



Chinook Winds Casino & Convention Center

moral fabric of the community and that quality of life would decline," ignoring the fact that Oregon ranks third in the nation in state-sponsored gambling, next to Nevada and New Jersey; that gambling abounds in the city of Salem; and that the governor herself approved video poker in 1992, which by the end of the year had been installed in thousands of bars and clubs across the state.

In a sudden reversal of his long-held position, Secretary Lujan informed the tribe on Dec. 21, 1992, that although "we do not necessarily agree that the governor's assessment is accurate," the solicitor has advised the fee-to-trust could not be approved without the governor's concurrence.

On Dec. 22, the Siletz Tribe filed a lawsuit against the U.S. government on the grounds it was unconstitutional for the secretary to deny the tribe's application based on the governor's non-concurrence.

The year 1993 began and ended with the tribe in litigation over this issue. While the case was pending, however, it was necessary to purchase the Salem property to prevent it from being lost to a tax foreclosure. Loss of the property would have ended the tribe's lawsuit, and the tribe would have had to start all over again with a new piece of property. Rationale allowed that the property was a good investment, independent of gaming possibilities. Following that line of reasoning, and since the property could not be used for gaming, the Ad-Hoc Gaming Committee began exploring various options and uses for the property.

Meanwhile, the Ad-Hoc Gaming Committee quietly launched a concentrated effort to locate an alternative gaming site,

this time in Lincoln County. The tribe proceeded despite Gov. Roberts' explicit warning that she would not approve **any** acquisition of off-reservation land for gaming by **any** tribe.

The tribal attorney discovered that the governor had negotiated a compact with the Grand Ronde Tribe on property that the tribe was using as its forestry headquarters. The governor executed the compact erroneously, believing that the property was reservation land eligible for gaming under the Indian Gaming Regulatory Act of 1988. It was not.

The governor's team agreed to continue compact negotiations with the understanding that Lincoln City would be the site of the proposed gaming center, with final approval of the compact contingent on congressional action to make the Lincoln Shores property eligible for gaming under IGRA.

In November 1994, the U.S. Congress enacted HR 4719, which amended the Siletz Reservation Act of 1980 to clarify that 11 acres in Lincoln City were to be accepted in trust by the secretary of the Interior and made part of the Siletz Reservation.

Since the Act also provided that the property be made part of the Siletz Reservation as of the tribe's Reservation Act of 1980, the 11 acres were automatically eligible for gaming under the Indian Gaming Regulatory Act. In fact, the property the casino sits on was part of the original Siletz Reservation established in 1856.

It was mutually agreed that the official signing ceremony of the compact by the tribal chairman and the governor would not be announced until after the tribe had an opportunity to meet with city council officials. Through a clerical error, the signing was

posted on the governor's agenda and was made public prematurely.

General community reaction to the tribe's plan to establish a gaming center in the city was mixed. Opposition came mainly from a small, vocal minority known as the "No-Casino" Association. The association filed a formal complaint with the Oregon State Land Use Board, claiming that the city did not comply with official procedures.

However, as vociferous as the No-Casino Association was, it did not reflect general community attitudes as evidenced by a survey conducted by the City Council and published in *The News Guard*.

Within two months after the tribe's plan was made public, the Lincoln City Chamber of Commerce hosted a luncheon for the tribe, which drew a large number of community residents. There was considerable support and interest in learning more about the tribe's plans directly from tribal officials.

Later that same month, at a joint meeting of the City and Tribal Councils, co-chaired by the mayor and the tribal chairman, it was mutually agreed that the two governments would cooperatively address issues, including the tribe's need for municipal services. Although a number of issues remained, the Siletz Tribe completed negotiations with the city in July for essential municipal services.

A ceremony dedicating the gaming center site was held on Feb. 25, 1995. After several months of intensive negotiations, a tribal/state compact for conducting Class III gaming was successfully signed by the governor and the tribal chairman. The compact provided for the operation of a 10,000-square-foot temporary gaming facility for one year while the permanent facility was under construction.

PCL, a major construction firm based in Bellevue, Wash., whose background included the Mall of America in Minneapolis and the Denver Airport, was awarded the contract to complete the 10,000-square-foot temporary facility and to construct the permanent facility under a design/build contract.

Kane and Johnson, an architectural firm based in Minneapolis, Minn., with extensive experience in designing casinos, was contracted to design the 140,000-square-foot gaming and convention facility (later enlarged to 159,000 feet with the addition of a mezzanine floor).

Creative Design and Engineering of Newport, Ore., was contracted to serve as the owner's representative to monitor the planning and construction of the temporary and permanent centers.