



# United States Department of the Interior

Office of the Assistant Secretary - Indian Affairs

Washington, DC 20240

## OFFICE OF INDIAN GAMING

Fact Sheet and Q&A:

December 22, 2021

### Coquille Indian Tribe Fee-to-Trust and Gaming Facility Project, Medford, Oregon

#### Decision:

- After careful review of the 2020 denial (Denial) of the Coquille Indian Tribe's (Tribe's) fee to trust application, the Assistant Secretary has withdrawn the Denial and remanded the Tribe's application to the Bureau of Indian Affairs (BIA) to complete the environmental review process under the National Environmental Policy Act (NEPA).

#### Background:

- In November 2012, the Tribe submitted an application to the Department requesting that the Secretary of the Interior accept 2.42 acres of land located within the City of Medford, Jackson County, Oregon into trust pursuant to Indian Reorganization Act of 1934 (IRA) and the Coquille Restoration Act (CRA). The Tribe is proposing to use the land to retrofit and remodel an existing bowling alley into a 30,300-square-foot gaming facility.
- Consistent with the Department's land acquisition regulations, the Department initiated the preparation of an Environmental Impact Statement (EIS) under NEPA to analyze the potential environmental consequences of the proposed acquisition.
- On January 15, 2015, the BIA published in the Federal Register a Notice of Intent to prepare an EIS and initiated scoping on February 2, 2015.
- On May 27, 2020, while the Draft Environmental Impact Statement (DEIS) BIA review process was pending, the then-Principal Deputy Assistant Secretary – Indian Affairs issued a denial of the Tribe's application (PDAS Decision).

#### Overview of Analysis:

- The 2020 Denial was issued before the NEPA process was completed, which deprived the decision maker of relevant information that should have informed a final decision. This remand allows the BIA to complete the relevant NEPA reviews and process the application through the normal process.

## Status:

- On December 27, 2021, the BIA will published a notice in the Federal Register announcing the resumption of preparation of an environmental impact statement for the proposed Coquille Indian Tribe fee-to-trust and gaming facility project in Medford, Oregon. The Notice of Resumption advises the public that the BIA will resume preparation of an EIS for the proposed project. The EIS will analyze the Coquille Indian Tribe's request for the transfer into trust of approximately 2.42 acres of land in the city of Medford, Oregon.
- The BIA will issue a Notice of Availability for the Draft EIS in the Federal Register and will accept comments during the announced comment period.
- A new decision on the Tribe's fee-to-trust application will be issued after that process has been completed.

## Questions and Answers

Question: Does the publication of the Notice of Resumption of Preparation of an Environmental Impact Statement in the *Federal Register* mean that the Department has approved the Tribe's application to take land in trust?

Answer: No. The Notice only announces the BIA will resume preparation of an EIS. The BIA will publish a Draft EIS and a Final EIS before the final decision on the Tribe's fee-to-trust application will be made.

Question: What information does the Notice contain?

Answer: The Notice announces the BIA will continue to prepare an EIS to analyze the Tribe's application and proposed project under the National Environmental Policy Act (NEPA).

Question: Once the Notice has been published, what are the next steps in the process?

Answer: The BIA will resume preparing the Draft EIS and announce when it is ready for public review.

Question: Where will the public be able to locate the Draft EIS

Answer: The Department will publish a Notice in the *Federal Register* and in local newspapers announcing the publication of the Draft EIS. The Notice will inform the public where they can access the document and how to submit comments.

Question: Will the Department implement the Tribe's proposed project as identified during scoping?

Answer: The Proposed Project identified during scoping reflects the Tribe's proposed development. The evaluation and assessment of the proposed project through the NEPA process assists in the Department's review of the Tribe's fee-to-trust application. The consideration of

the criteria under the Department's trust acquisition regulations at 25 C.F.R. Part 151 may lead to a final decision that selects an alternative other than the Tribe's proposed project.

Question: When will the Secretary issue a decision on the Tribe's application to take land in trust for gaming?

Answer: Before a final decision on the Tribe's application can be made, the Department must review and analyze the Tribe's application under the regulatory criteria of 25 C.F.R. Part 151. When this review is complete, the Department will prepare a Record of Decision that states the Department's final decision on the Tribe's application. The Record of Decision will be issued at the completion of the EIS process. The Department will also need to evaluate whether the land qualifies for gaming under the Indian Gaming Regulatory Act.