

**[ORAL ARGUMENT SCHEDULED FOR MARCH 18, 2016]****Nos. 14-5326 and 15-5033**

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT****CONFEDERATED TRIBES OF THE  
GRANDE RONDE COMMUNITY OF  
OREGON,****Plaintiff-Appellant,****CLARK COUNTY, WASHINGTON, et  
al.,****Plaintiffs-Appellants,****v.****SALLY JEWELL, in her official  
capacity as Secretary of the Interior, et  
al.,****Defendants-Appellees,****COWLITZ INDIAN TRIBE,****Intervenor-Appellee.****On Appeal from the United States  
District Court for the District of  
Columbia****No. 1:13-cv-849-BJR****Hon. Barbara J. Rothstein  
Judge Presiding****APPELLANTS' REPLY IN SUPPORT OF ITS MOTION FOR  
EMERGENCY RELIEF OR IN THE ALTERNATIVE TO EXPEDITE  
APPEAL**

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Because Appellants have established a likelihood of success on the merits, injunctive relief is necessary to prevent the casino from becoming a fait accompli before this Court rules. Nothing Appellees argue supports a contrary conclusion.

**A. Appellants moved as soon as they could establish irreparable harm.**

The standard for irreparable harm “is particularly high in the D.C. Circuit.” *Save Jobs USA v. Dep’t of Homeland Sec.*, 105 F. Supp. 3d 108, 112 (D.D.C. 2015). “To warrant emergency injunctive relief the alleged injury must be certain, great, actual, and imminent.” *Coalition for Common Sense in Gov’t Procurement v. United States*, 576 F. Supp. 2d 162, 168 (D.D.C. 2008) (citation omitted). Further, the injury “must be beyond remediation.” *Chaplaincy of Full Gospel Churches v. England*, 454 F.3d 290, 297 (D.C. Cir. 2006).

Grading and site preparation do not meet this Circuit’s standard. *See e.g., Sierra Club v. United States Army Corps of Engineers*, 990 F. Supp. 2d 9, 39 (D.D.C. 2013) (concluding that plaintiffs did not establish that pipeline construction would be “permanent or irreversible”). Given that the Tribe (at 7) does not consider *any* of its construction activities to constitute irreparable harm, had Appellants filed earlier, the Tribe would have objected that its grading and site preparation did not meet this Circuit’s irreparable harm standard and that full-scale construction was not imminent, just as the Tribe now argues (at 12-13) that Interchange construction is not imminent because it needs one final approval.

2. Appellants could not have known that irreparable harm was “certain, great, actual, and imminent” until the Tribe had (1) secured construction financing; and (2) received approvals for the UIC and the Interchange construction. The Tribe argues (at 5-6) that Appellants knew by September that construction would not be delayed by financing, but Appellants are not privy to the Tribe’s financing arrangements. Moreover, when the Tribe announced that it had secured financing on December 8, 2015, it called it “a monumental step both for the Cowlitz Tribe and for the Authority as developer and manager, *as we can now proceed with the development.*” Mar. 2, 2016 MacLean Decl. ¶ 10 (emphasis added).

The Tribe (at 5) also complains that Appellants waited until after wastewater and Interchange approvals were obtained to request relief. But Appellants had to wait until they could establish that their injury was “certain, great, actual, and imminent.” If the Tribe does not like that “delay,” blame rests with the Tribe and the NEPA contractor, AES, who recommended to the Secretary that she segment her review process to “reduce[] the responsibility of federal agencies for compliance with local environmental procedural requirements (such as SEPA or County ordinance).” AR123001-04; AR122785.<sup>1</sup> The Secretary adopted their recommendation to “simplify[] the approval of the trust acquisition by reducing the

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<sup>1</sup> Documents are attached to Suppl. MacLean Decl. ¶¶ 6,7. *See generally* AR122978-123260; AR033841-922 for AES’s collaboration with the Tribe without BIA oversight. *See* 40 C.F.R. § 1506.5(c) (requiring “responsible Federal official” to “furnish guidance and participate in the preparation”).

number of ancillary approvals required.” AR122785. Thus, their strategy may have made the Secretary’s path to “approval” easier by segmenting her trust decision from Clean Water Act and Interchange permitting, but it also segmented Appellants’ injury, preventing Appellants from seeking injunctive relief earlier.

3. If the Tribe had been genuinely concerned about injunctive relief, it could have been forthcoming about construction plans. It was not. The Tribe cites (at 3) to its June 22 “notice,” but that email vaguely states that the Tribe “*may* move forward with some construction.” Mar. 2, 2016 MacLean Decl. ¶ 7 (emphasis added). It was clearer on another point, however: “we are no longer obligated to provide notice regarding our timing or plans for the property.” *Id.*

And when Appellants asked for information in September, the Tribe only said that “the work currently underway includes grading and site prep, to be followed by excavation and later construction of the gaming facility and tribal buildings.”<sup>2</sup> *Id.* ¶ 9. The Tribe did not inform Appellants of any of the specific construction activities it now references (at 4-5). And because the casino site is located in the middle of the 151-acre parcel of sloped agricultural land, construction activities were *not* readily visible, which is why Appellants stated in

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<sup>2</sup> While the Tribe’s construction contractor invited Mark McCauley to review plans before site preparation commenced, Iyall Decl. ¶ 6.b., Ex. A, the Tribe refused to give Appellants detailed information when they requested it.

September: “We do not know if the planned casino is under construction or whether it is some lesser or temporary structures.” *Id.* ¶ 8.

The Secretary curiously cites (at 10) to the Tribe’s Environment, Public Health, and Safety ordinance (EPHS), but the EPHS only underscores Appellants’ dilemma. Section 4(A) of the EPHS requires the Tribe to appoint a Tribal Enforcement and Compliance Officer (TECO) “before any gaming facility construction commences....” JA2479. The Tribe did not appoint a TECO until December 18, 2015, and did not provide Appellants notice of the TECO until March 2. Iyall Decl. ¶¶ 6.c, 6.d. Ultimately, the Tribe’s unwillingness to provide specific information regarding its activities prevented Appellants from being able to establish injury that was “certain, great, actual, and imminent” earlier.

**B. An injunction will prevent further irreparable harm.**

The Tribe claims (at 7) that Appellants are not being irreparably harmed, while simultaneously arguing (at 8), “there is no way that the parties can be returned to the *status quo ante*.” The Tribe’s position appears to be that since Appellants have already suffered some harm, why not allow construction to continue until injury is complete? But far *more* construction will occur. The casino is not built; the Parcel has not been paved over with parking lots; wetlands have

not been converted into detention basins; roads have not been relocated; and the UIC has not been built.<sup>3</sup> *See e.g.*, Mar. 2, 2016 MacLean Dec. ¶ 10.

The Tribe argues (at 8) that the construction has no impact on the character of area because it is “not destroying a pristine agricultural environment.” The Secretary similarly contends (at 8) that the construction yet to come will not cause “substantial additional harm to aesthetic interests” and that “the parcel does not qualify for protection under the federal Farmland Protection Policy Act.” These comments ignore the transformative nature of the Tribe’s development and cannot be seriously credited.<sup>4</sup>

Moreover, the Tribe’s claim (at 9) that water impacts are settled is false, precisely because the Secretary made her trust decision before the Tribe sought Clean Water Act approvals. *See supra*, Section A.2. That is why the EIS *does not* evaluate the Tribe’s plan to inject treated wastewater and sewage into the ground above the sole source drinking water aquifer for Clark County. Thus, it is curious that the Secretary argues (at 11) that concerns that the UIC will not meet or exceed applicable standards are contrary to the record, *because there is no record* on this

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<sup>3</sup> This Court and the district court plainly have jurisdiction to order the Tribe to take remedial action.

<sup>4</sup> The Parcel did not “revert” to agricultural zoning, as the Secretary suggests (at 7). The County redesignated the land as agricultural in 2012.



issue.<sup>5</sup> And for the Tribe to fault (at 11) the County for not following the EPHS process when it did not notify the County of its existence until March 2 (*after* the County informed the Tribe that it was in violation of the EPHS) is disingenuous. *See supra*, Section A.3.

The Secretary (at 13) is also incorrect that Appellants do not allege harm from the Interchange construction. The Gilberts, for example, allege harm from the increase in impervious surfaces, stormwater detention and discharges to surface water from the Interchange, which will eliminate groundwater discharge in the entire area. Gilbert Decl. ¶ 13. Weber alleges that the Interchange will decrease natural discharge and increase contaminated UIC recharge. Weber Decl. ¶ 13.

The Secretary's and the Tribe's dismissive treatment of Appellants' environmental and jurisdictional concerns in their oppositions is simply the continuation of a long-standing problem. AES contempt for Appellants' environmental (and other) concerns during the NEPA process, as well as its cozy relationship with the Tribe, are evident in its internal comments it shared with the Tribe. When a commenter raised jurisdictional concerns about the project, for example, AES commented, "Yeah, that is the nice thing about it becoming Indian land, it removes it from the civil jurisdiction of locals." AR101726. And when

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<sup>5</sup> The Tribe also argues (at 11) that there is no evidence that the UIC will harm the aquifer, even though Eric Weber submitted an expert report documenting such harm to EPA.

questions about the adequacy of the Troutdale aquifer to meet the Tribe's water needs were raised, AES dismissed those concerns: "This is [Clark County Public Utility]'s problem since we do not specify how CPU is going to find the water." AR101753; *see also* AR101685. When questions were raised about the project's consistency with the State's Growth Management Act, AES wrote, "Consistency is the hobgoblin of small minds." AR101725.

AES moved from dismissive to derisive in response to concerns raised about the effect of discharged wastewater and stormwater on the unnamed stream that runs through the Gilberts' property and its habitat: "important habitat for what, teenagers seeking hormonal readjustment?" AR101727. When a commentor raised a question about cultural resources on the Parcel, AES responded, "OK, what a moron, but tell him." AR101736. And when asked whether the Secretary failed to consult with Grand Ronde regarding cultural resources, AES commented, "Ask them if they are maintaining that the site is a culturally important potato field." AR101743. Neither AES nor the Tribe took seriously Appellants' environmental and jurisdictional concerns—concerns that are now playing out as a consequence of the construction.

The Secretary takes a different tack, arguing (at 4) that Appellants' environmental injuries "are not part of the merits claims ... raised on appeal." But of course they are. Construction would not occur *but for* the Secretary's trust

decision; as the Tribe acknowledges (at 7-8), the trust acquisition “pav[ed] the way for the Tribe to develop its property.” Appellants also argue on appeal that the Secretary violated various statutes, including the APA and NEPA, by relying on unconfirmed enrollment numbers to inflate the Tribe’s economic need. County Brief (Oct. 9, 2015) at 27-38. Appellants contend that the Secretary’s unquestioning reliance on the Tribe’s representations of economic need and expanded membership to exclude reasonable alternatives from consideration violated NEPA.<sup>6</sup> If, as AES states, “the majority of the Tribal members are scattered and not in Clark County to be able to take advantage of either governmental programs or the strengthened Tribal Government,” then the Secretary’s blind reliance on the Unmet Needs Report, which the Tribe calculated on a per capita basis, violated NEPA’s alternatives requirement. AR123071.

**C. The balance of the equities favor Appellants.**

The Tribe’s purported economic need does not outweigh Appellants’ injury. *Compare New York v. Shinnecock Indian Nation*, 280 F. Supp. 2d 1 (E.D.N.Y. 2003) (enjoining casino construction because environmental harm to communities vastly outweighed harm to tribe from a delay in casino development). The Tribe

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<sup>6</sup> Appellants argue that the Secretary’s failure to address their questions regarding the Tribe’s enrollment expansion—i.e., how that expansion affects her authority, the potential for fraud, manipulation of the NEPA alternatives review, and abuse of the trust process—violated the APA. *See* Supp. MacLean Decl. ¶ 4. By failing to provide *any* explanation regarding this issue, Appellants have been denied the opportunity to address legal deficiencies in her reasoning (if any) before this Court.

argues (at 16) that it needs revenues to fund services and programs for its now “nearly 4,000 members.” But there is no immediacy to that need; to the extent that individual members are in crisis, they may avail themselves of generally available Federal and state programs. Ultimately, “[t]he primary beneficiary of the project is the Cowlitz Tribe as a corporate body, not the individual tribal members.”

AR101701. And the Tribe can take advantage of other economic opportunities, including gaming. The Tribe’s gaming compact authorizes it to lease 1,125 slot machines to other tribal casinos, allowing it to generate gaming revenues before (or in lieu of) opening any casino. Supp. MacLean Decl. ¶ 3; *see also id.* ¶ 5.

In any case, the Tribe concedes (at 15) that it “understood and accepted the risk that this Court might reverse the District Court’s decision.” In other words, the Tribe knows that this Court can stop construction. The Tribe claims (at 15) that the risk of reversal is a very different risk than an injunction, but fails to explain why that is so—in either case, the result would be the same. The equities favor stopping construction now, rather than when the Court issues its final opinion.

**D. The public interest favors an injunction.**

The Tribe asserts (at 18) that the public interest would be disserved by an injunction because, it says, IGRA has established a policy in favor of tribal gaming and because a court should “not delay implementation of agency action.” Both of those theories are derivative of the Tribe’s flawed arguments on the merits. As

explained in the parties' briefs, gaming in these circumstances is inconsistent with IGRA. And the public interest would hardly be promoted by accelerating the implementation of agency action that is contrary to law.

**E. The Court should not require Appellants to post a bond.**

This Court has the discretion to decide whether to require a bond: "The court *may* condition relief upon a party's filing a bond or other appropriate security in the district court," Fed. R. App. P. 8(a)(2)(E) (emphasis added). It should not require one here for two reasons. First, a court may "dispense with the security requirement, or . . . request mere nominal security, where requiring security would effectively deny access to judicial review." *People of State of Cal. ex rel. Van De Kamp v. Tahoe Reg'l Planning Agency*, 766 F.2d 1319, 1325-26 (9th Cir. 1985); *see also Cronin v. U.S. Dep't of Agric.*, 919 F.2d 439, 445 (7th Cir. 1990) (noting that "a number of environmental decisions . . . waive the requirement or allow the posting of a nominal bond"). Because Appellants cannot post the requested bond, requiring one would effectively deny them a meaningful remedy if they prevail. Second, "the likelihood of success on the merits" is a factor that "tips in favor of a minimal bond or no bond at all." *Van De Kamp*, 766 F.2d at 1326.

**CONCLUSION**

For the forgoing reasons, Appellants respectfully request that the Court enjoin further construction until such time as it rules on the pending appeal.

Dated: March 17, 2016

Respectfully submitted,

**PERKINS COIE LLP**

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**CERTIFICATE OF SERVICE**

I, Benjamin S. Sharp, certify that on March 17, 2016, I electronically filed the foregoing Appellants' Reply In Support of Its Motion for Emergency Relief or in the Alternative to Expedite Appeal, and accompanying declaration, with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to attorneys of record. I further certify that on March 17, 2016 paper copies will be hand delivered to the following:

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v.

SALLY JEWELL, in her official capacity as  
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No. 1:13-cv-849-BJR

Hon. Barbara J. Rothstein  
Judge Presiding

**SUPPLEMENTAL DECLARATION OF JENNIFER A. MACLEAN**

I, Jennifer A. MacLean, certify and declare as follows:

1. I am a Partner at Perkins Coie LLP, counsel of record for Plaintiffs-Appellants Clark County, et al. My District of Columbia Bar Number is 479910. I am over the age of eighteen and competent to testify to the facts set forth in this declaration on personal knowledge.
2. Attached as **Exhibit A** is a true and correct copy of excerpts taken from the "Cowlitz Master Comment Summary List," dated September 22, 2006 (AR101678, 101685, 101701, 101725-727, 101736, 101743, 101753).
3. Attached as **Exhibit B** is a true and correct copy of a notice of the Bureau of Indian Affairs, Department of the Interior, entitled "Notice of approved Tribal-State Class III gaming compact; correction" published in the Federal Register on June 30, 2015 (80 Fed. Reg. 37,293 (June 30, 2015), and available at <http://www.indianaffairs.gov/cs/groups/zoig/documents/text/idc1-031569.pdf>.
4. Attached as **Exhibit C** is a true and correct copy of an article entitled "Cowlitz tribe blocks path to so called 'Easy Street'" published by Indian Country News, and available as of March 17, 2016 at <http://www.indiancountrynews.com/index.php/news/9-news-from-through-out-indian-country/2245-cowlitz-tribe-blocks-path-to-so-called-geasy-streetq>.

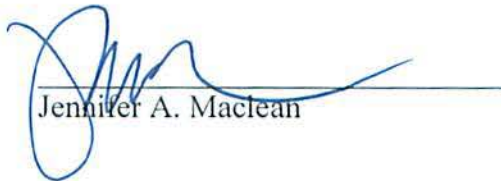


5. a. Attached as **Exhibit D** is a true and correct copy of a notice of the Department of Housing and Urban Development entitled “Announcement of Funding Awards for the Native American Housing Block Grant Recovery Act Competitive Program” published in the Federal Register on October 27, 2009 (74 Fed. Reg. 55,250 (October 27, 2009)), and available at <http://www.gpo.gov/fdsys/pkg/FR-2009-10-27/html/E9-25731.htm>.
- b. Attached as **Exhibit E** is a true and correct copy of a press release dated June 23, 2011 entitled “HUD Awards \$15.1 Million to 12 Tribal Organizations in Washington State to Provide Affordable Housing” issued by the U.S. Department of Housing and Urban Development (HUD), and available at <http://archives.hud.gov/local/wa/news/pr2011-06-23.cfm>
- c. Attached as **Exhibit F** is a true and correct copy of a press release dated February 8, 2012, entitled “HUD Awards \$33.4 Million in Indian Housing Block Grants to 25 Washington Tribes” issued by the U.S. Department of Housing and Urban Development (HUD), and available at <http://archives.hud.gov/local/wa/news/pr2012-02-08.cfm>.
- d. Attached as **Exhibit G** is a true and correct copy of a press release (HUD No. 15-018) dated February 18, 2015, entitled “HUD Announces More Than \$650 Million in Indian Housing Block Grants” issued by the U.S. Department of Housing and Urban Development (HUD), and available at [http://portal.hud.gov/hudportal/HUD%3Fsrc%3D/press/press\\_releases\\_media\\_advisories/2015/HUDNo\\_15-018](http://portal.hud.gov/hudportal/HUD%3Fsrc%3D/press/press_releases_media_advisories/2015/HUDNo_15-018).
- e. Attached as **Exhibit H** is a true and correct copy of an announcement entitled “Tribal member sales tax exemption!” published by the Cowlitz Indian Tribe, and available as of March 17, 2016 at <https://www.cowlitz.org/index.php/announcements/270-tribal-member-sales-tax-exemption>.
- f. Attached as **Exhibit I** is a true and correct copy of an announcement entitled “Housing News” published by the Cowlitz Indian Tribe, and available as of March 17, 2016 at <https://www.cowlitz.org/index.php/resources/housing/61-housing-news>.
- g. Attached as **Exhibit J** is a true and correct copy of an announcement entitled “Looking for Scholarships?” published by the Cowlitz Indian Tribe, and available as of March 17, 2016 at <https://www.cowlitz.org/index.php/resources/education/310-education-2>.
- h. Attached as **Exhibit K** is a true and correct copy of an announcement entitled “Cowlitz Tribes” published by the Northwest Portland Area Indian Health Board, and available as of March 17, 2016 at [http://www.npaihb.org/member\\_tribes/tribe/cowlitz\\_tribes](http://www.npaihb.org/member_tribes/tribe/cowlitz_tribes).

