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Congressman Wu's Letter to Sec. Norton Draws Strong Response from Local, State and Federal Officials

WASHINGTON, D.C. – A bipartisan group of local, state and federal officials sent the attached letter to Interior Secretary Gale Norton today rebutting claims made by 1st District Congressman David Wu (D-Portland) in opposition to the compact agreement reached by Oregon Governor Ted Kulongoski and the Confederated Tribes of the Warm Springs to site a casino in Cascade Locks.

The public officials, all of whom represent residents of the area, said Congressman Wu's letter contained inaccuracies and misleading statements that demanded clarification and correction.

"I can't imagine why my colleague would want to derail a process that the Tribes, local governments and the State have been working on in good faith for years. Our goal was to follow the intent of the National Scenic Area Act by concentrating development where development already exists, and by creating tourism-related jobs to replace those lost by industries the Act discouraged in the Gorge," said U.S. Congressman Greg Walden (R-Hood River).

"If Congressman Wu's letter blows apart this agreement, then the construction trades stand to lose nearly two million hours of work and the Tribal members and others in the area will lose 1,000 permanent jobs. Moreover, the Tribes will most likely return to their plans to locate a casino east of Hood River on trust land overlooking the Mark O. Hatfield Park. They could return to that site tomorrow if they wanted. Instead, it makes better sense to approve the Compact which would site the casino on the Port of Cascade

Locks industrial lands that were created by tailings from the construction of Bonneville's second powerhouse," said Walden.

"The casino agreement represents a significant opportunity for both the Warm Springs Tribe and the struggling community of Cascade Locks to achieve economic vitality and sustainability," said State Senator Rick Metsger (D-Mt. Hood), chairman of the Senate Business and Economic Development Committee. "I am disappointed that Congressman Wu did not learn the information others more closely aligned to this project have already reviewed."

"It's unfortunate that Congressman Wu weighed in on this issue without first learning the facts or dialoguing with me or the many other elected officials who are directly involved and informed. This proposal is a good thing for the region and came after years of collaborative, bipartisan efforts between the Tribe, Cascade Locks, Hood River County and the state of Oregon," said State Representative Patti Smith (R-Corbett).

"I am unaware of an elected board in this region that opposes this proposal," said Hood River County Commission Chair Rodger Schock. "While a gambling facility was not our first choice to strengthen the area's economy, we have had no luck in bringing jobs to the region and cannot afford to let our unemployment continue to rank among the nation's highest. This casino would spur economic development that will help Cascade Locks and the Gorge for years to come. We have built a very strong, cooperative relationship with the Warm Springs and I appreciate the commitment they have shown in developing a plan that is beneficial to their tribe, our region and the state of Oregon."

"I'm disappointed that Congressman Wu didn't contact me or any of the other local officials in this area that I am aware of to find out more information about the proposed casino in Cascade Locks. I would have been, and still am, happy to clarify information and show him both of the proposed sites so that he could better understand the issue on the ground here locally," said Hood River County Commissioner Carol York.

Walden and the others hope that their letter will provide Secretary Norton with a factual look at the issue as she works toward making her decision.

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April 29, 2005

The Honorable Gale Norton
Secretary of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Re: Cascade Locks Gaming Compact between Oregon and Warm Springs Tribes

Dear Secretary Norton:

We are elected officials, representing the families and communities most directly affected by the decisions you will make regarding the agreement signed on April 6th of this year, between the State of Oregon and the Confederated Tribes of the Warm Springs Reservation of Oregon.

We are writing to strongly urge you to approve the Cascade Locks Compact and set the stage for your separate, subsequent important decision: the acceptance of these fee lands in the industrial park within the City of Cascade Locks into trust for purposes of Class III Gaming by the Warm Springs Confederated Tribes

As local, state and federal officials, we have spent considerable time studying the issues relating to this historic Compact. We watched closely as the various elements of the compromise substituting the Cascade Locks site for the Hood River site were forged into a strong and unified document that embodied Oregon values and respected the legal requirement of State and Federal law.

We know that in exchange for this compromise location in Cascade Locks --where the community wants this development to occur--the Tribe gave up the right to build a casino on tribal trust lands eligible for gaming east of Hood River and agreed to perpetually protect those pristine and scenic lands. We encouraged the Governor and the Tribe to agree on this Compact because we are convinced that this Compact will provide for the economic self-sufficiency of tribal members, assure the environmental protection of the Columbia River Gorge and share revenues from the gaming operation for the benefit of all Oregonians.

