

Gaming expansion still in waiting mode

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The Cascade Locks casino project is one of nearly two dozen pending tribal gaming applications involving fee-to-trust land transfers that are being temporarily delayed by the Interior Department, while the department seeks to resolve political concerns arising from California-specific gaming issues.

The delay is in effect a complete moratorium on the processing of all gaming projects involving taking land into trust, including projects for land settlements, newly recognized tribes, restored tribes, and tribes seeking projects away from their established reservations.

Interior personnel are working to resolve the matter, and hope the moratorium will abate in the next few months.

The Interior Department denies there is any moratorium, informal or otherwise, but its

delay in processing extends even to routine environmental review documents for gaming projects required by the National Environmental Policy Act (NEPA).

The Cascade Locks casino project is being held up while its Final Environmental Impact Statement awaits publication in the Federal Register by the Interior Department.

In the first part of November last year, tribal officials began to notice that the publication of the EIS in the Federal Register was taking longer than usual.

"There is no set time that they have," tribal attorney Howie Arnett said, "but this is a process that usually takes six weeks or so.... This is taking longer than it should."

Once published in the Federal Register, there will be a 30-day period during which the public will be allowed to comment. At the end of that period, the BIA will produce a record

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of decision, which would address any substantive comments on the FEIS. The environmental review would then be complete, and the Interior Department could then move on to the final decision whether to approve the project.

"This is just the EIS," Arnett said. "It is not a final decision. It doesn't even say what the final decision should be, it just says, 'Here are all of the environmental effects of this project, and here's what the tribes will do to mitigate any that are adverse.' But we and the other tribes in our same situa-

tion haven't been able to budge [the secretary's office]."

Sen. Diane Feinstein (D-Calif.) is the chair of the Interior Appropriations Subcommittee, which annually funds the entire Department of the Interior. She has expressed her opposition, in letters to Secretary Salazar, to certain tribal gaming projects in California.

Officials from Warm Springs met with Feinstein's staff and were informed that Feinstein isn't concerned with the Cascade Locks casino. However, she is concerned about Indian gaming projects in the San Francisco Bay Area proposed by the Guidiville and Scotts Valley Bands of Pomo.

The Interior Department's budget goes through Feinstein's committee.

The Secretary of the Interior's office will not admit that there is a de facto moratorium. Instead, they say they want to develop an overall policy on

Indian gaming before approving anything for publication in the Federal Register.

Thorough study

But most of the work is done.

"The EIS is done," Arnett said, "and once it's published in the Federal Register, then that clears the way for the department to make the final decision. There is no reason to just say we quit at this point. We're just innocent bystanders in Senator Feinstein's concerns about certain California projects."

Incorporated into the final EIS are environmental effects on alternative sites. Those include Warm Springs, along Highway 26, and tribal trust land near Hood River. At the tribes' expense, the BIA conducted studies on traffic, air quality and water.

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Casino: would be seventh off-reservation

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The EIS is a federal process. "The Interior Department is required by the NEPA statute to go through this process," Arnett said.

"The tribes are required to pay for this process, so the only fair thing is for Interior to finish the process as soon as possible."

Off-reservation issue

Contrary to what many believe, the Cascade Locks Casino would not be Oregon's first off-reservation casino.

The Grand Ronde reserva-

tion, originally established in 1855, was terminated in 1954. The tribe was partially reinstated in 1983.

In a letter to Zane Jackson (then chairman of the Warm Springs Tribal Council), the Grand Ronde chairman Mark Mercier thanked Delbert Frank and Mike Clements for their help in restoring their reservation. That letter, dated August 19, 1987, also stated, "We will keep you posted on our progress with hope that our dream will soon become a reality."

Spirit Mountain, Three Rivers, The Old Mill Casino and

Lincoln City all required Congressional acts or federal laws to acquire the specific new land parcels for their casinos.

According to Cascade Locks' website, Warm Springs' Bridge of the Gods would be the seventh "off-reservation" resort and casino in Oregon.

"Another site that was considered before the Gorge casino referendum was the trust land in Madras," Arnett said, "but that was voted down by the membership."

(Mark Phillips, the tribes' Washington, D.C. representative, assisted with this article.)