

# pits environment against economic concerns

## Setting the record straight

During the five hearings held in March regarding the Cascade Locks Casino Draft Environmental Impact Statement, several arguments made by supporters required clarification or additional information.

The following are some of the proponent arguments and the additional information needed to weigh the accuracy of those claims:

**Claim: The proposed Cascade Locks casino site is only 35 miles from the Warm Springs Reservation.**

**Truth:** According to Grand Ronde Geographic Information Systems Coordinator Volker Mell, Cascade Locks is 36.5 miles from the northwest corner of the Warm Springs Reservation as the crow flies. However, most Warm Springs Tribal members do not live there; most of the 4,000 Tribal members who live on the reservation live in or near Warm Springs, which is a 109-mile drive one-way (218 miles roundtrip) from Cascade Locks over curving, two-lane roads that can be dangerous in winter. In January, the Department of Interior instituted new guidelines for analyzing off-reservation casino requests by Indian Tribes. The new guidelines give more scrutiny to commuting distance between reservation residents and an off-reservation casino, and define "commutable distance" as "the distance a reservation resident could reasonably commute on a regular basis to work" at the off-reservation casino. Is 109 miles one-way "reasonable" and "regular"? For comparison, a Portland resident commuting 109 miles one-way would work in Olympia, Wash., and the drive on Interstate 5 is a straight shot compared to driving on central Oregon state routes.

**Claim: The proposed Warm Springs casino in Cascade Locks would only cover five Portland city blocks.**

**Truth:** The project's requested size is 60 acres (25 taken into trust for the Tribe; 35 leased from the Port of Cascade Locks), which equals 65 Portland city blocks, each measuring 200 feet by 200 feet. The Draft Environmental Impact Statement says the buildings will encompass 603,000 square feet, which is 13.8 acres. Initial plans call for a 90,000-square-foot casino, 241-room hotel, 26,000-square-foot meeting and convention facility, spa and fitness center, retail shops, cultural and interpretive center, daycare facility and variety of dining options. The plans also call for parking for 3,700 vehicles, including a multi-tiered (possibly six story) parking garage and two surface lots.

**Claim: Only a Gorge location can meet the need to improve economic self-sufficiency for the Warm Springs Tribe.**

**Truth:** Grand Ronde Tribal member and lobbyist Justin Martin said that studies have been conducted that show a new, more convenient on-reservation casino on U.S. Highway 26 in central Oregon would make more

than enough money for the Warm Springs Tribe to cover its stated annual \$26 million shortfall in caring for Tribal members. And it would allow the Warm Springs Tribe, with the largest reservation in Oregon, to adhere to the current state policy of one casino per Tribe on reservation land.

**Claim: There will be no significant effect to fish in the Columbia River by the proposed Cascade Locks casino project.**

**Truth:** In an Aug. 11, 2006, letter from the National Marine Fisheries Service to the Bureau of Indian Affairs, NMFS said it "does not concur with the BIA's determination of 'not likely to adversely affect' steelhead and coho salmon living in the Columbia River. "NMFS is reasonably certain that the stormwater effects of the proposed action (the Cascade Locks casino) will cause adverse effects" to the salmon and steelhead, the letter said.

Although the DEIS includes mitigation plans for building storm water treatment facilities, the NMFS letter questions whether treatment will be sufficient.

"Water quality treatment of stormwater will treat an estimated 85 to 95 percent of pollutants generated by the water quality storm event, and stormwater will bypass the treatment systems during large storm events," the letter says.

"Stormwater runoff from residential and commercial developments typically contains nutrients; sediments; metals; hydrocarbons from gasoline, oil and vehicle exhaust; pathogens and pesticides.

"These residual pollutants will degrade water quality ... which may affect the listed species using these habitats."

Fisheries Service spokesman Brian Gorman said March 28 that the almost 2-year-old letter remains valid.

"Nothing has changed," he said. "We still have an issue with the BIA's conclusions and have not been in consultation with the BIA."

**Claim: Only the Warm Springs Tribe can claim the Cascade Locks area as its ancestral homelands.**

**Truth:** Grand Ronde Cultural Resources Manager David Lewis said the Grand Ronde Tribe also has a claim to Cascade Locks. Lewis said Warm Springs statements that Cascade Locks is on their treaty lands may be partially correct, but there has never been an accurate division of the Cascade Locks area according to a stipulation in the two 1855 treaties. Those treaties mark the boundary at "from Cascade Falls to the summit of the Cascades," which would be Mount Hood as the closest summit. This line takes a southeastern route, which may divide Cascade Locks approximately in half, so the Warm Springs claim may be true. However, Lewis said, the Warm Springs do not honor the Grand Ronde claims in the same area and this refusal leads the public to think that the Warm Springs Tribe has the sole claim to the area under treaty rights. ■

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away. Look at the dams. Who's going to clean up this mess? My dad used to say that it takes twice as much to clean up (than to build).