6. Attached as **Exhibit L** is a true and correct copy of excerpts taken from "Cowlitz Emails\_B.Allan.txt" (AR122978 at AR123001-004, 123071-072).
7. Attached as **Exhibit M** is a true and correct copy of a Memorandum from the U.S. Department of the Interior, dated April 15, 2005, attaching a memorandum from Bill Allen to the Cowlitz Project Team (AR122784-786).

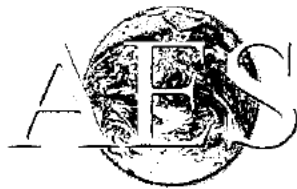
I declare, under penalty of perjury under the laws of the United States, that the foregoing is true and correct to the best of my knowledge and belief.

EXECUTED this 17th day of March, 2016 in Washington, D.C.



Jennifer A. Maclean

# Exhibit A



**ANALYTICAL  
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## TRANSMITTAL

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**To:** Harry Coldreck  
David Barnett  
Heather Sibbison  
Susi Schaeffer  
Stephen Horenstein/Meridee Pabst  
Ed Fleischer

**From:** Kelly Heidecker

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**Phone:** Various **Date:** September 22, 2006

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**Re:** Cowlitz Master Comment Summary List **CC:**

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☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☒ **Please Reply** ☐ **For Your Information**

Team,

Enclosed is the master comment summary list as it stands today. All of the agency comments and substantive public comments have been summarized. We are now working on summarizing the many other comments and form letters received. Draft responses are included for many of the summaries.

I will be out of town for the next 2 weeks, but will be checking email in an effort to assist Bill as much as possible. Feel free to contact me if you need anything.

Sincerely,

Kelly Heidecker  
Project Manager

A005-23				The commentator states that the site trip generation estimates need to be better understood and accepted by the County. At this point in time, the County is not comfortable with the estimates contained in the DEIS including those for the casino facility, the hotel, the event center, and employment trips. For example, the study relies heavily on the Shingle Springs Complex traffic study for trip generation estimates. However, it is the County's understanding that Shingle Springs is presently in litigation regarding those same trip generation estimates. In addition, the study has made limited use of actual traffic counts from existing suburban location complexes on the outskirts of large population centers. The Tulalip complex north of Marysville, Washington could have been used in the analysis, but was not.	Trip generation has been further refined and checked with real time traffic counts from Washington casinos. See revised section and Appendix .	AES-Bill	
A005-24				The commentator states that with respect to trip generation estimating for the site, County staff suggests a phased approach as part of the final development review process for the proposed development. In phase 1 of the process, the applicant would work with the County and WSDOT to develop a trip generation profile for the site. Once all parties agree upon that estimate, the analysis team could begin the phase 2 work which would include the modeling analysis, and mitigation work.	No response required, the County is talking about final development review under the MOU.	AES-Bill	
A005-25				The commentator states that multiple peak hours need to be considered in the traffic impact study. These peak hour scenarios include the PM peak hour of the background traffic, the peak hour of casino bound traffic, and the peak hour of event center bound traffic.	Multiple peak hours are considered.	AES-Bill	
A005-26				The commentator states that some of the alternatives require the vacation of some portions of existing public roadways and rights-of-way. Road vacations require the approval of the Board of County Commissioners and such actions are legislative and can not be predetermined.	No response required	AES-Bill	
A005-27				The commentator states that the comments described above are based on County staff review. Comments from other jurisdictions, such as the WSDOT, need to be considered by the applicant.	No response required	AES-Bill	
A005-28				The commentator states that there is a high erosion risk due to soil type and surface water level. Surface water drains into "Unnamed Stream" that feeds East Fork Lewis River, and McCormick Creek, which are both polluted. We need evidence that mitigation will be adequate, such as upstream and downstream monitoring to ensure private wells are protected.	No response required	AES-Bill	
A005-29				The commentator states that there will be impact on private well owners because of additional pumping by CPU? There is a history in 1995 of water level decline in groundwater wells due to municipal water draws.	This is all CPU's job to address	AES-Bill	
A005-30				The commentator asks if the CPU already has water rights to meet its need or will it need Department of Ecology approval? What would be the timeframe? Impact if not granted?	This is all CPU's job to address	AES-Bill	
A005-31				The commentator states that erosion could drain sediment and pollutants (fuel, grease, etc..) into waterways, further degrading water quality.	See section for a discussion of stormwater impacts	AES-Bill	
A005-32				The commentator states that decreased recharge, and increased run off due to impervious surfaces is of concern due to vulnerability of adjacent streams and watersheds.	See section for a discussion of stormwater impacts	AES-Bill	
A005-33				The commentator recommends water quality monitoring during the construction phase and casino operation for nitrates, bacteria, VOC's, and temperature.	See section for a discussion of construction water quality impacts	AES-Bill	
A005-34				The commentator states that data from older, primary care patients indicates 10.9% have at-risk gambling behaviors per study in AM J of Geriatric Psychiatry 2005jan: 13(1). This is a potentially large issue given the aging population and suggests intervention of one additional counselor will be woefully inadequate.	No response required	AES-Bill-Jen	
A005-35				The commentator asks if there be full medical coverage for employees and tribal members or will area hospitals have to absorb more unfunded clients?	Mohegan Sun provides fully paid medical, dental, vision and prescription drug coverage for all full-time employees	AES-Bill-Jen	
A005-36				The commentator states that health impact really only looks at crime...Will there be increased need for mental health and chemical dependency services for casino customers? More bankruptcy, more poverty?	General socioeconomic impacts are discussed in section 4.7 including effects to bankruptcy rates, and social effects. Also see section 4.10 for a discussion of effects to public services.	AES-Bill-Jen	
A005-37				The commentator states that other County staff are reviewing operational and technical data. The focus of the following review is the functional classification of affected roadways under each alternative.	No response required	AES-Bill-Kelly	
A005-38				The commentator states that NW 319 <sup>th</sup> St. west of I-5 is currently classified as a Rural Major Collector on the County's Arterial Plan Map. The average daily traffic projections for Alternatives A – D range from 31,050 to 39,050 trips per day in 2010. Based on the design criteria in Table 40.350.030-2 in the Unified Development Code, these projected volumes would require a six-lane roadway, either a Parkway Arterial or a Principal Arterial. The future classification of NW 319 <sup>th</sup> St. should be considered in the roadway's design, including intersection spacing, grade, centerline radius, access and sight distance.	No response required		
A005-39				The commentator states that traffic on La Center Road east of I-5 will increase to about 14,000 trips per day under Alternatives A to E. Analysis of this roadway should be based on the design criteria for a Minor Arterial (M-2cb). La Center has proposed that the area adjacent to La Center Rd. be included in their urban growth boundary this year.	Not true. First of all alternative E would not be responsible for an significant increase in traffic on La Center Roads. Secondly, and more importantly, increased traffic on La Center roads is not consistent with a projected 66% drop in card room traffic.	AES-Bill-Kelly	
A005-40				The commentator states that La Center has also proposed that some areas west of I-5 interchange be included in their urban growth boundary. NW 31 <sup>st</sup> Ave. is currently classified as a rural major collector. Projected ADT volumes in Table A-2, if correct, would not warrant more than a rural minor collector classification. Any re-alignment proposals should take into account the current road classification as well as the future urban standard.	No response required	AES-Bill-Kelly	
A005-41				The commentator states that Pioneer St. east of I-5 is classified as an urban collector. Every alternative shows daily volumes in 2010 that exceed the design volumes for a collector. For Alternative E, a six-lane Parkway or principal Arterial would be required. All other alternatives would require at least a four-lane Minor Arterial.	Think they mean alternative D, not E. Additionally, these figures do not include their own projected drop in card room traffic	AES-Bill-Kelly	
A005-42				The commentator states that for alternatives A to D, the PM peak hour volumes given for I-5 between La Center and Ridgefield exceed the nominal capacity of an interstate with two-lanes in each direction. For Alternatives A to E, the PM peak hour volumes show I-5 south of the Ridgefield interchange will exceed 4,000, which is the nominal capacity of a two-lane interstate. No mitigation to these mainline highway segments was proposed.	No response required	AES-Bill-Kelly	
A005-43				The commentator states that no mention is made of the project's impact to groundwater recharge and subsequent loss of seepage to wetlands and streams.	Refer to discussion of impermeable surface effects and effects to groundwater generally	AES-Bill-Kelly	

005-4				The number of Tribal members in the vicinity of the proposed project is very small compared to the total population of the area. The commentator asks who will benefit from the project.	The primary beneficiary of the project is the Cowlitz Tribe as a corporate body, not the individual tribal members. The Tribe will utilize the funds to operate a tribal government	AES-Bill	
005-5				The commentator states that gambling is addictive and has many negative impacts on the individuals and the community.	Comment noted, see section 4.7 for a discussion of gaming addiction		
Comments From Marilyn Watson (Log #006)							
006-1				The commentator is opposed to the proposed project being located in Clark County in general and at the Alternative A site in particular.	No response required		
006-2				24% of the casino profits from the first seven years will be taken out of the area to investors in Seattle and Connecticut, which would not benefit the Cowlitz Tribe nor the local community.	Comment noted		
006-3				The commentator states that it would be better to locate the casino in the Vader-Winlock area, which is within the Tribe's aboriginal lands. The commentator believes that Mr. Barnett has prevented this site from being considered because he has less to gain personally from it.	Comment noted		
006-4				The commentator states that the Tribal members in Clark County have a median household income similar to others in the county. It is unclear how this project will benefit the needy members of the Tribe in other counties.	The primary beneficiary of the project is the Cowlitz Tribe as a corporate body, not the individual tribal members. The Tribe will utilize the funds to operate a tribal government	AES-Bill	
006-5				The commentator states that the average income of the casino workers mentioned in the DEIS (\$28,000 per year) is \$5,000 per year below the average yearly income in Clark County, and most of the casino workers will be making less than \$25,000 per year. This will economically disenfranchise the casino workers.	You can't simultaneously maintain that you are paying too much creating a labor shortage, and too little economically disenfranchising workers	AES-Bill, Jen	
006-6				The commentator states that the traffic impacts to the I-5 interchanges at Woodland, La Center, and Ridgefield, and the interstate bridge have not been addressed. The traffic impacts to 259th Street in Ridgefield have also not been addressed.	Actually they were, read the damn document	AES-Kelly	
Comments From John Robson (Log #007)							
007-1				The commentator is opposed to the proposed project.	No response required		
007-2				The commentator states that no local residents would be interested in working at the casino.	No response required		
007-3				The commentator states that the low-income employees hired by the casino would require low-income housing in the area, and would put pressure on the local school system. This would result in higher property taxes.	Since approximately 90% of the employees would already be area residents, and it is expected that the majority of the 10% in migration would be the higher paid employees, no increase in the demand for low-income housing is expected	AES-Jen, Bill	
Comments From Barbara Hort (Log #008)							
008-1				See comment number 006-1.			
008-2				See comment number 006-2			
008-3				See comment number 006-3			
008-4				See comment number 006-4			
008-5				See comment number 006-5			
008-6				See comment number 006-6			
Comments From David Garner (Log #009)							
009-1				The commentator is opposed to the proposed project for practical, legal, economic, and moral reasons.	No response required		
Comments From George Austin (Log #010)							
010-1				The commentator states that the DEIS is inadequate, is biased in favor of the proposed casino alternatives, and minimizes significant impacts.	No response required		
010-2				The commentator states that the DEIS underestimates the traffic impacts to the I-5 bridge, which is currently near capacity.	See revised traffic assessment, also new appendix, new study from Parsons		
010-3				The commentator states that the average income of the casino workers would be less than the average income of Clark County residents. The casino workers would not be able to afford local housing and would qualify for food stamps.	Not true, see impacts assessment section 4.7	AES-Bill	
010-4				The commentator claims that the casino would import foreign workers for the casino, as happened for the Mohegan Sun, which would impact housing, school systems, transportation, and social service agencies.	Not true, local labor should provide 90% of labor force, see Hovee assessment	AES-Bill	
010-5				The commentator claims that the socioeconomic section of the DEIS attempts to come to a predetermined conclusion, understating significant impacts.	No response required	AES-Bill	
Comments From William Giberson (Log #011)							
011-1				The commentator is not opposed to the proposed project at the La Center site.	No response required		
Comments From Bill Weeks (Log #012)							
012-1				The commentator is not opposed to the proposed project as long as it meets the requirements stated in the DEIS. The casino would bring money into the area that is now being spent in Reno.	No response required		
012-2				The commentator is in favor of the proposed project site and the project's benefits to Tribal members.	No response required		
012-3				The commentator states that the mitigations proposed in the DEIS are acceptable and sufficient.	No response required		
Comments From Waunda and Shanon Petty (Log #013)							
013-1				The commentators support the proposed project.	No response required		
Comments From Claudine McKague (Log #014)							
014-1				The commentator is opposed to the proposed casino project and believes that there are other methods of bringing jobs, entertainment, and money to the local area without the impacts associated with gambling centers such as gambling addiction, prostitution, crime, pornography, alcoholism, and drug addiction.	No response required		
Comments From John D. Tippetts and Karen K. Tippetts (Log #015)							
015-1				See comment 005-1			
015-2				See comment 005-2			
015-3				See comment 005-3			
015-4				See comment 005-4			
015-5				See comment 005-5			
Comments From Pam Kimsey (Log #016)							
016-1				See comment number 006-1.			
016-2				See comment number 006-2			



433-46				The commenter states that the DEIS minimizes the growth-inducing effects of a casino development. The commenter states that the casino development will have an impact on the rural, undeveloped character of the region. The commenter states that the DEIS statement that the project would not induce unplanned growth is unsupported. The commenter states that the DEIS should address the growth-inducing effects for similar projects in Washington or comparable locations such as the Tulalip Tribe's casino development.	Point to new Hovee study and rewritten growth inducing effects section	AES-Bill	
433-47				The commenter states that the DEIS cites the Clark County Growth Management Plan (GMP) as stemming unwanted growth. The commenter states that wastewater treatment plant growth is undesirable and specifically prevented in the GMP. The commenter states that the project is inconsistent with the GMP. The commenter states that the DEIS treats the Proposed Project's inconsistency with the GMP as acceptable but leaves it to the GMP to determine whether other development is desirable.	Consistency is the hobgoblin of small minds, the existing water problems in the EFLR are predominantly caused by the La Center sequencing batch reactor plant dumping large amounts of poop in the river. Conversion of the plant to a membrane bioreactor plant would improve water quality. the GMP might regard the increase in capacity as growth inducing, that is a tradeoff for the positive effects on water quality,	AES-Bill	
433-48				The commenter states that <b>Exhibit 27</b> contains comments on the indirect effects which describe how the DEIS analysis is arbitrary and capricious and contrary to NEPA. The commenter also refers to <b>Exhibit 33</b> for additional comments on indirect effects.	Comment noted, point to revised indirect effects section which is supported by the additional Hovee analysis	AES-Bill	
433-49				The commenter states that cumulative impacts are not adequately addressed. The commenter discusses the definition of cumulative impacts. The commenter states that the scope of the cumulative analysis is limited to Clark County which is arbitrary and capricious. The commenter states that limiting analysis to Clark County is inconsistent with indirect effects which include both Clark and Cowlitz County.	Run thru how you define the scope of cumulative effects analysis again, say we did it right	AES-Bill	
433-50				The commenter states that the cumulative and indirect impact analysis is too narrow and will affect the region. The commenter states that traffic impacts (pollution, accident risks, drunk driving, and other impacts) will have cumulatively significant effects throughout the I-5 corridor. The commenter states that social impacts including problem and pathological gambling will also have a regional impact.	Respond with the trip distribution model, say that because of that we have revised the air pollution conclusions, guess what, because of increased size of the area they are no longer significant,	AES-Bill	
433-51				The commenter states that the DEIS does not address the impact of past projects as required by NEPA. The commenter states that the DEIS does not catalogue or analyze the impact of planned or ongoing development projects including: multiple private sub-division or other residential developments; the Woodland Wal-Mart; the Heron Gate Industrial complex; and the Salmon Creek Commercial Center, which includes the Salmon Creek Wal-Mart at I-5 and 205. The commenter states that these projects will have impacts on traffic, schools, housing, and other environmental and socioeconomic factors. The commenter states that these developments should be considered for decision makers to evaluate the impacts of the project. The commenter refers to <b>Exhibit 33</b> for additional examples of cumulative projects which should be considered.	Yeah, point to how they were included in the revised analysis	AES-Bill	
433-52				The commenter states that the DEIS fails to adequately analyze the cumulative effects of reasonably foreseeable future activities associated with the Proposed Project including commercial development adjacent to I-5 and other types of development discussed in the indirect effects comment 433-51. The commenter states that NEPA regulations acknowledge the existence and likelihood of such impacts in the NIGC NEPA Procedures Manual § 3.1(G).	Under indirect and growth inducing, discuss how handled there with the new studies		
433-53				The commenter states that the DEIS fails to analyze the cumulative, direct, and indirect impacts of designating the site as an Indian reservation. The commenter states that a Tribe can obtain and develop additional land under less rigorous standards when land is in reservation status vs. simple trust land.	Not an environmental subject, legal determinations and policy matters not under the EIS, and future land acquisitions would be under same NEPA standards whether on or off reservation	AES-Bill	
433-54				The commenter states that the cumulative analysis is flawed because the DEIS bases the analysis on the assumed implementation of the Clark County GMP but the Proposed Project does not comply with the GMP policies, land use, or zoning designations. The commenter states that the DEIS assumes that expansion of the UGA and not development of the casino is the factor that will induce growth.	Only partly true, we assume development of the casino will induce growth, but without expansion of the UGA it would not be allowed	AES-Bill	
433-55				The commenter states that the cumulative impacts analysis is inconsistent in that it states that the project will have no impact on additional urban development while the project will impact the area's economic base and property values.	Comment noted, see revised indirect and growth inducing, they seem unable to differentiate between the two	AES-Bill	
433-56				The commenter states that there are multiple Indian casinos proposed for the greater Portland area which should be evaluated through a programmatic EIS and in the cumulative effects analysis.	Give the response again, we did it right, but since you asked, these are the existing, these are proposed, these are the effects	AES-Bill	
433-57				The commenter states that the BIA did not adequately address comments raised during the scoping process or EA comment period, including comments to consider a reasonable number and variety of alternatives as requested in <b>Exhibit 36</b> , <b>Exhibit 37</b> , and <b>Exhibit 38</b> . The commenter states that alternative sites exist including sites within the Tribe's historic land base.	See revised discussion of alternatives, see appendix assessment of alternative sites to the north, cross reference to purpose and need, revised purpose and need section based on the economic development plan	AES-Bill	
433-58				The commenter states that the DEIS fails to address issues that were raised on cumulative and indirect effects that were raised on the EA and during the scoping process ( <b>Exhibit 38</b> and <b>Exhibit 39</b> ). The commenter states that the DEIS does not sufficiently analyze cumulative or indirect effects and limits the geographic scope of these effects.	Both have been revised, refer to them, but make clear we were right in terms of the scope all along		
433-59				The commenter states that the DEIS does not adequately address the impacts on the community character of the La Center area and does not address the comments described in the scoping report.	see revised section 4.7 including "quality of life"		
433-60				The commenter states that the DEIS fails to address comments from the City of La Center that growth rates are incorrect which could affect the impact analysis on the surrounding community.	growth rates for La Center were revised, see appropriate section	AES-Kelly	
433-61				The commenter states that the DEIS analysis is not objective, balanced, and comprehensive and has not addressed concerns raised throughout the NEPA process. The commenter states that a new DEIS should be issued.	Comment noted, the BIA has determined that issuing a new DEIS would not further the purposes of NEPA		

