

# Clark County leaders hear resounding no on Cowlitz casino MOU agreement

By Dean Rhodes

*Smoke Signals editor*

Clark County commissioners went looking for ways to improve a now-defunct 2004 memorandum of understanding with the Cowlitz Tribe regarding the Tribe's proposed casino in La Center.

The overwhelming suggestion the three commissioners heard April 7 during the first of three public hearings was a resounding tweak — let the memorandum die in hopes that the absence of an agreement will scuttle the Cowlitz's request for reservation land near La Center with the U.S. Department of Interior.

During the two-hour hearing held at La Center High School, more than 30 people testified and an overwhelming majority spoke against the casino and resurrecting the memorandum.

"This is a time for action," said Ed Lynch, chairman of Citizens Against Reservation Shopping. "The first action is to let it come to a natural and fateful end by not taking any action to resurrect it. If you're against it, then be against it."

Lynch also said Clark County is "Chinook country."

"They (the Cowlitz) don't belong here," Lynch said. "Failure to achieve intergovernmental agreements will weigh heavily against the proposal."

The Grand Ronde Tribe opposes the Cowlitz proposal, citing its historic and ancestral ties to southern Washington. The Grand Ronde note that the Cowlitz Tribe's ancestral lands are farther north near present-day Toledo and Vader.

Clark County commissioners approved the original memorandum of understanding with the Cowlitz Tribe in February 2004. It was struck down by a Washington state land-use hearings board, which said insufficient public participation went into its creation and it violated the state's Growth Management Act.

The county appealed the board's ruling to Thurston County Superior Court, which upheld the decision. The county has appealed that ruling to the state court of appeals and set aside the memorandum while awaiting a ruling.

However, as Commission Chairwoman Betty Sue Morris explained, Clark County is concerned that if the federal government OKs taking 152 acres into trust for the Cowlitz Tribe at the La Center intersection with Interstate 5 and there is no memorandum in place that limits the financial and environmental effects, then Clark County will be left holding an empty bag, unable to tax or regulate development on Tribal trust land.

"Right now," Morris said, "this agreement doesn't legally exist."

The Cowlitz Tribe is proposing a \$510 million 134,150-square-foot casino, restaurant, retail stores, convention and entertainment facilities and 250-room hotel on the site. In 2004, the Tribe agreed to make payments to Clark County



Photo by Dean Rhodes

**Grand Ronde Tribal Elder Valerie Alexander speaks to Clark County (Wash.) commissioners on April 7 during a hearing in La Center. Alexander said she is concerned that a proposed Cowlitz Tribe casino in La Center will send warm effluent into the east fork of the Lewis River and harm baby salmon. The commissioners were seeking input on ways to improve a now-defunct memorandum of understanding with the Cowlitz, who are awaiting word from the federal government about their application for reservation land along Interstate 5 16 miles north of the Portland-Vancouver metropolitan area.**

## How to comment

For more information, visit [www.clark.wa.gov](http://www.clark.wa.gov). Comments are due by April 28 and can be sent to Board of Clark County Commissioners, Cowlitz MOU, P.O. Box 5000, Vancouver, WA 98666-5000, or e-mailed to [boardcom@clark.wa.gov](mailto:boardcom@clark.wa.gov) with Cowlitz MOU in the subject line.

that would be equal to its property tax and fund its share of police, fire and emergency services.

Commissioners made a point of noting that negotiating a memorandum of understanding with the Cowlitz Tribe does not equal support for the proposed casino.

(The next day, Clark County commissioners approved a resolution opposing "commercial gaming facilities in the unincorporated area of Clark County.")

But in seeking ways to improve the memorandum, Clark County commissioners ran into a barrage of anti-casino sentiment.

Susan Gilbert, chairman of the Enterprise/Paradise Point Neighborhood Association, was the most strident in her opposition, asking the county to pass a resolution against the proposed Cowlitz casino and not renegotiate the memorandum of understanding.

"Without an agreement, it is doubtful the process will go forward," Gilbert argued about the Cowlitz draft environmental impact statement, which is currently being reviewed in Washington, D.C.

La Center resident Cynthia Bushell also argued that a lack of memorandums of understanding with governmental entities within 10 miles of the proposed casino could be a "showstopper."

"Could it be the best thing to do is to let the MOU die?" Bushell asked.

Grand Ronde Tribal Elder Valerie

Alexander, who lives in La Center, said she was concerned about the warm effluent from a proposed casino harming young salmon in the east fork of the Lewis River.

Other speakers suggested the Cowlitz Tribe build a manufacturing development on the site and not resort to opening another casino only 16 miles from the Portland-Vancouver metropolitan area.

Greg Rowland said it was an opportunity for the county to correct a "spectacular mistake," which is being funded in partnership with the Mohegan Tribe in Connecticut.

"This is a product that preys on the community," Rowland said. "It's tax-free and above the law. It's not what Clark County needs."

Clark County commissioners received a few suggested tweaks to the memorandum of understanding.

Several speakers expressed concern about the effects of the casino and its employees on the school districts of La Center, Woodland and Ridgefield, and sought wording to address those concerns.

"Schools are briefly mentioned in the MOU and that's not good enough for me," said La Center resident Shawn Link.

Clark County Sheriff's Office employee and La Center resident Erin Nolan said the county needs the memorandum to ensure it is paid to provide police, fire and emergency services to the casino.

"It's a cow pasture now," Nolan said. "We don't get many 911 calls

from there. If the MOU is not negotiated, the Sheriff's Office will still have to provide service and it will have significant impacts to our services."

Another speaker questioned the agreement's clause requiring the Cowlitz donate only \$50,000 a year to gambling addiction recovery programs.

"That's throwing a spool of thread to a drowning man in a raging river," he said. "We need a more substantial sum of money to offset addiction recovery."

Morris also was asked if any Clark County commissioners had received campaign contributions from the Cowlitz Tribe.

"No," she said. "And I've received no contributions from the Grand Ronde Tribe either."

The Grand Ronde Tribe is concerned about the negative effect a La Center casino will have on Spirit Mountain Casino's dividend to the Tribe. Grand Ronde estimates say a La Center casino would cut the Tribal dividend by almost 50 percent.

The Grand Ronde Tribe is part of a consortium, Citizens for a Healthy Clark County, which opposes a new memorandum.

Of the two speakers who supported the casino, Salmon Creek resident Ralph Edwards said Congress is to blame for the proliferation of Indian casinos in Washington state and cited the Indian casinos in the Seattle-Tacoma area.

"Clark County needs to get moving and realize casinos are a fact of life in 2008," he said.

Clark County commissioners also held meetings regarding the memorandum on April 10 in Battle Ground and April 15 in Vancouver. ■