

# Cowlitz Tribe gets reservation near La Center

Tribe says documents signed; plans for casino still face legal hurdles

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After a legal battle stretching more than a decade, the Cowlitz Indian Tribe has secured the reservation it needs to build a casino near La Center.

Monday, the regional director for the Bureau of Indian Affairs, Stanley Speaks, signed the final documents to immediately establish the tribe's first-ever reservation. The federal secretary of the interior has acquired the 152-acre property in Clark County on behalf of the tribe, which has been federally recognized since 2000. The land was already owned by Cowlitz tribal interests.

"After 160 years of longing for a reservation within our aboriginal lands, I welcome all Cowlitz people to come home," Cowlitz Tribe Chairman Bill Iyall stated in a press release. "We are no longer a landless tribe. ... The Cowlitz reservation offers new opportunities in our aboriginal land and the community which the tribe will deliver from generations to come."

The tribe plans to build a 134,000-square-foot casino along Interstate 5 west of La Center, plus a 250-room hotel and space for shopping and dining. The first phase of the massive project will produce at least 3,000 construction jobs for 18 to 24 months, Iyall said Monday. The new casino will provide about 1,500 permanent jobs when its doors open, he said.

“The local labor groups have been waiting for this as long as we have,” Iyall said.

Eventually, the tribe will construct a new administration facility and relocate its Longview offices there. It’s also planning a community building and an archive for storing artifacts, Iyall said.

But before any financing for the site can begin, the legal challenges to the project need to be settled, he said. In the meantime, the tribe will develop a master plan for the reservation, start architectural work for the casino and finalize engineering drawings for the Exit 16 interchange, which needs to be updated to modern earthquake standards and higher traffic volumes.

“There will be essentially a shovel-ready project as soon as those appeals are done and finished,” Iyall said.

## Legal fight

Several entities want the casino project stopped. They filed a lawsuit after the Bureau of Indian Affairs in 2010 approved the tribe’s application to take the 152 acres into trust.

The lawsuit plaintiffs included the city of Vancouver; Clark County; the Confederated Tribes of the Grand Ronde; nearby property owners Al Alexanderson and Greg and Susan Gilbert; Citizens Against Reservation Shopping, a group that includes Scott Campbell, publisher of *The Columbian*; and Oregon Dragonslayer Inc. and Michels Development, operators of La Center cardrooms.

In their suit, plaintiffs questioned the Cowlitz Tribe’s historical ties to the area west of Interstate 5. The tribe’s Longview headquarters are 24 miles north of the site, and plaintiffs argued the Cowlitz Tribe just wanted their reservation to be an easy 16-mile drive from Portland to attract casino customers.

On Dec. 12, U.S. District Court Judge Barbara J. Rothstein dismissed the lawsuit and reaffirmed the federal government’s decision to take the land into trust for the Cowlitz Tribe.

In her 57-page ruling, Rothstein wrote that the Indian Reorganization Act of 1934 gives the secretary of the interior the authority to take land into trust for a reservation. She also rejected arguments that the tribe’s current plans inadequately mitigate stormwater, traffic, light and noise issues and that a supplemental environmental impact study needs to be completed.

The judge also addressed the 2009 U.S. Supreme Court ruling known as *Carcieri*, in which the high court said the government can put land into trust only for tribes that were under federal jurisdiction in 1934. Rothstein thought the wording of the statute was ambiguous and therefore, she would defer to the secretary of the interior.

The group of Clark County plaintiffs are appealing Rothstein’s ruling, along with the Grand Ronde, which draws customers from the Vancouver-Portland area to its Spirit Mountain Casino approximately 65 miles southwest of Portland.

Monday’s reservation announcement was expected, Vancouver Assistant City Attorney Brent Boger said. However, he added, the Department of the Interior has taken the position that if the plaintiffs prevail in the appeal, the taking of the land into trust could be undone.

“Our position is (Rothstein’s ruling) flies in the face of *Carcieri* and other precedents, and the statute isn’t ambiguous,” Boger said.

## Site of Cowlitz Indian reservation