433-62				The commenter states that socioeconomic impacts are not accurately portrayed. The commenter states that the Proposed Project would have devastating consequences for the region and on that basis the Tribe's request should be denied. The commenter states that concerns have been raised since the beginning of the DEIS process regarding effects to card room operations and the La Center community ( <b>Exhibit 36, Exhibit 37, Exhibit 38</b> ). The commenter states that a report prepared by ECONorthwest concludes that the socioeconomic impacts in the DEIS are underestimated due to deficiencies in data and methodology error ( <b>Exhibit 37</b> ). The commenter states that another report prepared by ECONorthwest for the City of La Center, shows that the Proposed Project would cause gaming taxes paid to the City to fall 66 percent. The commenter states that the DEIS fails to consider negative effects to surrounding communities from lost business and added burdens on local government. The commenter states that according to a report prepared by ECONorthwest ( <b>Exhibit 28</b> ), the impacts of a similar project in the Toledo/Vader/Winlock would be better absorbed by the local community and would not have the same negative effects.	refer to Hovee's analysis of the various ECONorthwest reports	AES-Bill	
433-63				The commenter states that the DEIS traffic analysis has data gaps, and a narrow trip generation and distribution analysis scope ( <b>Exhibit 39</b> ). The commenter states that the DEIS traffic study underestimates traffic impacts, is inadequate, and must be redone to comply with NEPA.	Actually trip generation was validated by additional study of Washington casinos, see appendix .	AES-Kelly	
433-64				The commenter states that the traffic analysis in the DEIS is based on incomplete and inaccurate data. The commenter states that the traffic study: does not adequately explain how peak hour estimates were derived; relies on gaming floor square footage which minimizes traffic estimates; assigns trips based on a regional population which underestimates impacts; relies on trip generation from casinos that have different characteristics; lacks a queuing analysis; uses inconsistent lane configurations and peak hour factors between scenarios; underestimates background traffic volumes on auxiliary roads; ignores approved and planned developments; and does not address pass-by traffic that will arrive due to the I-5 location.	1. Peak hour estimates were "real timed" using State of Conn vetted info from Mohigan, 2. Gaming floor square footage does not minimize estimates and these estimates were confirm by a second study (see above), 3. Above you say impacts will be regional, why not use regional pop for trip distribution? 4. refer queing analysis question to Chuck but assume that the jpeaking factors didn't call for it, 5. since different alternatives would have different lanes constructed, and the uses for alternative D are different gving different peak hour factors this is appropriate, background traffic is probably actually over estimated since model does not take into account reduction from loss of 66% of the business in the La Center card rooms, 6. added in all developments within transportation plan, 6. trip generation does include by-pass traffic, on eof the advantages of using a gaming floor square foot model	AES-Kelly	
433-65				The commenter states that the BIA narrows the scope of the traffic analysis to the casino, hotel, and events center and does not include reasonably foreseeable impacts of the restaurants, RV Park, offices, cultural center, elder housing, retail facilities, and prospective future acquisitions of additional trust land that the Tribe may pursue. The commenter states that the traffic analysis trips should be based on the traffic drawn from the major metropolitan Vancouver/Portland area to account for a major regular source of traffic and the address the peaking and surging that occurs when events are held at the Clark County Fairgrounds and/or the Clark County Amphitheatre. The commenter states that the traffic analysis underestimates impacts and that the traffic analysis must be redone.	Impacts of all this other stuff is included, except we haven't come up with phony future tribal land acquisitions, refer to trip distribution analysis, this traffic stuff was all included, point out that WashDOT liked the study		
433-66				The commenter discusses the background of the MOU. The commenter states that the MOU was not designed to address the development as it is sized in the DEIS and would not mitigate impacts to the community.	Comment noted		
433-67				The commenter discusses Federal law regarding gaming on Indian lands. The commenter states that the BIA is using the MOU in the DEIS to show why IGRA has been satisfied.	Not actually true, MOU has nothing to do with satisfying IGRA, is background for EIS, also demonstrates the enforceability of mitigation	AES-Bill	
433-68				The commenter states that the DEIS cannot rely on the MOU because it is currently in litigation. The commenter discusses the litigation pending involving the MOU.	No response required		
433-69				The commenter states that conflicts with local zoning and land use designations are not adequately addressed in the DEIS. The commenter states that NEPA requires more careful scrutiny of land use impacts when a federal project will override or conflict with local zoning. The commenter states that the DEIS contains general and conclusory statements about land use impacts. The commenter states that DEIS statement that the project is not inconsistent with the County's long-range plans is incorrect. The commenter states that the MOU would not change or reduce land use conflicts.	It is kind of hard to say their position is supported by the expansion of the La Center UGA, why don't we take that tack?	AES-Bill/Kelly	
433-70				The commenter states that the Proposed Project is in direct conflict with the County's long-range plans for the La Center Site and would not be permitted under the County's existing designations (Agriculture and Industrial Urban Reserve). The commenter states that the Proposed Project directly conflicts with the current zoning designation of the La Center Site (Agricultural 20 and Urban Reserve 20). The commenter states that the DEIS does not acknowledge that casinos are specifically prohibited under Light Industrial and Heavy Industrial zones. The commenter states that the Proposed Project will have direct, immediate, and long-term incompatibility effects with the land uses at the La Center Site and adjacent lands. The commenter states that the Proposed Project violates the requirements and planning policies of the GMP governing the transition from industrial to urban land use, which include: 1) reclassification as part of an UGA, 2) rezoning to an appropriate industrial zoning classification, and 3) retention of the industrial zoning designation for a minimum of ten years before transitioning to other urban uses.	Yeah, that is the nice thing about it becoming Indian land, it removes it from the civil jurisdiction of locals. Therefore all this , rocedural stuff is ina , licable	AES-Bill	
433-71				The commenter states that Proposed Project directly conflicts with the land use (Mixed Use) and zoning (Business Park and Urban Holding-40) regulations of the Ridgefield site. The commenter states that casino hotels and housing would not be permitted under current zoning regulations. Commenter refers to <b>Exhibit 33</b> for additional comments.	Yeah, that is the nice thing about it becoming Indian land, it removes it from the civil jurisdiction of locals. Therefore all this procedural stuff is inapplicable		
433-72				The commenter states that DEIS does not adequately consider impacts to wetlands from the Proposed Project. The commenter states that the DEIS does not adequately set forth how the project will comply with federal permitting requirements under Section 404 of the Clean Water Act.	Direct them to the appropriate sections, plus provide the overview report as an appendix	AES-Pete	
433-73				The commenter states that wetlands on the La Center site may be rated too low. The commenter states that wetlands are classified as Category 4 but are not isolated and are larger than one acre. The commenter states that if classified as Category 3, wetlands would impose a development constraint with a buffer requirement of 100 feet. The commenter states that wetland buffers for all alternatives may be too narrow. The commenter states that the two isolated wetlands on the La Center site would likely be regulated by the state.	Direct them to the appropriate sections, plus provide the overview report as an appendix	AES-Pete	
433-74				The commenter states that the Ridgefield site analysis does not contain adequately detailed descriptions of the wetlands on site. The commenter states that defining impacts to a tenth acre is misleading as the wetland boundaries are estimated and no formal delineation was conducted by the Corps.	Comment noted	AES-Pete	



433-75				The commenter states that impacts to wetlands may be evaluated incorrectly. The commenter states that there is no significance criteria provided in Section 3.5 or 4.5 of the DEIS regarding biological resources. The commenter states that it is not clear how the significance of impacts was determined or how obtaining the proper permit from the Corps would reduce the impacts to less than significant.	No, permitting itself is the significance threshold	AES-Pete	
433-76				The commenter states that the DEIS does not adequately characterize wetlands and the associated impacts. The commenter gives an overview of Section 404 of the Clean Water Act and the 404(b)(1) Guidelines. The commenter states that the DEIS does not address in Section 5.2.4 how the project under any alternatives would comply with the Guidelines of the permit. The commenter states that the DEIS does not discuss how the Proposed Project will comply with the Corps' public interest review. The commenter states that the mitigation in Section 5.2.4 stating the Tr be will comply with all terms and conditions of the permit is inadequate and mitigation should be more fully descr bed.	Refer to your summary of compliance process, we do not have to have the permit before going final with the EIS, however, I am concerned that if we cannot get a nationwide permit we will have a hard time with the no practical and reasonable alternatives part of of the (b) (1) a,	AES-Pete	
433-77				The commenter states that the DEIS does not adequately descr be the quantitative and qualitative impacts to water quality from the Proposed Project. The commenter states that the water quality analysis lacks information about the effects of stormwater and wastewater that will be generated, including baseline information about receiving waters and groundwater in the vicinity of the site.	Refer to Fishman report	AES-Pete	
433-78				The commenter states that the DEIS does not emphasize that the East Fork Lewis River is a Class AA extraordinary water as classified by the Washington Department of Ecology (DOE) and an impaired river warranting Category 5 water quality classification. The commenter states that the unnamed tributary receiving discharged wastewater and stormwater has important habitat value and serves a recreational and aesthetic role at Paradise Cove State Park.	OK, mention in FEIS, important habitat for what, teenagers seeking hormonal readjustment?	AES-Pete	
433-79				The commenter states that the groundwater in the area is at shallow depth and the Proposed Project will draw water from an aquifer recognized as depleted by the DOE and EPA. The commenter states that the DEIS does not discuss that EPA is considering listing the aquifer as a Sole Source Aquifer which could create restrictions on groundwater development in the region.	But the project is not proposing to draw groundwater from the site	AES-Bill	
433-80				The commenter states that the project will cause permanent channel erosion and significant erosion downstream. The commenter states that the DEIS does not quantify stormwater impacts. The commenter states that the DEIS does not offer detail about the capacity of stormwater facilities or how compliance with CWA stormwater permit would reduce levels significance.	OK, this all goes back to the EPA questions on the site, need to fully develop this	AES-Bill/David	
433-81				The commenter states that the DEIS does not contain a description of how the wastewater treatment plant (WWTP) will be constructed to achieve predicted effluent restrictions. The commenter states that the DEIS does not provide calculations as to how long the reservoir will detain untreated effluent in the event of a WWTP malfunction. The commenter states that the DEIS does not present a quantitative analysis of how the affected culvert will receive an increase in wastewater and stormwater. The commenter states that the WWTP may not qualify for NPDES permit coverage due to: 1) limitations on the ability of the East Fork Lewis River to receive additional fecal coliform and 2) the seasonal nature of the unnamed tributary which has zero flow during certain times of the year. The commenter states that discharging to the unnamed season stream during zero flow would violate DOE mixing zone requirements.	The culvert will not receive any wastewater, point out that NPDES permit would be issued by EPA since the discharge point is on trust land, so therefore mixing zone requirements would not be applicable	AES-David	
433-82				The commenter states that the FPPA must be addressed in a new DEIS. The commenter gives an overview of the Farmland Protection Policy Act (FPPA). The commenter states that "Land Value" determination was not added to the total score on the Farmland Conversion Impact Rating worksheet which could affect the significance of the score. The commenter states that no explanation or methodology is presented for how the BIA arrived at the points for each criteria in the Site Assessment scores in Table 3.9-3 of the DEIS. The commenter states that the sites are protected through the County's Ag zoning which could increase the fourth criteria in Table 3.9-3. The commenter states that the BIA should reevaluate all Site Assessment criteria. The commenter states that the BIA does not provide evidence of contacting NRCS to obtain a site value determination.	See what Paul Garcia did here, there is no way this is prime or unique farmland so it shouldn't be a problem, we don't have to give them the methodology anyway, just cite the regs, they tell you how to score, the question is did Paul contact NRCS?	AES-Kelly	
433-83				The commenter states that the DEIS does not follow the Endangered Species Act (ESA) process for evaluating effects to ESA-listed species. The commenter states that the BIA does not take a "hard look" at the impacts of the project on ESA-listed and other sensitive species under NEPA. The comment provides an overview of the ESA. The commenter states that the DEIS has not addressed the need for formal consultation.	Yeah, We need to demonstrate that formal consultation has been initiated	AES-Pete	
433-84				The commenter states that the East Fork Lewis River contains several ESA-listed salmonids and other species including the: Lower Columbia River Chinook (threatened), Lower Columbia River Chum (threatened), Lower Columbia River Steelhead (threatened), and Southwest Washington/Columbia River Coho (candidate). The commenter states that the East Fork is nesting and foraging habitat for resident and wintering bird including the bald eagle (threatened). The commenter states that the site is less than 2 miles from the Ridgefield National Wildlife Refuge. The commenter states that the site is within a flight path for avian species protected under the Migratory Bird Treaty Act and that the species utilize the site's wetland areas.	Comment noted	AES-Pete	
433-85				The commenter states that the there is no documentation that substantive consultation required by the ESA has taken place. The commenter states that there is no concurrence from FWS provided in the DEIS, that there will be no adverse effects from the Proposed Project.	True, we need to initiate before the FEIS	AES-Pete	
433-86				The commenter states that the Biological Assessment (BA) does not address bull trout occurring in the Lewis River basin. The commenter states that the DEIS identifies appropriate habitat for three ESA-listed plants on the La Center Site but the BA does not mention any listed plants. The commenter states that the FWS list should be re-verified.	Yeah, but the bull trout is all upstream, list should be reverified and plant species discussed	AES-Pete	
433-87				The commenter states that there is no evidence in the DEIS of a species list request from the NOAA Fisheries as required by the ESA. The commenter states that there is no evidence of consultation between the BIA and the NOAA Fisheries. The commenter states that the NOAA has jurisdiction over the listed anadromous fish in the East Fork Lewis River and the Salmon Creek drainage. The commenter states that there is no evidence of initiation of formal consultation with the FWS.	Yeah	AES-Pete	