We recognize that not everyone will agree with us – and we respect those Oregonians who have a principled, opposite point of view. However, some of the opinions you have received from opponents to this Compact are not worthy of your full consideration, particularly when they purposely twist and contort the law and the facts to conveniently conform to their predetermined opposition.

Specifically, we wish to respond to the factual misstatements and misunderstandings of the legal process contained in Congressman David Wu's letter to you of April 28, 2005. We urge you to disregard his arguments and conclusions for the following reasons:

- Congressman Wu is wrong when he states that the Hood River casino site is a "red herring." We know that this original choice for the Warm Springs casino was on Tribal Trust Land, acquired before 1988, land clearly eligible for gaming according to IGRA. We're certain that Congressman Wu must be aware that the Columbia River Gorge National Scenic Act specifically exempts Tribal Trust Lands. We knew – and he must know -- that the Tribe had acquired an additional 175 acres close to the trust land and was in the process of developing shovel-ready plans to build on this site.
- Congressman Wu is wrong when he states that "all of the communities surrounding Cascade Locks oppose building the gambling casino there." Even a cursory reading of the Recitals (Article II) in the Cascade Locks Compact would provide the Congressman with an inventory of the local jurisdictions that have passed resolutions supporting this Compact. We hope the Congressman will discuss with the signers of this letter why we affirm those decisions and why the list of jurisdictions supporting this Compact is expanding each week to include communities on both sides of the Columbia River.
- Congressman Wu has no evidence to support his assertion that Cascade Locks' urban growth boundary would expand because of this Compact. If Congressman Wu would visit our community, he would see that there are substantial physical constraints on such expansion. More importantly, the compromise location described in this Compact actually follows the guidance of the National Scenic Act by placing development within city boundaries on land appropriately zoned for it. Moreover, the compromise supports the values of compact urban form -- favored by the Oregon Land Use Laws -- by locating this kind of non-smokestack industry on under-utilized Port of Cascade Locks Industrial Park lands, where the community wants this development to occur.
- Congressman Wu completely misunderstands where we are in the approval process. As you know, now is the time for you to review this Compact to determine if the agreement satisfies the requirement of IGRA. Once the Compact is approved or deemed approved, a significant series of environmental analyses will be undertaken by the Bureau of Indian Affairs so that you may determine whether the fee lands should be taken into trust for the purposes of gaming pursuant to Section 20 of IGRA. Of course the Compact itself does not take effect unless and until the land is taken into trust. We are impressed that the Warm Springs have committed to high environmental standards for the design and operation of the casino at this location. Furthermore, the Warm Springs have already committed to comprehensive environmental impact studies to satisfy federal requirements. The assertion in Congressman Wu's letter that you need environmental studies in place before you determine the approval of the Compact demonstrates a fundamental misunderstanding of your current approval process.

- Congressman Wu’s argument that this Compact violates Oregon’s policy of one casino per tribe is simply wrong. This Compact clearly states that the Warm Springs will close the casino at their Kah-Nee-Ta Resort when the casino at Cascade Locks opens its doors. The irony of Congressman Wu’s mistake is rather than violating the policy, this Compact is the first in Oregon in which a tribe expressly acknowledges and agrees to abide by the “one casino policy.”

Furthermore, the facts of this Compact are so unique that Congressman Wu’s fear of an “arms race” for urban casino locations is without reasonable factual basis. No other Oregon tribe owns trust land eligible for gaming in the Gorge. No other Oregon tribe has the legal, historic and cultural ties to lands similar to the Warm Springs’ ties to Cascade Locks. And while, occasionally, restored tribes in Oregon have sought Congressional action to expand their reservations for the purpose of locating a casino in a favorable place, efforts to gain gubernatorial support for random, off-reservation locations in urban areas have been rejected by Governors Roberts, Kitzhaber and Kulongoski. Congressman Wu knows that the Governor and Portland Mayor Tom Potter have made it crystal clear that no casino will be approved for location in Portland. The “arm’s race” is a disingenuous scare tactic, and the quote in Congressman Wu’s media release from Sue Shaffer of the Cow Creek Band of the Umpqua Indians, “Cow Creek is staying put,” is poignant testimony to the real facts in Oregon.

