

Arizona Republic

Tribe seeking to build casino clears 1st hurdle

by **Cecilia Chan and Rebekah Sanders** - Jul. 24, 2010 12:00 AM
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The Tohono O'odham Nation cleared a major hurdle Friday in its path to build a casino near Glendale's sports and entertainment district.

The U.S. Department of Interior approved the tribe's application to turn 54 western acres at 91st and Northern avenues into a reservation. The tribe sued in March to force the government to process its application, which sat in limbo more than a year.

Although the ruling clears the way to take the land into trust, the tribe still must get approval to open a casino there.

"The Nation believes that this puts us a step closer to the realization of an economic development project that is vital to the well-being of the Nation and that will make thousands of desperately needed jobs available to our neighbors," tribal Chairman Ned Norris Jr. said .

Glendale officials would not comment until they studied the ruling. The city opposes the casino in part because they say it would drain resources such as water, police and roads.

From here, the government will publish in the federal register its intent to take the land into the reservation system, followed by 30-day public comment.

Norris said the tribe would need to rally its argument that it meets the requirements for gaming laid out in the Indian Gaming Regulatory Act.

Under the act, gaming is prohibited on land acquired after 1988 with exemptions, including if the land was from a settlement of a land claim. Norris said the 54 acres fit that exemption.

The Tohono O'odham acquired the land after a federal settlement to replace land near Gila River that was destroyed by a federally built dam. The settlement paid the tribe \$30 million and allowed for the purchase of replacement land.

However, the Gila River Indian Community, which stands to lose the most from casino competition, disagrees.

Gila River argues the Tohono O'odham, its sister tribe, was financially compensated for the destroyed land. Further, they say the tribe was to purchase replacement land for

agriculture, not a casino. Gila River spokeswoman Alia Maisonet said it's too soon to say if the tribe would mount a challenge.

"We are going to continue to explore all of our options, including litigation," she said.