433-225				The commenter, referring to the Cultural Resources section, states that the DEIS discusses the historic use of the sites by the Cowlitz Tribe along with other native peoples. The commenter states that it is not clear from the discussion whether the sources cited rest on the work on Beckham and Ray which the City of La Center claims has been previously rejected. The commetner states that it is not clear whether being outside of the area of exclusive use of the Cowlitz Tr be satisfies	Excusive use is note required for reservation proclamation, Kelly discuss how the background stuff was cleaned up	AES-Kelly	
433-226				The commenter, referring to the HRA La Center Site Report in the Cultural Resources section, states that four lithic flakes were encountered during survey and testing. The commenter states that it is not clear whether these were recorded as a site/isolate with DAHP to formally document the find. The commenter states that no formal evaluation of the significance of the deposit was made and so assessment of project effects could not be made at this time.	Comment noted	AES-Kelly	
433-227				The commenter, referring to the HRA La Center Site Report in the Cultural Resources section, states that the HRA Report recommends that for any development planned along the north boundary of the parcel along the creek terrace, additional archeological work would be required to determine the significance of the cultural materials. However, the SHPO concurrence letter dated December 10, 2003 agrees with HRA's recommendations of "no historic properties affected". The commenter states that this suggests that either the cultural materials are considered to be insignificant or that the project would avoid the area of the find altogether. The commenter states this usage is confusing and should be clarified.	Tell them it is not a site, and not eligible for listing on the NRHP	AES-Kelly	
433-228				The commenter, referring to the HRA La Center Site Report in the Cultural Resources section, states that paragraph 3 notes that an abandoned farmstead, another farmstead, and a residential lot are found within the project area, but there is no discussion as to whether these structures are of historic age (older than 50 years). The commenter states if they are of historic age, then they should be inventoried, evaluated, and discussed for project effects.	Check and make sure, but they are not eligible and I am pretty sure not over 50 years old	AES-Kelly	
433-229				The commenter, referring to the AES Ridgefield Site Report in the Cultural Resources section, states that a historic complex was noted and evaluated in the report. The commenter states it is not clear whether this site was formally inventoried on a DAHP inventory form. The commenter states it should be clarified whether the other structures noted	Check and make sure, but they are not eligible and I am pretty sure not over 50 years old	AES-Kelly	
433-230				The commenter, referring to the AES Ridgefield Site Report in the Cultural Resources section, states that the proximity of the potentially-eligible Kapus Granary, located 200 feet to the west of the proposed project according to the report, may mean that consideration of indirect project effects would be appropriate for this resource.	I doubt it, comment noted	AES-Kelly	
433-231				The commenter, referring to the AES Ridgefield Site Report in the Cultural Resources section, states that there is no determination in the DEIS by DAHP (no historic properties affected). The commenter states if a determination has been made is should be included, if not, such a determination should be made.	Yeah, we need to draft up a letter from BIA to the SHPO and get it in the record	AES-Kell	
433-232				The commenter, referring to the Cultural Resources section, states that all references to the Washington Office of Archaeology and Historic Preservation (OAHP) should be changed to Washington Department of Archaeology and Historic Preservation (DAHP) to reflect current usage.	Comment noted, although if we are refering to old correspondence we should refer to whatever is on the letterhead	AES-Kelly	
433-233				The commenter, referring to the Cultural Resources section, states "two farmsteads, one abandoned, are located within the project site" (3.0 Affected Environment). The commenter states additional detail is necessary, such as: "Neither of these farmsteads are of historic age based on xxxx". The commenter states discussion would be appropriate since these could potentially be cultural resources.	OK, what a moron, but tell him	AES-Kelly	
433-234				The commenter, referring to the Cultural Resources section, states that follow-up discussion on the four identified artifacts would be appropriate.	Give me a break	AES-Kelly	
433-235				The commenter, referring to the Cultural Resources section, states that the comment in Section 3, Affected Environment, "both adjacent studies reported negative findings" is incorrect. The commenter states that the AINW 2004 documented an	OK, correct	AES-Kelly	
433-236				The commenter, referring to Section 4.0, Environmental Consequences, La Center Site, states that they cannot determine Project effects for this Alternative without knowing whether the farmsteads are NRHP elig ble or not. The commenter states that the SHPO concurrence letter dated December 10, 2003 may have been referring only to the archaeology component, which is not clear.	ECONorthwest doesn't get to determine project effects, BIA does and the SHPO concurs or not, the damn farmsteads are not NRHP eligible under any criteria so no effect.	AES-Kelly	
433-237				The commenter, referring to the Cultural Resources section, states that development could affect cultural materials found along the streambed. The commenter states that while the observed four flakes do not likely constitute a significant resource, HRA suggests that potential associated deposits _____, still exist in the _____, and would need to be tested if this	SHPO concurs with finding of no effect	AES-Kelly	
433-238				The commenter, referring to the Cultural Resources section 4.0, Environmental Consequences, Ridgefield Site, states that potential indirect effects of the Alternative to the adjacent potentially eligible Kapus Farm granary should be evaluated and discussed if appropriate.	Comment noted	AES-Kelly	
433-239				The commenter, referring to the Cultural Resources section 4.0, Environmental Consequences, Ridgefield Site, states that SHPO concurrence should be discussed if this has been obtained.	Need to descr be where the 106 process is for Alternative E	AES-Kelly	
433-240				The commenter, referring to the Cultural Resources section 4.0, Environmental Consequences, Ridgefield Site, states that the text should be revised to state: "no sites were encountered during the course of field survey" to "no significant resources were encountered..." The commenter states that one historic resource was encountered during survey but was recommended as ineligible.	OK, fix this	AES-Kelly	
433-241				The commenter, referring to the Socioeconomics section, states that there is no discussion of sources or methodology for the conclusion that noise, traffic, light, and glare affect public perception of quality of life and property values for high-end residential properties. The commenter asks why this does not apply to all property types.	Because noise, light and glare do not seem to affect values for light or heavy industrial properties for example	AES-Kelly	
433-242				The commenter, referring to the Socioeconomics section, states that the housing discussion focuses on availability and does not discuss affordability. The commenter states that all housing discussions are on a County wide basis. The commenter states that the DEIS also states that "Increased business in the area from Alternative A is l kely to increase values for undeveloped properties rather that decrease values". The commenter states that there is no discussion as to whether this would affect housing prices and thus affordability.	Comment noted	AES-Bill	

434-10				The commenter states that the DEIS should state the need for each of the three proposed actions. A range of reasonable alternatives should be developed for each of the three proposed actions based on the described need. The commenter notes that the DEIS failed describe what need would be satisfied through the issuance of a reservation proclamation, or provide any alternatives to the reservation proclamation. The commenter states that the only conclusion that can be drawn is that the preferred alternative was chosen to maximize revenue.	There is nothing wrong with maximizing revenue, revenue needs are based on the Tribe's economic development plan		
434-11				The commenter states that under NEPA, the BIA must provide a clear basis for the range of alternatives evaluated in the DEIS. The commenter describes the required range of alternatives as defined in the Department Manual.	Comment noted		
434-12				The commenter states that because the need statement provided in the DEIS is so broad, a range of reasonable alternatives cannot be developed.	OK, we narrowed it based on comments on the DEIS and the Tribe's economic development plan, thank you	AES-Bill	
434-13				The commenter notes that the DEIS fails to consider any alternative within the homelands of the Cowlitz Tribe, which is described as the area along the Cowlitz River. The commenter states that it is unreasonable for the DEIS not to consider this alternative as the needs statement identifies the general need for a reservation and land base, which could be pursued at alternative sites within the Cowlitz Tribes homeland. The commenter states that the location of a possible casino and resort development near Vader would comply with the Department's Guidelines for Reservation Proclamation, as factors which form the basis of a proclamation recommendation include whether the land is located within the Tribe's aboriginal territory.	See revised alternatives discussion based on the revised purpose and need	AES-Bill	
434-14				The commenter notes that ancestors of the Cowlitz Tribe did not historically inhabit the Lewis River area, and that any contact with the area was intermittent and transient. The commenter states that a facility within the Vader/Toledo area would be at the heart of the Cowlitz Tribe's homelands as evidenced by the tribe's historical connection to the St. Francis Xavier Mission and Cowlitz burial grounds near Mayfield Lake.	Comment noted		
434-15				The commenter states that the development of a facility in the Vader/Toledo area would be more accessible to Cowlitz members for services and employment opportunities than a facility located in La Center as the majority of Cowlitz tribal members are located to the north of Clark County in Lewis, Pierce, Thurston and King Counties. The commenter notes that the area near Toledo/Vader, Washington is where the Cowlitz tribe chose to create Elder housing and where most of their important tribal functions are held. The commenter states that if the Tribes administrative offices, and health care and elder housing facilities are all moved from their present locations near the Toledo/Vader area to La Center, it would be more difficult for Cowlitz members to receive government services. The commenter notes that the DEIS fails to describe how moving tribal facilities away from the majority of tribal member satisfies the needs stated in Section 1.2 of the document. Additionally, the commenter notes that the DEIS fails to describe whether or not the senior care facility located at St. Mary's would be moved to the housing site of the La Center casino.	Comment noted, it is not proposed to move the senior care facility	AES-Bill	
434-16				The commenter states that the earnings from a casino facility located in Vader, Washington would be sufficient to meet the stated need. The commenter provides a description of two economic analyses that conclude a casino located in Vader would generate sufficient revenue to satisfy any unmet economic need of the Cowlitz Tribe.	Interesting, but not sufficient to meet needs as the Tribe gives them, not proper for BIA to define need anymore than it would be to define the needs of the Grand Ronde tribe, also lots of problems with the cash flow projections of the ECONorthwest study	AES-Bill	
434-17				The commenter states that the DEIS fails to meet NEPA regulations requiring that cited information in the DEIS be reasonably available for inspection within the time allowed for comment. The commenter states that because the DEIS relies on documents which the BIA has indicated are proprietary or only available through a Freedom of Information Act (FOIA), the DEIS incorporates by reference many documents that are not reasonably available for inspection. The commenter notes that the BIA cannot rely on documents that are withheld from public inspection to form its findings and conclusions. The commenter provides a list of documents that are referenced in the DEIS but unavailable to the public. The commenter describes several attempts that were made to obtain the June 3, 2005 letter from AES, and the BIA that lead to the conclusion that the letter would only be available through a FOIA request. The commenter states that a FOIA requested document could not be produced and reviewed adequately within the time allowed for comment. The commenter notes that the Grand Ronde Tribe commented on the issue of unavailable documents that are cited in the DEIS at a meeting, and they were directed by George Skibine to obtain the documents from Representative Brian Baird.	WE NEED TO STRAIGHTEN THIS OUT!!!! Take their list and make sure that it is all available, including notes of phone calls etc. Their insistence that we buy them copies of standard reference works is absurd though.	AES-Bill	
434-18				The commenter states that the DEIS and Section 106 review should contain an assessment of how the project would impact cultural resources significant to Grand Ronde, as tribal members have historically lived along the Columbia River.	Ask them if they are maintaining that the site is a culturally important potato field	AES-Kelly	
434-19				The commenter states that the BIA failed to consult with Grand Ronde during the Section 106 process, despite the tribes historic ties to the Columbia River and established consultation presence at Fort Vancouver and other projects near La Center and Ridgefield. The commenters states that this is a violation of the National Historic Preservation Act. The commenter notes that the DEIS states that the project area was a traditional use area for the Multnomah, which is one of the antecedent tribes of Grand Ronde. Therefore, the commenter believes that consultation with Grand Ronde should have occurred.	Ask them if they are maintaining that the site is a culturally important potato field	AES-Kelly	
434-20				The commenter states that contrary to claims made in the DEIS, the Cowlitz Tribe did not historically inhabit lands in or around La Center. The commenter states that the Cowlitz Tribe's intermittent and transient use of the area does not amount to what the DEIS falsely claims was "joint use." The commenter provides an overview of the historical overview of recorded tribes in the project area, and notes that the Cowlitz tribe's historic lands were located north of La Center with the southernmost boundary near Kelso/Longview. The commenter states that the DEIS mischaracterizes the findings made by the ICC in Plamondon regarding Cowlitz homelands. The commenter suggests that the BIA should conduct a more thorough study of the La Center area in consultation with other tribes to accurately determine the historical background of the project area, and correct mistakes made in the DEIS.	Comment noted, but since this doesn't change the impacts, no we won't do further corrections, see corrections made	AES-Kelly	



478-26				The commenter suggest that the DEIS should have discussed the preliminary findings of the Total Daily Load study of the East Fork of the Lewis River, as well as the impact of the proposed development on the East Fork of the Lewis River in light of this study, and the impact of the study on the proposed development.	Refer to Fishman study	AES-Pete	
478-27	4	4.3-1	4.3	The commenter claims that in the I-5 culvert discussion, no discussion exists of the carrying capacity of the 48" culvert, how a 25-year storm event was defined, mosquitoes that a genuine wetland would generate in the middle of the development, and the 48" culvert on the northeast corner of the site was not discussed. The commenter suggests that these issues are discussed.	Refer to Appendix F on grade and drain	AES-Pete	
478-28	4	4.3-3	4.3	The commenter claims in the discussion of discharging treated wastewater, the unnamed stream is no longer referred to as a "seasonal stream", the release of up to 500,000 into the stream is not examined, and the NPDES permit's requirements should be examined in great detail.	Pete, we need to expand discussion of the permitting process, also we can lay out what standards are available without saying that EPA will or will not use them	AES-Pete	
478-29				The commenter claims that transformation of the seasonal unnamed stream along the west/northern boundary of the site into a perennial stream would cut off the access of the commenter's (adjacent) property to the western portion of the property.			
478-30	4	4.3-3	4.3	The commenter asks concerning the discussion of the discharge of treated wastewater: What are the impacts/mitigations of making the unnamed seasonal stream perennial? What are the impacts of the particulates would be flushed into the East Fork? What are the impacts of the debris that would be flushed into the East Fork? What are the impacts and mitigations of increased flows during those times of the year when the stream is normally dry, and when the stream flow is over the capacity of the undersized 48" culvert? In addition, the commenter claims that improved habitat due to "increased shading" can only be said by someone who has never seen the stream, downstream of the culvert under I-5, and upstream of the culvert for part of the streambed, the entire stream is in deep shad all of the year, and this is clearly not analyzed.	Refer to Paul Fishman study	AES-Pete	
478-31	4	4.3-4	4.3	The commenter claims that in the discussion of DOE water quality standards for Class A reclaimed, the language "will abide" is misleading. In addition, the commenter asks what will be done with there may be restrictions on the discharge of wastewater? How will the need for recycled water during restricted periods be accomplished? What is to be done with the discharge? What is the plan for the times that the sewage treatment plan goes offline or is out of tolerance? Can the seasonal stream be converted to a perennial stream under the NPDES permit?	OK, will you settle for must abide? Go ahead and give any information we have on the start of the NPDES permitting process	AES-Pete	
478-32	4	4.3-4	4.3	The commenter disagrees with the statement that the development of Alternative A would improve water quality in the unnamed stream on-site, since there is no science brought to bear on this assertion. The commenter suggests that the DEIS should analyze the total load of contaminants place into the unnamed stream and the East Fork. In addition, the commenter asks whether contaminants in a given volume of water may filter out to the unnamed stream's bed/banks or the East Fork's bed/banks? What the effect would be on the temperature of the water? Whether the total amount of contaminants would be particularly harmful to wildlife?	Refer to Fishman study	AES-Pete	
478-33	4	4.3-4	4.3	The commenter suggests that the impact on northern Clark County of an additional 500,000 gallons per day being removed for the aquifer, should be analyzed and discussed in the DEIS, since according to Appendix G, Figure 5, the water level in northern Clark County has been dropping at a rapid pace for the last 10 years.	This is CPU's problem since we do not specify how CPU is going to find the water	AES-Bill-Jen	
478-34	4	4.3-5	4.3	The commenter asks in regards to the discussion of impermeable surfaces, why Wetland Cn is not mentioned? Why it is assumed that space is equivalent to pastureland in terms of percolating water into the ground? Why it is assumed that the same gallons of water can percolate into the ground when the speed of the water increases from increased impervious surface space?	1. The clays on site are fairly impermeable 2. Vegetative swales and wetlands utilized for retention will increase permeability through reduced slopes and runoff velocity	AES-Pete	
478-35	4	4.5-4	4.5	The commenter claims that in the discussion of barriers to fish in the unnamed stream, there is no 8-foot waterfall, no concrete riprap lining, the stream does not have a steep gradient except for the waterfall, and the commenter asks why the DEIS didn't analyze the condition of and the impacts to the unnamed seasonal stream and East Fork of the Lewis River?	refer to new BA and to Fishman study	AES-Pete	
478-36	4	4.5-4	4.5	The commenter claims that in the discussion of potential impacts from stormwater discharges, no mitigation was discussed for the change from the seasonal to perennial stream, no significant discussion was made for the reduction of temperature, and contradicting statements exists of the significance of these impacts. In addition, commenter states that Salishan-Mohegan LLC, who controls the property, could implement the mitigation measure of removing grazing cattle from the property today.	See revised discussion and Fishman report	AES-Pete	
478-37	4	4.5-4	4.5	The commenter claims that in the discussion of primary wastewater treatment for Alternative A, the specific community sewer treatment plant was not disclosed.	The existing La Center POTW which is a sequencing batch reactor	AES-Bill	
478-38	4	4.5-7	4.5	The commenter claims that in the discussion of Alternative B encroaching on palustrine emergent wetlands, no mitigation measures are discussed an the destruction of Wetland Cn, which is claimed to be a necessary mitigation measure in the DEIS. In addition, the commenter is confused about the elimination of Wetlands An, Bn and Cn under Alternative B, when they are required to mitigate under Alternative A.	Refer to new overview report	AES-Pete	
478-39	4	4.5-13	4.5	The commenter claims that in the discussion of wastewater service for Alternative D, a sewer line is not available to the site from the City of La Center municipal wastewater system, and the commenter asks what the consequences are of the sewer line not being available?	See the discussion in 4.10 under alternative D	AES-Bill	
478-40	4	4.10-2	4.1	The commenter claims that the 750,000-gallon reservoir that would provide onsite water storage is not shown on any of the plans in the DEIS.	It is a closed tank inside the water treatment facility, see appendix G		
478-41	4	4.14-46	4.14	The commenter suggests that in the discussion of development of an on-site water supply well system, water supply deficits in the CPU system need to be fully explained.	I don't think so, I don't see the relationship	AES-Bill	
478-42				The commenter suggests that the FEIS analyze and discuss in detail whether a Section 401 Water Quality certification can be issued, since the issue was not covered in the DEIS.	It is a matter for EPA to determine, point to our responses to EPA concerns	AES-Pete	
478-43				The commenter asks where the DEIS examines and provides guidance on the "antidegradation policy" as found in WAC 173-201A-070?	Any NPDES permit issued to the Tribe would be issued by the USEPA and accordingly would be under their guidelines and standards	AES-Pete	
478-44				The commenter suggests that the DEIS consider an alternative where all wastewater and stormwater are routed to an existing wastewater treatment plant and discharges to the unnamed creek and East Fork of the Lewis River are avoided.	What existing plant? Ridgefields? Since out of Ridgefield UGA not practical	AES-Bill	

## Exhibit B

Paperwork Reduction Act (PRA) of 1995, and as part of our continuing efforts to reduce paperwork and respondent burden, we invite the general public and other Federal agencies to take this opportunity to comment on this IC.

**DATES:** To ensure that your comments are considered, we must receive them on or before August 31, 2015.

**ADDRESSES:** You may submit comments on this information collection to the Information Collection Clearance Officer, U.S. Geological Survey, 12201 Sunrise Valley Drive MS 807, Reston, VA 20192 (mail); (703) 648-7197 (fax); or [gs-info\\_collections@usgs.gov](mailto:gs-info_collections@usgs.gov) (email). Please reference 'Information Collection 1028-NEW, Assessing Public Views of Waterfowl-Related Topics to Inform the North American Waterfowl Management Plan' in all correspondence.

