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comments

Cowlitz Tribe Chairman William Iyall returned to his office Thursday afternoon from an employee Christmas party and on the fax machine was a gift from the Bureau of Indian Affairs: Official confirmation that the tribe's application to establish a 152-acre reservation near La Center had been accepted.

"It was exactly what we had requested," Iyall said.

The tribe applied in 2002 to establish the reservation with the goal of putting a \$510 million casino-hotel complex on it.

While the Indian Gaming Regulatory Act prohibits gaming on lands that were acquired in trust after it was enacted in 1988, the Cowlitz Tribe qualified under one of three exceptions to that rule.

Specifically, the Cowlitz qualified under the "equal footing" exception, which is directed at landless tribes such as the Cowlitz, which has 3,700 members but no established reservation.

"The news for the Cowlitz people is that we do have the potential for equal footing ... and will be able to provide other services that other tribes enjoy," Iyall said. "Now we have a huge opportunity."

In a statement released by the U.S. Department of the Interior, Assistant Secretary-Indian Affairs Larry Echo Hawk said: "This project will allow the Cowlitz Tribe to create hundreds of jobs and invest in other forms of economic development. It will also allow the Tribe to begin the

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Friday, 24 December 2010 11:53 -

restoration of its homelands."

Iyall said up to 3,000 jobs could be created when the casino is fully built.

Thursday's ruling does not mean a casino will seemingly sprout up overnight in the fields west of La Center's Interstate 5 interchange.

Since plans for the casino were made before the Great Recession, Iyall said Thursday that the tribe will have to meet with its development partners, Salishan-Mohegan.

That partnership is between Cowlitz tribal member David Barnett, the Mohegan Tribe of Connecticut and the Paskenta Band of the Nomlaki Indians of California.

The Mohegan Tribal Gaming Authority, the project's main financier, has been making news for its worsening finances.

Yet its chief operating officer said in July that despite the tribe's \$1.6 billion debt, the Cowlitz casino project remained "very viable."

Barnett, a Seattle developer, was a vocal supporter of the project but has not publicly spoken about the proposed casino after he sustained traumatic head injuries in November 2009 in an accident in King County.

Iyall said Thursday that Barnett remained a partner in the development project.

While estimated to be a \$510 million development at full build-out, Iyall said the project will be developed in phases.

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"It will be scaled to meet the market conditions," Iyall said.

Not taking into consideration any future legal challenges that could delay the project, Iyall predicted that it would be two years before construction started on whatever ends up being the first phase of the development.

Under Thursday's ruling from the BIA, the tribe can conduct Class III gaming, which includes card games, slot machines, dog and horse racing, jai alai and all other types of casino gaming.

One possible complicating factor for the tribe's application had been a Supreme Court decision blocking tribes not under federal jurisdiction prior to 1934 from taking land into trust.

Congress has been debating reversing that decision with what's been called the "Carcieri fix," named after the court case.

The Cowlitz Tribe was federally recognized in 2000.

According to the Department of Interior, the Cowlitz Tribe's application to have the Clark County land placed into trust was filed under the 1934 Indian Reorganization Act.

"We worked very closely with our attorneys in the Office of the Solicitor on the Cowlitz Tribe's land-into-trust application and determined that it clearly satisfied the law," Echo Hawk said. "We will continue our work to process other pending applications."

Also Thursday, the Department of Interior rejected a gaming application for the Redding Rancheria, a federally recognized tribe in California that wanted land placed into trust in Shasta County.

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