"And I can guarantee the cost to build is not going to be what was projected.

"I hear a lot of grumbling about what Grand Ronde is doing, but we believed in the on-reservation alternative and were willing to help the Warm Springs to the tune of \$60 million to 70 million (as a loan). Who else offered anything close?"

The Warm Springs Tribe received support in Portland from Siletz Tribal Chairwoman Dee Pigsley, who said the Warm Springs Tribe is within its rights to build a casino in Cascade Locks.

"People who oppose this are being unreasonable," Pigsley said. "It will not be as destructive as the dams and will promote tourism. ... No one would be complaining if 3 million more people visited Multnomah Falls or Crater Lake."

Siletz Vice Chairman Bud Lane testified that some of his Tribe's members commute 90 minutes on Tribally funded buses to work at Chinook Winds Casino in Lincoln City.

"It's a small price to pay for a badly needed job," he said.

### Current policy supported

Grand Ronde Tribal Chairwoman Kennedy, however, stressed that the Grand Ronde are a Willamette Valley Treaty Tribe and support the fairness of the current policy — one casino per Tribe on reservation land.

Grand Ronde Tribal Elder Adrienne Llaneza echoed Kennedy's statements, saying the Grand Ronde Tribe is not seeking privilege, but trying to abide by treaty and Oregon law. She said if the federal government allows the Warm Springs Tribe to build an off-reservation casino, it will be a breach of public trust.

"We shouldn't be disagreeing with the facts," said Michael Lang, conservation director for Friends of the Columbia Gorge, in Stevenson, "but instead, talking about policy."

In fact, the sides disagree about many facts, including:

- ◆ How big the facility will be;
- ◆ What effects the casino will have in terms of the environment and local businesses;
- ◆ Whether the deal would mean a second casino for Warm Springs or just a replacement of the first;
- ◆ Which Tribes rightfully consider the Gorge area part of their ancestral

lands;

- ◆ And whether the commute to the proposed casino site will be a benefit or detriment to Warm Springs Tribal members hired in Cascade Locks and their reservation.

Among other arguments voiced in Portland against the Cascade Locks casino proposal were three people who testified about the social ramifications of allowing a casino only 40 miles from Portland.

Betsy Maynard, representing the Oregon Family Council, said Portland residents must currently drive at least 65 miles to visit a casino.

"Opening a casino 40 miles from Portland will not help," she said.

"Why should the Warm Springs try to cure their social ills by creating social ills for others?" asked Gresham physician Gordon Canzler.

Most Hood River residents spoke against the proposal. In fact, Hood River Mayor Linda Streich said, "At no time has the city supported a casino at any site in the Gorge."

Emotions ran high throughout the process. Warm Springs Tribal member Floyd Calica said, "I hope our Tribes can return to our original friendship."

And another Warm Springs Tribal member, Andrew Hofstader, said, "We have followed the letter of the law in this process. It saddens me to think about the amount of money that has been spent to stop this."

Others were just as upset by the amount of money spent to promote the casino, particularly when the on-reservation choice would have avoided the costs.

Grand Ronde Tribal Council member June Sell-Sherer said, "My heart aches for the Warm Springs people, but the casino would do little to help them. Too many problems have not been considered."

### Decision in 2009?

While a decision on the casino proposal, which is scheduled for later this year, may be delayed to the next administration, arriving in January 2009, little is really known about how either party might rule.

Republicans and Bush administration Interior Secretary Dirk Kempthorne oppose off-reservation gaming and the Democrats have long championed sound environmental practices.

"We would hope," said Grand Ronde Tribal Attorney Rob Greene, "that any administration that looks at the facts would reject it as a bad idea not only for Oregon, but also for Indian Country."

The hearings were not without dashes of humor.

One Warm Springs Elder testified in Portland that there are three Tribes comprising the Warm Springs Confederation, so, therefore, under the one casino per Tribe rule, "You owe us two more casinos."

Using that argument, however, the Grand Ronde would be owed at least four more. ■