**FOR FURTHER INFORMATION CONTACT:** Holly Miller, Social Scientist, at (970) 226-9133 or [millerh@usgs.gov](mailto:millerh@usgs.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

The North American Waterfowl Management Plan (NAWMP) is an international agreement signed by the United States Secretary of the Interior, the Canadian Minister of the Environment, and the Mexican Secretary of the Environment and Natural Resources. NAWMP lays out a strategy to restore waterfowl populations in North America through habitat protection, restoration, and enhancement. The 2012 revised goals of NAWMP focused for the first time on people as well as waterfowl and their habitats. Specifically, the plan states that "The needs and desires of people [as they relate to waterfowl] must be clearly understood and explicitly addressed" and calls for more human dimensions research with waterfowl hunters, viewers, and the general public. The plan recognizes the interconnectedness of waterfowl, their habitat, and stakeholders. Without human dimensions information, NAWMP objectives may not reflect stakeholder and societal values, and management and policy decisions may lead to actions that could be either irrelevant or counter to stakeholder and societal expectations.

To meet the goals set forth in the 2012 NAWMP revision, the NAWMP Human Dimensions Working Group has asked the USGS to conduct a mail survey to assess the general public's awareness and perceptions of waterfowl and wetlands, as well as measure participation in recreational activities, conservation behaviors, how people

obtain information on nature-related issues, and demographics. Demographics collected on the survey will include voluntarily provided personally identifiable information (PII) such as gender, education, income, and race/ethnicity. Additionally, a representative sample of names and mailing addresses from the general public will be purchased from a survey sampling company which uses publicly available information to construct sample lists.

To protect the confidentiality and privacy of survey respondents, the voluntarily provided PII from the survey will not be associated with any respondent's name or mailing address at any time and will only be analyzed and reported in aggregate. All files containing PII will be password-protected, housed on secure USGS servers, and only accessible to the research team.

PII collected on the survey will be used to understand if any segments of the American public hold differing views on waterfowl and waterfowl-related topics. For example, there may be differences in awareness and perceptions of waterfowl and wetlands or in participation in recreational activities between men and women. This will enable waterfowl managers and policymakers to better understand and be more responsive to the varied stakeholders they are serving. The data from the survey will be aggregated and statistically analyzed and the results will be published in publicly available USGS reports.

The USGS Ecosystems Mission Area is conducting this effort as it aligns with their mission to "work with others to provide the scientific understanding and technologies needed to support the sound management and conservation of our Nation's biological resources." Specifically, the Ecosystems Mission Area "enters into partnerships with scientific collaborators to produce high-quality scientific information and partnerships with the users of scientific information to ensure this information's relevance and application to real problems."

**II. Data**

**OMB Control Number:** 1028-NEW.  
**Title:** Assessing Public Views of Waterfowl-Related Topics to Inform the North American Waterfowl Management Plan.

**Type of Request:** New information collection.

**Affected Public:** General public.

**Respondent's Obligation:** None. Participation is voluntary.

**Frequency of Collection:** One time only.

**Estimated Annual Number of Respondents:** 1,200.

**Estimated Total Number of Annual Responses:** 1,200.

**Estimated Time per Response:** 20 minutes.

**Estimated Annual Burden Hours:** 400.

**Estimated Reporting and Recordkeeping "Non-Hour Cost" Burden:** None.

**Public Disclosure Statement:** The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number and current expiration date.

**III. Request for Comments**

We are soliciting comments as to: (a) Whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, usefulness, and clarity of the information to be collected; and (d) how to minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

Please note that the comments submitted in response to this notice are a matter of public record. Before including your personal mailing address, phone number, email address, or other personally identifiable information in your comment, you should be aware that your entire comment, including your personally identifiable information, may be made publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public view, we cannot guarantee that we will be able to do so.

Dated: May 24, 2015.  
David Hamilton,  
Fort Collins Science Center Director.  
[FR Doc. 2015-15948 Filed 6-29-15; 08:45 am]  
BILLING CODE 4311-AM-P

**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

[156A2100DD/AAKC001030/  
AOA501010.999900 253G]

**Indian Gaming**

**AGENCY:** Bureau of Indian Affairs, Interior.



37294

Federal Register / Vol. 80, No. 125 / Tuesday, June 30, 2015 / Notices

**ACTION:** Notice of approved Tribal-State Class III gaming compact; correction.

**SUMMARY:** The Bureau of Indian Affairs (BIA) published a notice in the *Federal Register* of June 4, 2015 (80 FR 31918), containing a list of approved Tribal-State Class III gaming compacts. The notice contained incorrect spellings for two tribes.

**DATES:** Effective Date: June 4, 2015.

**FOR FURTHER INFORMATION CONTACT:** Ms. Paula L. Hart, Director, Office of Indian Gaming, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, (202) 219-4066.

**SUPPLEMENTARY INFORMATION:**

#### Correction

In the *Federal Register* of June 4, 2015 (80 FR 31918), in FR Doc. 2015-13712, on page 31918, in the third column, correct the **SUMMARY** caption to read:

**SUMMARY:** This notice publishes the approval of the Amendment to the compacts between the Confederated Tribes of the Chehalis Reservation, Confederated Tribes of the Colville Reservation, Cowlitz Indian Tribe, Hoh Indian Tribe, Jamestown S'Klallam Tribe, Kalispel Indian Community of the Kalispel Reservation, Lower Elwha Tribal Community, Lummi Tribe of the Lummi Reservation, Makah Indian Tribe of the Makah Reservation, Nisqually Indian Tribe, Port Gamble S'Klallam Tribe, Quileute Tribe of the Quileute Reservation, Quinault Indian Nation, Samish Indian Nation, Sauk Suiattle Indian Tribe, Shoalwater Bay Indian Tribe of the Shoalwater Bay Indian Reservation, Skokomish Indian Tribe, Snoqualmie Indian Tribe, Spokane Tribe of the Spokane Reservation, Squaxin Island Tribe of the Squaxin Island Reservation, Stillaguamish Tribe of Indians of Washington, Suquamish Indian Tribe of the Port Madison Reservation, Swinomish Indian Tribal Community, Tulalip Tribes of Washington, Upper Skagit Indian Tribe, Confederated Tribes and Bands of the Yakama Nation, and the State of Washington governing Class III gaming (Compact).

Dated: June 23, 2015.

Kevin K. Washburn,  
Assistant Secretary—Indian Affairs.

[FR Doc. 2015-16035 Filed 6-29-15; 8:45 am]

BILLING CODE 4337-15-P

#### DEPARTMENT OF THE INTERIOR

##### Bureau of Indian Affairs

[156A2100DD/AAK001030/  
A0A501010.999900 253G]

##### Renewal of Agency Information Collection for Reindeer in Alaska

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Bureau of Indian Affairs (BIA) is seeking comments on the renewal of Office of Management and Budget (OMB) approval for the collection of information titled "Reindeer in Alaska," authorized by OMB Control Number 1076-0047. This information collection expires September 30, 2015.

**DATES:** Submit comments on or before August 31, 2015.

**ADDRESSES:** You may submit comments on the information collection to David Edington, Bureau of Indian Affairs, Office of Trust Services, 1849 C Street NW., MS-4637-MIB, Washington, DC 20240; email: [David.Edington@bia.gov](mailto:David.Edington@bia.gov).

**FOR FURTHER INFORMATION CONTACT:** David Edington, phone: (202) 513-0886.

**SUPPLEMENTARY INFORMATION:**

#### I. Abstract

The Bureau of Indian Affairs (BIA) is seeking renewal of the approval for the information collection conducted under 25 CFR part 243, Reindeer in Alaska, which is used to monitor and regulate the possession and use of Alaskan reindeer by non-Natives in Alaska. The information to be provided includes an applicant's name and address, and where an applicant will keep the reindeer. The applicant must fill out an application for a permit to get a reindeer for any purpose, and is required to report on the status of reindeer annually or when a change occurs, including changes prior to the date of the annual report. This information collection utilizes four forms. This renewal request does not include any changes to the burden hours.

#### II. Request for Comments

The BIA requests your comments on this collection concerning: (a) The necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) The accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) Ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) Ways we could minimize the burden of the collection of the information on the respondents.

Please note that an agency may not conduct or sponsor, and an individual need not respond to, a collection of information unless it has a valid OMB Control Number.

It is our policy to make all comments available to the public for review at the

location listed in the **ADDRESSES** section. Before including your address, phone number, email address or other personally identifiable information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### III. Data

*OMB Control Number:* 1076-0047.

*Title:* Reindeer in Alaska, 25 CFR 243.

*Brief Description of Collection:* There are four forms associated with this information collection: Sale Permit for Alaska Reindeer, Sale Report for Alaska Reindeer, Special Use Permit for Alaska Reindeer, and Special Use Reindeer Report. Responses are required to obtain or retain a benefit.

*Type of Review:* Extension without change of currently approved collection.

*Respondents:* Non-Natives who wish to possess Alaskan reindeer.

*Number of Respondents:* 18 per year, on average (8 respondents for the Sale Permit for Alaska Reindeer, 8 respondents for the Sale Report Form for Alaska Reindeer, 1 respondent for the Special Use Permit for Alaskan Reindeer, and 1 respondent for the Special Use Reindeer Report).

*Frequency of Response:* Once a year, on average.

*Estimated Time per Response:* 5 minutes for the Sale Permit and Report forms; and 10 minutes for the Special Use Permit and Report forms, on average.

*Estimated Total Annual Hour Burden:* 2 hours.

*Estimated Total Annual Non-Hour Dollar Cost:* \$10.00.

Elizabeth K. Appel,

Director, Office of Regulatory Affairs and Collaborative Action—Indian Affairs.

[FR Doc. 2015-16010 Filed 6-29-15; 8:45 am]

BILLING CODE 4337-15-P

#### DEPARTMENT OF THE INTERIOR

##### Office of the Secretary

[15XD4523WS DS67011100  
DWSNN0000.XB0000 DP6EG02]

##### Renewal of Information Collection and Request for Comments: OMB Control Number 1093-0006, Volunteer Partnership Management

**AGENCY:** Office of the Secretary, Department of the Interior.



## United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

MAY 29 2015

The Honorable William Iyall  
Chairman, Cowlitz Indian Tribe  
P.O. Box 2547  
Longview, Washington 98632

Dear Chairman Iyall:

On April 14, 2015, the Department of the Interior received the Amendment to the Tribal-State Compact (Amendment) between the Cowlitz Indian Tribe (Tribe), and the State of Washington (State) providing for the conduct of class III gaming activities by the Tribe.

We have completed our review of the Amendment submitted by the Tribe, and the State, and conclude that they do not violate that Indian Gaming Regulatory Act (IGRA), any other provision of Federal law that does not relate to jurisdiction over gaming on Indian lands, or the trust obligations of the United States to Indians. See 25 U.S.C. § 2710 (d)(8)(B). Therefore, pursuant to my delegated authority and Section 11 of IGRA, I approve the Amendments. See 25 U.S.C. § 2710(d)(8)(A). The Amendments shall take effect when the notice of this approval is published in the Federal Register. See 25 U.S.C. § 2710 (d)(3)(B).

A similar letter has been sent to the Honorable Jay Inslee, Governor of the State of Washington.

Sincerely,

Kevin K. Washburn  
Assistant Secretary – Indian Affairs



**FIRST AMENDMENT TO THE TRIBAL-STATE COMPACT  
FOR CLASS III GAMING BETWEEN  
THE COWLITZ INDIAN TRIBE AND THE STATE OF WASHINGTON**

**WHEREAS**, on June 16, 2014, the State of Washington ("State") and the Cowlitz Indian Tribe ("Tribe") executed a Class III Gaming Compact ("Compact"), pursuant to the Indian Gaming Regulatory Act of 1988 ("IGRA"), P.L. 100-407, codified at 25 U.S.C. Section 2701 *et seq.* and 18 U.S.C. Sections 1166-1668; and

**WHEREAS**, the Class III Gaming Compact executed by the State and the Tribe, as well any amendments thereto, were approved by the Secretary of the Interior and are in full force and effect (hereinafter referred to as the "Compact"); and

**WHEREAS**, the State and Tribe subsequently conducted additional negotiations in accordance with the provisions of IGRA and the terms of the Compact; and

**WHEREAS**, the State and Tribe have agreed to certain changes to the Compact, including certain provisions found within Appendix X2, and agreed to incorporate an optional Addendum to that Appendix,

**NOW, THEREFORE, the Compact shall be, and is hereby amended as follows:**

**1. Add Compact Section III.**

Q. Acceptance of Electronic Benefits Cards From the State of Washington.

The Tribe shall ensure that all cash dispensing outlets, including without limitation, automated teller machines (ATM) and point of sale machines located within the Tribe's Gaming Facility or Facilities, shall not accept Electronic Benefits Cards.

**2. Amend Appendix X2, Section 12.1 to:**

12.1 Allocation. The Tribe shall be entitled to an Allocation of, and may operate or transfer the ability to operate, up to 1075 Player Terminals ("Allocation").

**3. Amend Appendix X2, Section 13.4, Sub-Sections 13.4.1 to 13.4.5 to:**

13.4.1 First Year Regulatory Fees. Upon commencement of operations of a Gaming Operation, the SGA shall make a good faith estimate of the cost of regulating the Tribe's activities under this Appendix for the remainder of the calendar year.

13.4.2 Cost Allocation. Notwithstanding anything in the Compact to the contrary, the Regulatory Fees for all class III activities under the Compact, including those applicable to the activities described in this Appendix (except for the first year fees set by estimate as provided in Sections 13.4.1), shall be set by determining the cost of regulating the

Tribe's class III activities using the State's cost allocation model currently in use as of the effective date of this Amendment.

**13.4.3 Billing and Payment.** The SGA shall notify the Tribe of the forthcoming Regulatory Fee at least 45 days prior to its becoming due. Regulatory Fees may be paid for an entire year in advance of the date on which the billing year commences (calendar year) or in no more than 12 equal monthly installments, each of which shall be due on the first day of each month, which monthly payments shall commence on the first day of the first month of the billing year, or within 45 days following notification of the amount of the forthcoming year's Regulatory Fee, whichever is later.

**13.4.4 Audit.** The SGA shall send the Tribe an annual audited accounting of actual costs on or before April 30<sup>th</sup> of the following year.

**13.4.5 Revisions to State's Cost Allocation Model.** The State may revise its cost allocation model, which shall become effective upon 90 days' notice to the Tribe. If the Tribe disputes the revised model, the State and Tribe shall meet and confer in an attempt to resolve the matter within 30 days. If the parties cannot resolve the dispute, the dispute resolution provisions set forth in section 13.5 shall apply.

**4. Amend Appendix X2, Sections 14.4 and 14.5 to:**

**14.4 Problem Gambling.** Thirteen one-hundredths of one percent (0.13%) of the net win derived from all Class III gaming activities, determined on an annual basis, shall be dedicated to problem gambling education, awareness, and treatment in the State of Washington. Contributions shall be made to governmental, charitable and/or non-profit organizations, which may include the Department of Social and Health Services' Division of Alcohol and Substance Abuse (DSHS/DASA), that are directly related to helping to reduce problem gambling. The 0.13 percent of net win shall be paid annually, commencing with the conclusion of the Tribe's first full fiscal year following the date upon which this Appendix becomes effective and shall be paid annually within one year of the close of the Tribe's fiscal year.

**14.5 Smoking Cessation and Prevention.** Thirteen one-hundredths of one percent (0.13%) of the net win derived from Tribal Lottery System activities, determined on an annual basis, shall be dedicated to smoking cessation, prevention, education, awareness, and treatment in the State of Washington. Contributions shall be made to governmental, charitable and/or nonprofit organizations that have as a purpose the discouragement of the use of tobacco. However, if the Tribe operates any of its Class III gaming facilities as entirely smoke-free, the Tribe's smoking cessation contribution shall be reduced proportionally based upon the pro rata number of Tribal Lottery System machines in that non-smoking facility compared to the total number of Tribal Lottery System machines operated by the Tribe. Additionally, it is also agreed that if the Tribe completely prohibits the sale and use of alcohol in all of its Class III gaming facilities, the Tribe shall be entirely excused from making the smoking cessation contribution required by this subsection for as long as the prohibition on the sale and use of alcohol remains in effect.



The 0.13 percent of net win shall be paid annually, commencing with the conclusion of the Tribe's first full fiscal year following the date upon which this Appendix becomes effective and shall be paid annually within one year of the close of the Tribe's fiscal year as set forth in section 14.6.3.

**5. Incorporate by reference as a fully enforceable part of the Compact:**

Appendix X2 Addendum Tribal Lottery System Terminal Allocations, in the form attached hereto.

This Amendment shall take effect upon publication of notice of approval by the United States Secretary of the Interior in the Federal Register in accordance with 25 U.S.C. § 2710(d)(3)(B).

IN WITNESS WHEREOF, the Cowlitz Indian Tribe and the State of Washington have executed this First Amendment to the Compact.

COWLITZ INDIAN TRIBE

BY: 

WILLIAM B. IYALL  
Chairman

DATED: Feb 19 2015

STATE OF WASHINGTON

BY: 

JAY INSLEE  
Governor

DATED: 4/8/15

**Cowlitz Indian Tribe - State of Washington  
Class III Gaming Compact**

**Appendix X2 Addendum  
Tribal Lottery System Terminal Allocations**

**Section 1. Overview**

The Parties executed the Tribal-State Compact, including Appendix X2, which became effective August 7, 2014. This Appendix X2 Addendum further supplements Appendix X2 as follows:

**Section 2. Definitions**

All terms not defined herein shall have the same definitions as in the Tribe's Compact and its amendments and appendices.

- 2.1 **"Available for Lease"** means a Player Terminal that is part of an Eligible Tribe's Allocation of Player Terminals and is neither in use in any Eligible Tribe's Gaming Facility or Facilities, nor leased to another Eligible Tribe.
- 2.2 **"Certification"** means a confirmation conducted and signed by an Independent Accounting Firm that states the number of Player Terminals Available for Lease in the State of Washington.
- 2.3 **"Eligible Tribe"** means a Washington Tribe that has entered into a compact authorizing operation of a Tribal Lottery System consistent with Appendix X2.
- 2.4 **"Independent Accounting Firm"** means a person or firm licensed by the Washington State Board of Accountancy.

**Section 3. Increases to Tribe's Allocation of Player Terminals**

- 3.1 The Tribe's Allocation of Player Terminals as set forth in Appendix X2 may increase by 50 Player Terminals upon meeting the procedures and conditions set forth in this Addendum.
- 3.2 The Tribe shall provide the State Gaming Agency with written notice, along with Certification from an Independent Accounting Firm, that there are 500 or fewer Player Terminals Available for Lease among all tribes participating in the Tribal Lottery System under Appendix X2. The Tribe shall derive its notice and Certification from information provided by participants in the plan described in Section 12.2.2 of Appendix X2.
- 3.3 Upon receipt of the Tribe's notice, the State Gaming Agency shall review the Certification and verify the Player Terminals Available for Lease in the state. To facilitate the State Gaming Agency's review and verification process, the Tribe

shall authorize the Independent Accounting Firm to make available for review by the State Gaming Agency all supporting records used to develop the Certification.

