department is imposing a new "commutability" rule that does not appear in its own regulations and which has never been applied before.

The Warm Springs' Gorge casino proposal, which has been held up by Interior Secretary Dick Kempthorne, who has declined to sign off on a draft environmental impact statement, may be released by the end of January if either Artman and/or Kempthorne OK the document.

Kempthorne opposed off-reservation casinos when he was governor of Idaho and has shown no signs that he will approve the Warm Springs proposal or others the Interior Department lists as pending.

In New York state, the St. Regis Band of Mohawk Indians filed suit in November over its application to

put almost 30 acres into federal trust for a proposed casino in the Catskills some 350 miles from its reservation. St. Regis leaders say Kempthorne has let his personal opposition to off-reservation casinos interfere with his legal responsibilities.

Warm Springs leaders are watching the New York case.

"We're very pleased to have the Department of Interior finally take some action on its policy and get off the dime," said Warm Springs Tribe state lobbyist Michael Mason.

"It's just basic fairness to tell Tribes where they stand."

If the Department of Interior releases the draft environmental impact statement, it would set the stage for four or five public hearings and a 90-day comment period. Supporters and proponents will have their last chance to discuss locating the casino in Cascade Locks.

Although Gov. Ted Kulongoski supports the Warm Springs off-reservation casino proposal because a portion of the profits would go into the state school fund, the Confederated Tribes of Grand Ronde, religious groups, the Oregon Restaurant Association and environmentalists oppose off-reservation casinos, particularly one in the Gorge.

In addition, the state Department of Transportation has expressed concern about the highway interchange that the proposed casino would require along Highway 84 in Cascade Locks.

Once public hearings are held, the casino proposal returns to Kempthorne's desk for a decision.

Includes information from *The Associated Press*. ■