- Lastly, as local elected officials committed to the highest goals of environmental protection for the families and communities we represent, we resent the fact that Congressman Wu never once visited any of our communities to discuss or debate his concerns. If he would accept our invitation, we would be delighted to explain the many ways in which the Cascade Locks Compact protects and enhances the environment:
 - The Warm Springs are placing a conservation easement on their tribal trust lands near Hood River, so these pristine, scenic lands would be forever preserved undeveloped;
 - The Warm Springs have agreed to convey 175 acres of fee land they own to the State of Oregon, assuring the perpetual protection of these sensitive, scenic lands;
 - The Warm Springs have agreed to design, build and operate their casino to the highest standards of sustainable development, using renewable energy sources, resource conservation technology/systems, natural building materials and LEED [Leadership in Energy and Environmental Design] construction standards -- Article XII of the Compact;
 - The Warm Springs have committed to a traffic management plan which utilizes public transportation options to maximize the use of carpools, buses, rail and water transportation modes – Article XIII of the Compact;
 - The Warm Springs have agreed to a local Community Benefit Fund established, in part, to “preserve, protect and enhance natural and cultural resources within the Columbia River Gorge National Scenic Area: with one Trustee of the Fund’s Board a person with a “unique interest in the protection and conservation of the Columbia River Gorge” – Article XVI of the Compact; and

- The Warm Springs have agreed to share revenues from the casino with the people of Oregon and to set aside and expend up to 10% of the shared revenue for the purposes of “preserving, protecting or enhancing natural and cultural resources within the Columbia Gorge National Scenic Area” and other related use (such amounts of revenue could exceed \$27 million in the first ten years of casino operations) – Article XV of the compact.

All of these environmental benefits and more would have been obvious to Congressman Wu if he had read the Compact or discussed his concerns with us local officials. We hope he will take time in the future to pay us the respect of reaching out before sounding off.

In any case, Secretary Norton, we hope you will put the contents of Congressman Wu’s letter in the context of its many flaws relating to the law, the approval process and the real facts of this Cascade Locks Compact.

We respectfully urge you to evaluate the many benefits so carefully crafted into this Cascade Locks Compact and exercise your authority to approve this Compact – then all of us in Oregon and Washington can join you in the next phase of this process, as we evaluate the many environmental impact issues involved in bringing the Cascade Locks Industrial Park land into trust for the purposes of gaming.

Thank you for your consideration.

Sincerely,

Greg Walden
Member of Congress

Rick Metsger
Oregon State Senator, Dist. 26

Ted Ferrioli
Oregon State Senator, Dist. 30

Ben Westlund
Oregon State Senator, Dist. 27

Patti Smith
Oregon State Representative, Dist. 52

John Dallum
Oregon State Representative, Dist. 59

Rodger Schock, Chair
Hood River County Commission

Carol York
Hood River County Commissioner

Chuck Thomsen
Hood River County Commissioner

Les Perkins
Hood River County Commissioner

Maui Meyer
Hood River County Commissioner

Dan Ericksen
Wasco County Judge

Sherry Holliday
Wasco County Commissioner

Gary Thompson
Sherman County Judge

Al McKee, Chair
Skamania County Commission

John Kirk
Mayor, North Bonneville, WA

Kathy Woosley, President
Port of Cascade Locks Commission

Tim Lee
Port of Cascade Locks Commission

Jean McLean
Port of Cascade Locks Commission

Rob Brostoff
Councilor, Cascade Locks, OR

Amy Lyddon
Council Member, North Bonneville, WA

Kathleen Malone
Hood River, OR School Board Member

Scott McKay
Wasco County Commissioner

Lonnie Roberts
Multnomah County Commissioner

Sherry Kaseberg
Sherman County Commissioner

Ralph Hesgard
Mayor, Cascade Locks, OR

Robb Van Cleave
Mayor, The Dalles, OR

Joeinne Caldwell
Port of Cascade Locks Commission

Scot Sullenger
Port of Cascade Locks Commission

Kerry Osbourn
Councilor, Cascade Locks, OR

Tom Payton
Council Member, North Bonneville, WA

Paul Cummings
City Council, Hood River, OR

(All signature approvals on file in Congressman Walden's office)

(This document, and other information about the Cascade Locks casino, can be found on the City's website: www.clbb.net)