- 3.4 The State Gaming Agency has 30 days to review, verify, and provide written notification to the Tribe of the additional Allocation of Player Terminals set forth in Section 3.1. Any such increase to the Tribe's Allocation shall become effective 30 days after notification by the State Gaming Agency.
- 3.5 Such notice by the State Gaming Agency shall for all purposes increase the Allocation of Player Terminals for the Tribe until such time as, if ever, another notice and Certification is delivered to the State Gaming Agency for an increase to the Allocation.
- 3.6 Except as set forth in Section 3.7, additional increases to the Tribe's Allocation of Player Terminals under this Section are limited to one (1) increase per twelve (12) month period.
- 3.7 Notwithstanding the limitation set forth in Sections 3.5 and 3.6, if the Tribe, or another Eligible Tribe, licenses a new Gaming Facility on Tribal Lands that will operate more than 1,075 Player Terminals at its initial opening, the Tribe may provide written notification to the State Gaming Agency of such licensure. After receipt of such notification, the State Gaming Agency has 30 days to review, concur, and provide written notification to the Tribe that the Tribe's Allocation of Player Terminals shall increase by an additional 50 Player Terminals.
- 3.8 In the event any other Eligible Tribe becomes entitled to an increased Allocation of Player Terminals under that tribe's version of Section 3.4 or 3.7, the Tribe shall be automatically entitled to the same Allocation increase authorized to that other Washington tribe by its version of Section 3.4 or 3.7 above, and the State shall provide prompt notification of the increase to the Tribe.

#### **Section 4. Dispute Resolution**

- 4.1 If a dispute arises between the Tribe and the State with respect to the terms and conditions set forth in this Addendum, including but not limited to the number of Player Terminals Available for Lease, the State and Tribe shall meet and attempt to resolve the dispute not later than 30 days prior to the increased Allocation of Player Terminals going into effect.
- 4.2 If either party believes, after the meet and confer has commenced, that a resolution by the parties cannot be achieved, then either or both parties shall be entitled to have the dispute resolved pursuant to the dispute resolution provisions of the Compact.

# Exhibit C



NEWS FROM INDIAN COUNTRY

USCA Case #14-5326 Document #1604456 Filed: 03/17/2016 Page 24 of 82

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# Cowlitz tribe blocks path to so called "Easy Street"

Category Indian Nations & First Nations

by Thacher Schmid Longview, Washington (AP)

When the Cowlitz Tribe decided last year to close its enrollment rolls to all but newborns, Judi Abbott was "devastated." Abbott says she can trace her lineage directly to Veronica Scanewa and Simon Plamondon, the couple from whom many modern Cowlitz are descended.

"Even as a young girl, I felt there was a secret in our family," Abbott wrote in an e-mail.

Her grandmother Leontenna Agnes, a Cowlitz raised "by nuns" - probably at one of the infamous American Indian boarding schools - never told her daughters about their heritage. Abbott's quest to become enrolled, she said, began after receiving a letter from her aunt Karolyn Moriarty in the late 1990s when Moriarty enrolled her own children.

"I want so very much to be counted a member of the Cowlitz Tribe," Abbott said.

She won't be, unless the tribe changes its policies.

Tribal leaders say they adopted the 2006 rule change for good reason: Enrollment exploded from 1,482 at the tribe's 2002 final federal recognition to 3,600 today. Now, only those under age 1 and able to prove "direct lineal descendency" are added.

"This is not uncommon. This is the way a lot of tribes are doing it," Tribal Council Chairman John Barnett said.

Though the tribe prefers to downplay this problem of surging enrollment, it has been struggling with the burdens that came with recognition - including a few potential members who might see getting on the tribe's rolls as a path to Easy Street.

"There are a lot of ways that people would become an Indian, and (a few) would go to any lengths to do it," Barnett said.

**"They think that just because you're a federally recognized tribe that all these dollars drop out of the sky," said Nancy Osbourne**

"They think that just because you're a federally recognized tribe that all these dollars drop out of the sky," said Nancy Osbourne, who sits on the tribe's Enrollment Committee. "That's not the case."

There's also a proposed Cowlitz casino near La Center, which would generate millions of dollars each year. Prospective tribal members could see enrollment as a way of getting a piece of that pie.

While the recent change has slowed the growth, over the last few years thousands in the tribal "family" returned to the area, enrolled for the first time, or renewed their connection to the tribe.

New members have taken advantage of expanded services, many federally funded, like a bigger health clinic, college scholarships, housing programs, weatherization, and cultural and biological programs.

For Taylor Aalvik, when the Cowlitz earned recognition as a tribe he knew he wanted to enroll and return to the area, which he did in 2002. Aalvik grew up in Newfoundland in eastern Canada and "spent a lot of time with tribes in Eastern Washington," he said.

"Actually, I'm here because once I knew the tribe was recognized and there was federal dollars, I came back and asked, 'What can I do to help serve?'"

A biologist by training who is working on a master's in environmental science, Aalvik settled in Kelso with partner Tracy, a Tlingit Indian, and their 2-year-old daughter, Kayla. Aalvik enrolled in 2002 and now sits on the Tribal Council

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(Page 39 of Total)

http://www.indiancountrynews.com/index.php/news/9-news-from-through-out-indian-country/2245-cowlitz-tribe-blocks-path-to-so-called-geasy-street[3/17/2016 11:56:23 AM]

Aalvik said his motivation in returning was to help the tribe. He is currently "researching and recording the history of our connection to the land."

Aalvik registered Kayla soon after her birth.

"Obviously, I'm going to get my daughter in," he said. "I want her to grow up knowing who she is and who her ancestors were, and being part of the culture and tribe."

For a people accustomed to an ancient oral tradition, all the paperwork is a new twist.

"I knew I was Indian, but I didn't know anything about being an Indian on paper," Aalvik remembers.

One test for enrolling in a tribe is through use of "blood quantum," where potential enrollees must show a certain percentage of their blood traces to a tribe's roots. The method has been controversial throughout Indian tribes. The Cowlitz tribe moved away from the use of blood quantum - it used to require members be 1/16th Cowlitz - either in the 1980s or 1990s, depending on who you ask.

"Is the blood in a quart bottle more important than the blood in the end of my finger?" Barnett asked. "I'm part Finn, part Irish, part French, and part Indian. I ask the question, 'Is this my Indian blood in this arm?' It's not the Indian blood that makes the Indian. It's how he feels about himself and his heritage."

Getting information about enrollment is tough. Barnett and spokesman Phil Harju initially offered to let a reporter see the tribe's constitution and membership policies, but later requested a formal letter to the Tribal Council. The Tribal Council then refused the request. In the end, Barnett, Osbourne and Randy Russell, enrollment director since 2005, made themselves available for interviews, but they refused to talk about details they said are "classified," such as the tribe's constitution and enrollment application.

Even the application itself is frequently revised, apparently. Russell said he often sends "three, four, five" applications to parents of new babies - because the applications expire after 60 days, he said. Why the short shelf life?

"For control purposes."

The tribe's move away from blood quantum allowed it to grow faster, but other restrictions, including the 2006 rule change, made enrollment more difficult.

In 1999, Osbourne said, the tribe began requiring direct lineal descendancy from three key families. Before, there could be a gap in generations, she said, "as long as you could prove your grandparent or great-grandparent was on the roll. But you still had to be a direct descendent."

By 2006, with sustained growth of well over 100 percent in total membership since 2002, the tribe clamped down harder.

"We needed to get some kind of control of the tribe," Russell said. "We needed to come up with some way to control the population (growth)."

The decision reflects the tribe's belief that the vast majority of adults were already on the rolls by 2006.

"We figured six years after recognition (in 2000), most of the adults would be enrolled," Russell said. He said other requirements haven't changed.

New members must be approved by the Enrollment Committee, then the Tribal Council. Telling individuals they didn't get in is the hardest part of his job, Russell said.

"Some understand, and some don't want to accept that," Russell said.

**"Frequently, what I hear is, 'I thought my parents enrolled me as a child,' or, 'I thought since my parent was a tribal member I was automatically enrolled,'" Russell said. "It's the parent's responsibility to enroll the child."**

"Frequently, what I hear is, 'I thought my parents enrolled me as a child,' or, 'I thought since my parent was a tribal member I was automatically enrolled,'" Russell said. "It's the parent's responsibility to enroll the child."

The tough part is that given the complicated history of whites' efforts to quash



American Indian traditions. Tribal members' ethnic heritage has in some cases been obscured for decades.

Abbott's aunt, Karolyn Moriarty, now a Cowlitz elder, registered in 1997, at age 72. She empathized with Abbott's confusion about her heritage.

"A lady at school asked me if I could be in an 'Indian program,'" Moriarty recalled, thinking back to her youth. "I said, 'I don't know,' and she said, 'Well, why don't you go home and ask your mother?'"

Moriarty said her mother, Leontenna Agnes, born in 1885, used to receive information from the Cowlitz tribe but didn't identify as American Indian.

"The thing was, I always felt that my mother should have benefitted from (enrollment)," said Moriarty. "I felt that I should stand up for her. She would receive letters, and I would say, 'Why don't you answer this?' And she wouldn't. She just shook her head and wouldn't discuss it."

The tribe's fight for recognition, long delayed after the tribe refused Washington Territory governor Isaac Stevenson's 1855 offer of shared reservation space with the Quinault, dates to 1912. It ended in 2002 with new hope, but no new lands.

"I signed a piece of paper in (Washington) D.C. and they said, 'Good luck, boys,'" Barnett recalled. "We got nothing but a piece of paper. But it was a great moment for our people. At least we got back the programs."

The recognition also forced the Cowlitz to formally define who is, and isn't, a member of the tribe.

"Before the tribe was recognized, nobody was an Indian," Aalvik said. "It's a burden that's placed on all (recognized) tribes, having to go through, saying who is and who isn't."

The tribe's federal funding hasn't kept pace with the rolls: The funds received through Indian Health and federal Housing and Urban Development, Osbourne said, are calculated using the 2002 "base roll" number of 1,482.

"We've come an awful long way in five years," Barnett said. "People can say what they want to say, but basically a lot of (American Indians) don't have health coverage, they don't have housing. They're destitute. If we can reach a hand down to them, that's what the Cowlitz tribe is all about."

The tribe is now the primary health service agency for the seven-county "Contract Health Service Delivery Area," tribal officials said. The area includes Pierce, Cowlitz, Lewis, Clark, Skamania, Thurston and Wahkiakum counties.

"You service all Indians, whether or not they're part of your tribe," Barnett said. How many American Indians in the seven-county area?

"We don't know that figure," Barnett said. "They come and they go."

Applicants for enrollment are required to demonstrate lineage in one of three historic Cowlitz families, Russell said. The largest descends from the union of Veronica Scanewa, daughter of Chief Scanewa, and French trader/explorer Simon Plamondon, the first white man on the Cowlitz Prairie (the area around and east of Toledo), according to tribal documents. The second traces its roots to Luce Skloutwout; the third family is the Bernier. All three are on the Roblin Roll, a key historical document from 1919 that documents 900 Cowlitz.

"That's the document that we used for a long period of time," Barnett said. "That was used to document the ties."

Like Aalvik, Dana Petersen, 23, traces her lineage to the second of the three families; she has Skloutwout roots. For Petersen, who works in accounts payable for the tribe, registration in 2004 helped her get a college education.

With a scholarship from the tribe, Petersen graduated from The Evergreen State College in June. She also completed an internship with the tribe during her final term. Petersen said she doesn't recall much about the enrollment process except it was "very complicated and time-consuming," - partly because she was born in a military hospital in Germany.

"I just remember having to gather a lot of things," she said.

Petersen said she feels lucky to be a part of the tribe during this "exciting" time. While the tribe is focused on getting its initial reservation and casino approved - the final draft of the project's Environmental Impact Statement should be made public soon - the tribe's future depends on young members, like Petersen.

The younger members are going to have to continue the tribe, the younger members are going to have to step up and be involved," she said.

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# Exhibit D

[Federal Register Volume 74, Number 206 (Tuesday, October 27, 2009)]  
[Notices]  
[Pages 55250-55255]  
From the Federal Register Online via the Government Publishing Office [[www.gpo.gov](http://www.gpo.gov)]  
[FR Doc No: E9-25731]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5317-FA-01]

Announcement of Funding Awards for the Native American Housing  
Block Grant Recovery Act Competitive Program

AGENCY: Office of Native American Programs, Office of Public and Indian  
Housing, HUD.

ACTION: Announcement of funding awards.

SUMMARY: In accordance with Section 102(a)(4)(C) of the Department of  
Housing and Urban Development Reform Act of 1989, this announcement  
notifies the public of funding decisions made by the Department in a  
competition for funding under the American Recovery and Reinvestment  
Act of 2009 ('Recovery Act') Notice of Funding Availability (NOFA)  
for the Native American Housing Block Grant ('NAHBG') Program. This  
announcement contains the consolidated names and addresses of the award  
recipients under the NAHBG Recovery Act Program.

FOR FURTHER INFORMATION CONTACT: For questions concerning the NAHBG  
Program awards, contact the Area Office of Native American Programs  
(ONAP) serving your area or Deborah M. Lalancette, Office of Native  
Programs, 1670 Broadway, 23rd Floor, Denver, CO 80202, telephone number  
303-675-1600. Hearing or speech-impaired individuals may access this  
number via TTY by calling the toll-free Federal Information Relay  
Service at 800-877-8339.

SUPPLEMENTARY INFORMATION: The NAHBG program provides grants to Indian  
tribes or tribally designated housing entities authorized by one or  
more tribes pursuant to the Native American Housing Assistance and  
Self-Determination Act of 1996 ('NAHASDA'). Funds can be used for  
NAHASDA-eligible activities including acquisition, new construction,  
rehabilitation of affordable housing, site improvement, development and  
rehabilitation of utilities and infrastructure, utility services,  
conversion, demolition, financing, administration and planning,  
improvements to achieve greater energy efficiency, mold remediation,  
investments that leverage private sector funding or financing for  
renovations, and energy retrofit investments.

The awards announced in this Notice were selected for funding in a  
competition announced in a NOFA posted on the Department's Recovery Act  
website on May 27, 2009, (<http://www.hud.gov/recovery>). Applications  
were scored and selected for funding based on the selection criteria in  
that notice. The amount appropriated in the Recovery Act to fund the  
NAHBG Recovery Act Competitive Program was \$242,250,000.

In accordance with Section 102(a)(4)(C) of the Department of  
Housing and Urban Development Reform Act of 1989 (103 Stat.1987, 42  
U.S.C. 3545), the Department is publishing the names, addresses, and  
amounts of the 102 awards made under the national competition in  
Appendix A to this document.

Dated: October 16, 2009.  
Sandra B. Henriquez,  
Assistant Secretary for Public and Indian Housing.

Appendix A--Recovery Act Native American Housing Block Grant Awards

Name of applicant	Amount funded	Project description
Alaska Region		
Akiachak Native Community, George Peter, President, P.O. Box 70, Akiachak, AK 99551, (907) 825-4626.	\$2,000,000	Construct 7 Homes.

Aleutian Housing Authority, Dan Duane, Executive Director, 520 E. 32nd Avenue, Anchorage, AK 99503, (907) 563-2146. \$1,052,033 Construct 2 homes in Sand Point and rehabilitation of 15 mutual help homes in Unalaska.

Arctic Village, Jonathan John, 1st Chief, PO Box 22069, Arctic Village, AK 99722, (907) 587-5523. \$2,000,000 Construct 6 homes.

Asa' Carsarmiut, James C. Landlord, 1st Chief, PO Box 32249, Mountain Village, AK 99632-2249, (907) 591-2814. \$2,000,000 Construct 2 homes and access road, rehabilitate 12 homes.

AVCP Regional Housing Authority, Ronald B. Hoffman, President, CEO, P.O. Box 767 Bethel, AK 99559, (907) 543-3121. \$5,000,000 Construction of office building.

Baranof Island Housing Authority, Bart Meyer, PO Box 517, Sitka, AK 99835, (907) 747-5088. \$2,000,000 Construct 2 fourplexes.

Bristol Bay Housing Authority, Dave McClure, Executive Director, 111 West 16th Ave., Suite 400, P.O. Box 3310, Dillingham, AK 99510, (907) 842-5956. \$4,000,000 Construct 5 homes each in Chignik Lake and Port Heiden.

Chilkoot Indian Association, Gregory Stuckey, Tribal Administrator, P.O. Box 490, Haines, AK 99827, (907) 766-2323. \$1,906,866 Construct 1 four-plex and 3 single family homes.

Cook Inlet Housing Authority, Carol Gore, President/CEO, 3510 Spenard Road, Anchorage, AK 99503, (907) 793-3000. \$5,000,000 Construct 55 homeownership units in Anchorage.

Ketchikan Indian Corporation, Norman Arriola, President, 2960 Tongass Avenue, Ketchikan, AK 99901, (907) 228-5233. \$2,000,000 Construct 12-unit Senior Housing Project.

Metlakatla Indian Community Housing Authority, Karl Cook, Chairman, P.O. Box 8, Metlakatla, AK 99926, (907) 886-6500. \$2,000,000 Install utilities and construct 4 duplexes.

Pribilof Island Aleut Community of St. Paul Island, Patrick Baker, Executive Director, 2050 Venia Minor Rd., St. Paul Island, AK 99660, (907) 223-8754. \$2,000,000 Construct 6 homes and rehabilitate 25 homes.

Tlingit-Haida Regional Housing Authority, Blake Kazama, President, P.O. Box 32237, Juneau, AK 99803, (907) 780-6868. \$4,000,000 Construct 17 unit Senior complex in Saxman, Alaska.

Village of Venetie, Ernest Erick, 1st Chief, P.O. Box 81119, Venetie, AK 99781, (907) 849-8212. \$2,000,000 Construct 6 homes.

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Total for Alaska Region.... \$36,958,899 .....

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Eastern Woodlands Region

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Akwesasne Housing Authority, Retha Herne, Executive Director, 378 State Rt. 37, Hogansburg, NY 13655, (518) 358-9020. \$3,000,000 Expansion of Sunrise Acres--20 additional rental units.

Aquinnah Wampanoag Tribal Housing Authority, Jane A. Greene, Housing Administrator, PO Box 479, Chilimark, MA 02535, (508) 645-2711. \$1,895,855 Rehabilitate 25 homes.

Green House Project 1	\$2,000,000	
Bay Mills Indian Community Housing Authority, Cheryl Parish, Executive Director, 3095 S. Towering Pines, Brimley, MI 49715, (906) 248-5524.	\$2,000,000	Energy Efficiency Rehab Project.
Bois Forte Band of the Minnesota Chippewa Tribe, Kevin Leecy, Chairperson, PO Box 16, Nett Lake, MN 55772, (218) 757-3261.	\$2,000,000	16 units of rental housing.
Choctaw Housing Authority, Eric Willis, Executive Director, PO Box 6088, Choctaw, MS 39350, (601) 656-6617.	\$2,988,987	Construct 32 rental units.
Fond du Lac Band of the Minnesota Chippewa Tribe, Karen Diver, Chairperson, 1720 Big Lake Rd., Cloquet, MN 55720, (218) 879-4593.	\$2,629,550	Assisted Living Project.
Grand Portage Housing Authority, Gale Carlson, Executive Director, PO Box 303, Grand Portage, MN 55605, (218) 475-2277.	\$2,000,000	West Village Rental Housing Development Project.
Grand Traverse Band of Ottawa and Chippewa Indians, Derek Bailey, Tribal Chairman, 2605 N West Bay Shore Dr., Peshawbestown, MI 49682, (231) 534-3538.	\$2,000,000	Construction of 16 units.
Hannahville Indian Community, Kenneth Meshigaud, Chairperson, N14911 Hannahville Bl Rd., Wilson, MI 49896, (906) 723-2294.	\$1,516,850	Expansion of Elderly Complex.
Ho-Chunk Housing and Community Development Agency, Mark Butterfield, Executive Director, PO Box 730, Tomah, WI 54660, (608) 374-1245.	\$3,000,000	New Housing Construction, acquisition and rehabilitation.
Houlton Band of Maliseet Indians Housing Authority, Aaron Greenlaw, Executive Director, PO Box 13, Houlton, ME 04730, (207) 532-7638.	\$2,000,000	New Housing Construction.
Keweenaw Bay Ojibwa Housing Authority, Eddy Edwards, Executive Director, 220 Main St., Baraga, MI 49908, (906) 353-7117.	\$1,974,968	Beartown Subdivision-- New Home Construction.
Lac Courte Oreilles Housing Authority, Jean Thayer, Executive Director, 13416 W. Trepania Rd., Hayward, WI 54843, (715) 634-2147.	\$3,000,000	New Housing Construction.
Lac du Flambeau Chippewa Housing Authority, Gary Smith, Executive Director, PO Box 187, Lac du Flambeau, WI 54538, (715) 586-3348.	\$2,000,000	Green Rehabilitation.
Lac Vieux Desert Band of Lake Superior Chippewa, Anthony LaBine, Executive Director, PO Box 466, Watersmeet, MI 49969, (906) 358-0344.	\$1,996,338	Construction of Community Center and 9 new homes.

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Leech Lake Housing Authority, Marlene Mitchell, Executive Director, PO Box 938, Cass Lake, MN 56633, (218) 335-8280.	\$3,000,000	New Housing Construction.
Little River Band of Ottawa Indians, Larry Romanelli,	\$2,000,000	New Housing Construction.



Ogema, 375 River St.  
Manistee, MI 49660, (231) 723-8288.

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Little Traverse Bay Bands of Odawa Indians, Ken Harrington, Chairman, 7500 Odawa Circle, Harbor Springs, MI 49740, (231) 242-1402.	\$2,000,000	Little Murray Road Housing Development Project.
Lower Sioux Indian Housing Authority, Karen Bogan, Housing Director, PO Box 308, Morton, MN 56270, (507) 697-6412.	\$2,000,000	Construction of 6 new homes.
Lumbee Tribe of North Carolina, Jimmy Goins, Chairperson, PO Box 2709, Pembroke, NC 28372.	\$4,000,000	Housing Rehabilitation.
Mashpee Wampanoag Tribe, Cedric Cromwell, Chairperson, 483 Great Neck Rd. South, Mashpee, MA 02649, (508) 477-0208.	\$2,000,000	Infrastructure for 50 new homes.
Match E-Be-Nash-She-Wish Band of the Pottawatomi, David K. Sprague, Chairman, PO Box 218 Dorr, MI 49323, (616) 681-8830.	\$2,000,000	Build 5 to 7 new homes.
Menominee Indian Tribe of Wisconsin, Lisa Waukau, Chairperson, PO Box 910, Keshena, WI 54135, (715) 799-5114.	\$3,000,000	Renovation of 131 units.
MOWA Band of Choctaw Housing Authority, Craig Taylor, Executive Director, 1080 Red Fox Rd., Mt. Vernon, AL 36560, (251) 829-5000.	\$960,000	Nine units of Single Family Housing.
Narragansett Indian Tribe of RI, Matthew Thomas, Chief Sachem, PO Box 268, Charlestown, RI 02813.	\$2,000,000	Rehabilitation of Elderly Housing Project.
Nottawaseppi Huron Band of the Potawatomi, Laura Spurr, 2221 11/2 Mile Road, Fulton, MI 49052, (269) 729-5151.	\$2,000,000	New Housing and Infrastructure.
Oneida Tribe of Indians of Wisconsin, Rick Hill, Chairperson, PO Box 365, Oneida, WI 54155, (920) 869-4000.	\$3,000,000	Energy Efficiency Project.
Pleasant Point Reservation Housing Authority, Reuben Cleaves, Executive Director, 15 Elders Way, Suite 201, Perry, ME 04667, (207) 853-0900.	\$2,000,000	New Housing Construction of Affordable Housing.
Pokagon Band of Potawatomi Indians, Matt Wesaw, Chairperson, PO Box 180, Dowagiac, MI 49047, (269) 782-8998.	\$2,000,000	Housing Community Center.
Red Cliff Housing Authority, Raymond DePerry, Executive Director, 37645 New Housing Rd., Bayfield, WI 54814, (715) 779-3744.	\$2,000,000	New Housing Construction.
Red Lake Reservation Housing Authority, Jane Barrett, Executive Director, PO Box 219, Red Lake, MN 56671, (218) 679-3368.	\$3,000,000	New Housing Construction.
Sault Ste Marie Tribe Housing Authority, Joni Talentino, Director, 154 Parkside Drive, Kincheloe, MI 49788, (906) 495-5555.	\$3,000,000	Housing Rehabilitation.
Seneca Nation Housing Authority, Wenona Scott, MPA, Executive Director, 50 Iroquis Dr., Irving NY (716) 532-5000.	\$3,000,000	New Construction of 15 housing units.
Sokaogon Chippewa Community, Arlyn Ackley, Chairperson, 3051 Sand Lake Rd., Crandon, WI 54520, (715) 478-7500.	\$1,885,661	New Housing Construction.

White Earth Reservation Housing Authority, Robert Durant, Executive Director, 3303 Hwy 59, Waubun, MN 56589, (218) 473-4663. \$3,000,000 New Housing Construction.

Total for Eastern Woodlands Region. \$85,848,209 .....

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Northern Plains Region  
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Northern Arapaho Tribal Housing Authority, Patrick Goggles, Executive Director, 501 Ethete Road, Ethete, WY 82520, (307) 332-5318. \$1,596,000 Construct 12 single-family units.

Northern Cheyenne Tribal Housing Authority, Lafe Haugen, Executive Director, P.O. Box 327, Lame Deer, MT 59043, (406) 477-6419. \$3,000,000 Upgrade water system for 14 families and rehabilitate 75 single-family units.

Oglala Sioux (Lakota) Housing Authority, Paul Iron Cloud, CEO, P.O. Box 603, Pine Ridge, SD 57770, (605) 867-5161. \$4,000,000 Construct 18 single-family units and develop sites for future housing.

Salish & Kootenai Housing Authority, Jason Adams, Executive Director, P.O. Box 38, Pablo, MT 59855, (406) 675-4491. \$3,000,000 Construct 8 duplexes (16 units).

Sicangu Wicoti Awanyakapi (Rosebud) Corp., Amos Prue, CEO, P.O. Box 69, Rosebud, SD 57570, (605) 747-2203. \$4,000,000 Develop infrastructure for 85 new home sites.

[[Page 55253]]

Utah Paiute Housing Authority, Jessie Laggis, Executive Director, 665 North, 100 East Cedar City, UT 84721, (435) 586-1122. \$2,000,000 Rehabilitate 88 units.

Total for Northern Plains Region. \$17,596,000 .....

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Northwest Region  
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Cowlitz Indian Tribal Housing, Mr. Larry Coyle, Executive Director, PO Box 711, 107 Spencer Road, Chehalis, WA 98532, (360) 864-8720. \$2,624,865 Project 1 is for construction of a wastewater treatment facility for a 36 unit housing development near Toledo, WA (98591)

Project 2 is to provide infrastructure (roads, sewer, and water) for a planned 31 unit housing development in Toledo, WA (98591).

Suquamish Tribe, Mr. Leonard Forsman, Tribal Chairman, PO Box 498, Suquamish, WA 98392, (360) 394-8400. \$1,902,448 Project 1 is for construction of 8 homes including a neighborhood playground. Project 2 is for construction of 2 elder units, provide infrastructure (road and sidewalks) improvements, and rehabilitate a community center.

Coos, Lower Umpqua & Siuslaw Tribes, Ms. Wendy Williford, Tribal Council, 1245 Fulton Ave., Coos Bay, OR 97420-2895, (541) 888-2853.	\$1,999,800	Project 1 is for construction of 4 duplexes (8 units) in Qaxas Heights near North Bend, OR (97459). Project 2 is to acquire and rehabilitate 4 units (2 duplexes or 1 4-plex) near Florence, OR (97439).
Coeur D'Alene Tribal Housing Authority, Ms. Cielo Gibson, Executive Director, P.O. Box 267 Plummer, ID 83851, (208) 686-1927.	\$2,000,000	Construction of 12 3-Bedroom Housing Units & Underground Cistern for Rainwater Harvesting at Gathering Place Subdivision.
Colville Indian Housing Authority, Ms. Elena Bassett, Executive Director, P.O. Box 528, Nespelem, WA 99155, (509) 634-4767.	\$3,000,000	Construction of 27 homes and a Community Center.
Kalispel Tribe of Indians, Mr. Glen Nenema, Tribal Chairman, P.O. Box 39, Usk, WA 99180, (509) 445-1147.	\$1,034,542	Construction of 6 Housing Units (1 2-BDR, 3 3-BDR, and 2 4-BDR homes).
Lummi Indian Housing Authority, Ms. Diana Phair, Executive Director, 2828 Kwina Road, Bellingham, WA, (360) 312-8407.	\$3,000,000	Construct 36 Apartment Units.
Port Gamble S'Klallam Housing Authority, Ms. Teresa Lange, Executive Director, 3200 Little Boston Road, N.E., Kingston, WA 98346-0155, (360) 297-6275.	\$1,679,763	Construction of 14 new affordable Rental Housing units.
Puyallup Nation Housing Authority, Ms. Annette Bryan, Executive Director, P.O. Box 1844, 2806 East Portland Ave., Ste 200, Tacoma, WA 98404-1844, (253) 573-7956.	\$3,000,000	Construction of 10 (ten) Housing Units, Community Building, Site Amenities, and a Maintenance Building.
Quinalt Housing Authority, Ms. Tina DeLaCruz, Executive Director, P.O. Box 160, Taholah, WA 98587, (360) 276-4320.	\$2,000,000	Construction of 18 new affordable Housing units on lots at Qui-Nai-Elt Village subdivision.
Confederated Tribes of Siletz Indians, Ms. Delores Pigsley, Tribal Chairperson, P.O. Box 549, Siletz, OR 97380, (503) 444-8340.	\$2,935,000	Construction of 16 new apartments (8 at Lakeside Village and 8 at Gwee Shut Road).
Squaxin Island Tribe, Mr. Brian Thompson, Planning Director, 10 S.E. Squaxin Lane, Shelton, WA 98584, (360) 432-3907.	\$1,196,160	Construction of 2 six-unit Apartment Buildings at Slocum Ridge III Multifamily Housing Project.
Yakama Nation Housing Authority, Mr. James Berg, Executive Director, P.O. Box 156, Wapato, WA 98951-1499, (509) 877-6171.	\$3,000,000	Housing repairs and improvements for at least 64 low-income families.
Total for Northwest Region.		\$29,371,578 .....
Southern Plains Region		
Absentee Shawnee Housing Authority, Sherry Gleckler, Executive Director, PO Box 425, Shawnee, OK, 74802, (405) 273-1050.	\$2,677,572	Rehabilitation approximately 50 homes in our low rent program. New construction of 5 homes (including 1 handicap accessible unit).
Cherokee Nation, Chad Smith, Principal Chief, PO Box 948, Tahlequah, OK, 74465, (918) 456-0671.	\$5,000,000	Three activities: (1) Construction of utility and related infrastructure to support 30 house sites

Cheyenne-Arapaho Housing Authority, Reggie Wassana, Executive Director, 2100 Dog Patch Road, Clinton, OK, 73601, (580) 331-2401.	\$3,000,000	at ``Redbird'' site; (2) construction of utility and related infrastructure to support 26 house sites at the ``Fairfield'' site; and (3) construction of 15 energy efficient houses at the ``Redbird'' site for eligible applicants. Rehabilitation of community building; renovations of 71 tribal elder's homes; and Acquisition of three (3) homes for low-income tribal members.
Choctaw Nation Housing Authority, Russell Sossamon, Executive Director, PO Box G, Hugo, OK 74743, (580) 326-7521.	\$4,000,000	Construction of 32, 1-bedroom, single family rental units for the low-income elderly (4 locations, 8 units each location: Durant, Hugo, Talihina, and Idabel, OK).
Citizen Potawatomi Nation, John A. Barrett, Chairman, 1601 South Gordon Cooper Drive, Shawnee, OK 74801, (405) 275-3121.	\$2,745,831	Development of infrastructure elder housing complex and construction of 10 duplexes (20 unites).

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Iowa Tribe of KS and NE Housing Authority, Brad Campbell, Executive Director, PO Box 68, White Cloud, KS, 66094, (785) 595-3380.	\$1,983,000	Construct ten (10) home ownership units and the infrastructure units for qualified applicants.
HA of Peoria Tribe of Indians of Oklahoma, Claude Landers, Executive Director, 3606 Sencay Avenue, Miami, OK 74354, (918) 542-1873.	\$2,000,000	Construction of 14 low income residential rental units in three duplexes and two single family residences.
Muscogee (Creek) Nation, A.D. Ellis, Principal Chief, PO Box 580, Okmulgee, OK 74447, (918) 756-8700.	\$5,000,000	Elderly Housing Construction for 24 units within existing complex.
Seminole Nation Housing Authority, Thomas McGeisey, Executive Director, PO Box 1493, 101 S. Hitchite Avenue, Wewoka, OK 74884, (405) 257-6604.	\$2,000,000	Roads, water lines and electrical infrastructure for Econtuchka Estates that will result in 15 single family residences, 50 multi-family residences, and a recreational/wellness center.
Tonkawa Tribe, Donald L. Patterson, President, 1 Rush Buffalo Road, Tonkawa, OK 74653, (580) 628-2561.	\$1,937,804	Rehabilitate 74 low-income homes to include energy efficient appliances, windows, water saving devices, and handicap accessibility.
Wichita Tribe Housing Authority, Ben Hatfield, Executive Director, 1 Coronado Circle, Anadarko, OK 73005, (405) 247-7470.	\$2,000,000	Construction for fourteen (14) new energy-efficient housing units construction and acquisition/payoff of three (3) duplexes.
Wyandotte Nation, Leaford Bearskin, Chief, 64700 E. Highway 60, Wyandotte, OK 74370, (918) 678-2297.	\$1,717,490	Energy efficient new rental construction of twelve (12) single-family units and two (2) duplex units for

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Total for Southern Plains Region.	\$34,061,697	.....
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Southwest Region		
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All Mission Indian Housing Authority, Dave Shaffer, Executive Director, 27740 Jefferson Avenue, Suite 200, Temecula, CA 92590, (951) 760-7390.	\$2,000,000	New construction of 8 single-family homes, 2 on each member reservation for Cahuilla, Torres-Martinez, Santa Rosa, and La Jolla.
Bear River Band of Rohnerville Rancheria, Leonard Bowman, Tribal Chairperson, 27 Bear River Drive, Loleta, CA 95551, (707) 733-1900.	\$2,000,000	New housing construction of 9 single-family homeownership units (Tish Non Village) on land located immediately adjacent to the Rancheria and purchased with Tribal funds.
Bishop Paiute Tribe, Monty Bengochia, Chairperson, P.O. Box 548, 50 Tu Su Lane, Bishop, CA 93514-8058, (760) 873-3584.	\$1,998,580	Rehabilitate and modernize 31 homes on the reservation.
Chico Rancheria Housing Corporation, Heath Browning, Executive Director, 585 East Avenue, Chico, CA 95926, (530) 343-4048.	\$1,758,000	Acquisition of 3 rental housing units.
Fort Bidwell Paiute Indian Community, Aaron Townsend, Chairperson, P.O. Box 129, Fort Bidwell, CA 96112, (530) 279-6310.	\$2,000,000	Housing Rehabilitation of 15--2 & 3 bedroom homes and 5--2 bedroom apartments located on the reservation.
Greenville Rancheria of Maidu Indians, Kyle Self, Chairperson, P.O. Box 279, Greenville, CA 95947, (530) 284-7990.	\$2,000,000	Construction of 7 single-family homes.
Isleta Pueblo Housing Authority, Edward Torres, Executive Director, P.O. Box 760, Isleta, NM 87022-0760, (505) 869-4153.	\$2,000,000	New Construction of 20 New Homes located at the Sunset Hills III subdivision.
Karuk Tribe Housing Authority, Sami Jo Difuntorum, Executive Director, P.O. Box 1159, Happy Camp, CA 96039.	\$2,936,850	Rehabilitate & modernize 30 single family homes at Happy Camp.
Laguna Housing Development & Management Enterprise, William Sommers, Executive Director, P.O. Box 178, Laguna, NM 87026, (505) 552-6430.	\$2,000,000	New construction of 18 rental housing units.
Manzanita Band of Diegueno Indians, Nelson Pinola, Chairperson, P.O. Box 1302, Boulevard, CA 91905, (619) 766-4930.	\$1,965,662	Purchase and install ten (10) manufactured homes for low- and moderate-income persons on the Manzanita Reservation.
Mescalero Apache Housing Authority, Alvin Benally, Acting Executive Director, P.O. Box 227, Mescalero, NM 88340, (575) 464-9235.	\$3,000,000	Housing Rehabilitation of 34 units in Pena's Subdivision.
Modoc Lassen Indian Housing Authority, Phil Bush, Executive Director, 401 Peninsula Drive, Suite 6, Lake Almanor, CA 96137, (530) 596-4127.	\$2,000,000	Moderate rehabilitation of 8 tribal housing units and 31 rental housing stock units. Replacement of 4 housing units. Purchase and installation of 3 new modular housing units on vacant lots in an existing subdivision.

OSCA Case #14-5326  
Document #1004456  
Filed: 03/17/2016  
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Nambe Pueblo Housing Entity, Christine Brock, Executive Director, 11 West Gutierrez, P.O. Box 3456, Santa Fe, NM 87510, (505) 455-0158.	\$2,000,000	Infrastructure including streets, curbs, and gutters for the Buffalo Range Housing Subdivision
Ohkay Owingeh Housing Authority, Tomasita Duran, Executive Director, P.O. Box 1059, Ohkay Owingeh, NM 87566, (505) 852-0189.	\$2,000,000	Rehabilitation of 22 traditional adobe homes occupied by low or moderate income (LMI) homeowners and residents in the historic Ohkay Owingeh plaza area.
Pinoleville Pomo Nation, Leona L. Williams, Tribal Chair, 500 B. Pinoleville Drive, Ukiah, CA 95482, (707) 468-3835.	\$375,511	Construction of 6 new 4-bedroom, 2-bath homes for low-income Tribal citizens.
San Felipe Pueblo Housing Authority, Isaac Perez, Executive Director, P.O. Box 4222, San Felipe Pueblo, NM 87001, (505) 771-9291.	\$2,000,000	Infrastructure for 100 acre affordable housing sub-division on the Pueblo of San Felipe.
[[Page 55255]]		
Susanville Indian Rancheria Housing Authority, George Baker, Executive Director, P.O. Box 970, Susanville, CA 96130, (530) 257-5033.	\$799,236	Infrastructure improvements including road extension and utilities, street work, a storm drain system, water system, sewer system, electrical system and erosion control to support new home sites.
Taos Pueblo Housing, John Mirabal, Executive Director, P.O. Box 2570, Taos, NM 87571, (575) 737-9704.	\$579,778	Construction of new Taos Pueblo Housing Office Building.
Yerington Paiute Tribal Housing Authority, Ralph Rogers, Executive Director, 31 West Loop Road, Yerington, NV 89447, (775) 463-2225.	\$2,000,000	New Housing Construction of 7 units in the Willows Court Subdivision.
Zuni Housing Authority, Michael Chavez, Executive Director, P.O. Box 710, Zuni Pueblo, NM 87024-0710, (505) 782-4564.	\$3,000,000	New Housing Construction of 12 homes (Phase III) of a master-planned community.
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Total for Southwest Region.	\$38,413,617	.....
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Grand Total.....	\$242,250,000	.....
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# Exhibit E



U.S. Department of Housing  
and Urban Development

**Archives**

## HUD Archives: News Releases

**Lee Jones**

**(206) 220-5356 (work)**

**(804) 363-7018 (cell)**

**For Release**

**Thursday**

**June 23, 2011**

### **HUD AWARDS \$15.1 MILLION TO 12 TRIBAL ORGANIZATIONS IN WASHINGTON STATE TO PROVIDE AFFORDABLE HOUSING**

***More than \$400 million in grants still to be allocated among Native American communities this year***

SEATTLE - The U.S. Department of Housing and Urban Development today awarded a total of \$15,071,928 to 12 tribal housing organizations in Washington state (*see list below*) to help address their affordable housing needs.

Today's awards were part of nearly \$210 million in Indian Housing Block Grant (IHBG) formula allocations to 146 tribes in 25 states across the country. These funds are distributed each year based on a formula to eligible Indian tribes or their tribally designated housing entities for a range of affordable housing activities.

"HUD recognizes the right of Indian self-determination and tribal self-governance by allowing the recipients the flexibility to design and implement appropriate, place-based housing programs, according to local needs and customs," said HUD Secretary Shaun Donovan. "In addition, these grants will help support jobs in areas where they are needed the most."

"Just as there is a pressing need for more affordable housing in America's cities and towns, there is a need on tribal lands," said HUD's Northwest Regional Administrator Mary McBride. "These critical IHBG formula allocations will provide tribal organizations with some of the funds they need for developing creative and effective ways to address those considerable needs."

IHBG funds are intended to primarily benefit low-income families living on Indian reservations or in other American Indian communities. The amount of each grant is based on a formula that considers local needs and housing units under management by the tribe or designated entity.

Today's IHBG grants went to the following Washington state tribal organizations:

Chehalis Tribal Housing Authority	\$1,021,920
Colville Housing Authority	\$3,634,659
Cowlitz Tribal Housing Authority	\$2,021,856
Hoh Indian Tribe	\$112,105
Jamestown S Klallam Tribe	\$312,003
Lummi Housing Authority	\$3,116,486
Muckleshoot Housing Authority	\$1,036,315
Nooksack Tribe	\$671,124
Quileute Housing Authority	\$649,322
Skokomish Tribe	\$597,620
Suquamish Tribe	\$684,601
Upper Skagit Tribe	\$1,213,917

Eligible activities for the funds include housing development, assistance to housing developed under the Indian Housing

Program is using services to eligible families and individuals, crime prevention and safety, and model activities that provide creative approaches to solving affordable housing problems. The block grant approach to housing was enabled by the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA).

###

*HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination; and transform the way HUD does business. More information about HUD and its programs is available on the Internet at [www.hud.gov](http://www.hud.gov) and [espanol.hud.gov](http://espanol.hud.gov). You can also follow HUD on twitter @HUDnews, on facebook at [www.facebook.com/HUD](http://www.facebook.com/HUD), or sign up for news alerts on HUD's News Listserv.*

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# Exhibit F





U.S. Department of Housing  
and Urban Development

**Archives**

## HUD Archives: News Releases

**Lee Jones**

**(206) 220-5356 (work)**

**(804) 363-7018 (cell)**

**For Release**

**Wednesday**

**February 8, 2012**

### HUD AWARDS \$33.4 MILLION IN INDIAN HOUSING BLOCK GRANTS TO 25 WASHINGTON TRIBES

SEATTLE - The U.S. Department of Housing and Urban Development today awarded \$33,428,515 in Indian Housing Block Grant (IHBG) allocations to 25 tribes in Washington state. IHBG funds are distributed annually under a formula to eligible tribes or their tribally-designated housing entities for a range of affordable housing activities.

The awards are part of some \$404 million distributed nationwide today. An additional \$250 million in IHBG funds are still to be allocated among Native American communities throughout the country this year. IHBG funds are intended to primarily benefit low-income families living on Indian reservations or in other communities. The amount of each grant is based on a formula that considers local needs and housing units under management by the tribe or designated entity.

"These funds are making a real difference in tribal communities each and every day," said HUD Secretary Shaun Donovan. "Projects include affordable housing, infrastructure upgrades, community centers and safety programs that every community needs to thrive. These efforts are part of a broader commitment to ensure Native American communities can build their economies in response to their needs and as they see fit."

"Affordable housing is a critical need in Indian Country," said HUD Northwest Regional Administrator Mary McBride. "These HUD funds will assist tribes in meeting their housing needs through sustainable and innovative practices that reflect their culture, heritage, and environmental stewardship."

The Washington tribes awarded IHBG funds today are:

Colville Indian Housing Authority	Nespelem	\$3,538,519
Cowlitz Tribal Housing Authority	Chehalis	\$1,979,873
Hoh Indian Tribe	Forks	\$108,640
Jamestown S'Klallam Tribe	Sequim	\$296,627
Kalispel Indian Community	Usk	\$123,256
Lower Elwha Housing Authority	Port Angeles	\$743,155
Lummi Housing Authority	Bellingham	\$2,918,675
Muckleshoot Housing Authority	Auburn	\$1,072,663
Nisqually Indian Tribe of WA	Olympia	\$588,626
Nooksack Indian Tribe	Deming	\$651,532
Puyallup Nation Housing Authority	Tacoma	\$2,466,344
Quileute Housing Authority	La Push	\$649,322
Quinault Housing Authority	Taholah	\$1,793,939
Samish Indian Nation	Anacortes	\$689,571
Sauk-Suiattle Tribe	Darrington	\$407,846
Shoalwater Bay Tribe of WA	Tokeland	\$257,329

(Page 57 of Total)



Skokomish Tribe of WA	Skokomish Nation	\$624,550
Snoqualmie Tribe	Snoqualmie	\$189,646
Spokane Indian Housing Authority	Wellpinit	\$2,387,607
Squaxin Island Tribe	Shelton	\$859,207
Stillaguamish Tribal Housing Authority	Arlington	\$200,258
Suquamish Indian Tribe	Suquamish	\$732,885
Swinomish Housing Authority	La Conner	\$1,068,617
Tulalip Tribes of Washington	Tulalip	\$2,714,330
Yakama Nation Housing Authority	Wapato	\$6,365,498

Eligible activities for the funds include housing development, assistance to housing developed under the Indian Housing Program, housing services to eligible families and individuals, crime prevention and safety, and model activities that provide creative approaches to solving affordable housing problems. The block grant approach to housing was enabled by the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA).

###

*HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination; and transform the way HUD does business. More information about HUD and its programs is available on the Internet at [www.hud.gov](http://www.hud.gov) and [espanol.hud.gov](http://espanol.hud.gov). You can also follow HUD on Twitter at @HUDnews or on Facebook at [www.facebook.com/HUD](http://www.facebook.com/HUD), or sign up for news alerts on HUD's News Listserv.*

Content Archived: May 28, 2014



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# Exhibit G

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HUD No. 15-018  
 Elena Gaona  
 (202) 708-0685

FOR RELEASE  
 Wednesday  
 February 18, 2015



[Print Friendly Version](#)



## HUD ANNOUNCES MORE THAN \$650 MILLION IN INDIAN HOUSING BLOCK GRANTS

WASHINGTON - The U.S. Department of Housing and Urban Development today announced more than \$651 million to 586 Native American tribes in 34 states (see list below). [Indian Housing Block Grant \(IHBG\)](#) allocations are distributed each year to eligible Indian tribes or their tribally designated housing entities for a range of affordable housing activities.

IHBG funds primarily benefit low-income families living on Indian reservations or in other American Indian and Alaska Native communities. The amount of each grant is based on a formula that considers local needs and housing units under management by the tribe or designated entity.

"Our nation is at its best when everyone has a fair chance to thrive," said HUD Secretary Julián Castro. "These funds will support the innovative work Native American tribes and families are doing to build a more prosperous future. Our partnership with these local leaders today will create better housing opportunities, more robust economic development and stronger communities tomorrow."

Eligible activities for the funds include housing development, assistance to housing developed under the Indian Housing Program of the 1937 Housing Act, housing services to eligible families and individuals, housing management services, crime prevention and safety, and model activities that provide creative approaches to solving affordable housing problems. The block grant approach to housing was enabled by the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA).

HUD's proposed Fiscal Year 2016 Budget seeks \$748 million to address critical housing and community development needs in Native American communities, including \$660 million for IHBG allocations.

###

*HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all.*

*HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the*

*need for quality affordable rental homes utilize housing as a platform for improving quality of life; build*

*inclusive and sustainable communities free from discrimination; and transform the way HUD does business.*

*More information about HUD and its programs is available on the Internet at [www.hud.gov](http://www.hud.gov) and*

*<http://espanol.hud.gov>. You can also follow HUD on twitter [@HUDGov](https://twitter.com/HUDGov), on facebook at*

*[www.facebook.com/HUD](https://www.facebook.com/HUD), or sign up for news alerts on [HUD's Email List](#).*

#### IHBG FEBRUARY 2015

State	Recipient	Amount
Alabama	MOWA Band of Choctaw Indians	\$519,474
	Poarch Band of Creek Indians of Alabama	\$1,555,886
Alaska	Agdaagux Tribe of King Cove	\$121,632
	AHTNA, Incorporated	\$1,705,565
	Akiachak Native Community	\$366,440
	Akiak Native Community	\$232,823
	Alatna Village	\$51,240
	Aleut Corporation	\$1,922,939
	Algaaciq Native Village	\$257,311
	Allakaket Village	\$132,482
	Angoon Community Association	\$219,645
	Anvik Village	\$101,483
	Arctic Slope Regional Corporation	\$2,947,889
	Arctic Village	\$120,776
	Asa'Carsarmiut Tribe	\$362,574
	Atkasuk Village	\$140,562
	Baranof Island Housing Authority	\$1,263,663
	Beaver Village	\$94,987
	Bering Straits Native Corporation	\$2,923,858
	Birch Creek Tribe	\$50,282
	Bristol Bay Native Corporation	\$1,489,882
	Calista Corporation	\$4,079,453
	Central Council of the Tlingit and Haida Indian Tribes	\$5,974,964
	Chalkyitsik Village	\$109,678
	Cheesh-Na Tribe	\$50,282
	Chefornak Village	\$261,918
	Chevak Native Village	\$484,224
	Chickaloon Native Village	\$103,677
	Chignik Lake Village	\$72,028
	Chilkat Indian Village	\$67,353
	Chilkoot Indian Association	\$168,165
	Chinik Eskimo Community	\$105,183
	Chugach Alaska Corporation	\$2,494,408
	Chuloonawick Native Village	\$50,282

Circle Native Community	\$62,388
Cook Inlet Regional Corporation, Inc.	\$15,395,084
Craig Community Association	\$190,901
Curyung Tribal Council	\$599,424
Douglas Indian Association	\$144,989
Doyon, Limited	\$4,279,621
Egegik Village	\$55,662
Ekwok Village	\$124,102
Emmonak Village	\$406,581
Evansville Village	\$50,282
Galena Village (aka Loudon Village)	\$180,281
Gulkana Village	\$52,862
Healy Lake Village	\$50,431
Holy Cross Village	\$149,923
Hoonah Indian Association	\$237,564
Hughes Village	\$59,930
Huslia Village	\$199,863
Hydaburg Cooperative Association	\$160,588
Igiugig Village	\$50,282
Iqurmiut Traditional Council	\$141,648
Ivanof Bay Village	\$50,282
Kaguyak Village	\$50,282
Kaktovik Village	\$160,955
Kasigluk Traditional Elder's Council	\$341,392
Kenaitze Indian Tribe	\$687,434
Ketchikan Indian Corporation	\$920,694
King Island Native Community	\$185,481
King Salmon Village Council	\$50,282
Klawock Cooperative Association	\$179,562
Knik Tribe	\$1,162,753
Kokhanok Village	\$137,729
Koniag, Incorporated	\$3,391,606
Koyukuk Native Village	\$93,885
Lesnoi Village	\$50,282
Levelock Village	\$93,212
Lime Village	\$50,282
Manley Hot Springs Village	\$50,516
Manokotak Village	\$239,093
McGrath Native Village	\$135,321
Mentasta Traditional Council	\$68,044
Metlakatla Indian Community	\$1,396,400
Naknek Native Village	\$109,444
NANA Regional Corporation	\$3,178,696
Native Village of Chignik Lagoon	\$50,282
Native Village of Afognak	\$50,648
Native Village of Akhiok	\$74,468
Native Village of Akutan	\$50,282
Native Village of Aleknagik	\$126,804
Native Village of Ambler	\$178,459
Native Village of Anaktuvuk Pass	\$171,092
Native Village of Atka	\$52,076
Native Village of Barrow Inupiat Traditional Government	\$1,341,165
Native Village of Belkofski	\$50,282
Native Village of Brevig Mission	\$226,636



Native Village of Buckland	\$256,735
Native Village of Cantwell	\$50,282
Native Village of Chanega	\$50,282
Native Village of Chignik	\$50,282
Native Village of Chitina	\$50,282
Native Village of Chuathbaluk	\$119,697
Native Village of Council	\$50,282
Native Village of Deering	\$106,956
Native Village of Diomed	\$149,346
Native Village of Eagle	\$60,518
Native Village of Eek	\$270,983
Native Village of Eklutna	\$50,282
Native Village of Ekuk	\$50,282
Native Village of Elim	\$197,395
Native Village of Eyak	\$127,902
Native Village of False Pass	\$50,282
Native Village of Fort Yukon	\$466,967
Native Village of Gakona	\$50,282
Native Village of Gambell	\$415,257
Native Village of Georgetown	\$50,282
Native Village of Goodnews Bay	\$214,578
Native Village of Hamilton	\$50,282
Native Village of Hooper Bay	\$758,684
Native Village of Kanatak	\$50,282
Native Village of Karluk	\$50,282
Native Village of Kiana	\$257,441
Native Village of Kipnuk	\$440,183
Native Village of Kivalina	\$247,661
Native Village of Kluti-Kaah	\$119,551
Native Village of Kobuk	\$123,812
Native Village of Kongiganak	\$246,673
Native Village of Kotzebue	\$1,088,457
Native Village of Koyuk	\$122,120
Native Village of Kwigillingok	\$207,307
Native Village of Kwinhagak	\$440,283
Native Village of Larsen Bay	\$50,282
Native Village of Marshall	\$267,141
Native Village of Mary's Igloo	\$50,282
Native Village of Mekoryuk	\$130,379
Native Village of Minto	\$181,341
Native Village of Nanwalek	\$98,794
Native Village of Napaimute	\$50,282
Native Village of Napakiak	\$289,358
Native Village of Napaskiak	\$285,914
Native Village of Nelson Lagoon	\$50,282
Native Village of Nightmute	\$135,588
Native Village of Nikolski	\$50,282
Native Village of Noatak	\$272,251
Native Village of Nuiqsut	\$308,873
Native Village of Nunapitchuk	\$280,139
Native Village of Ouzinkie	\$87,474
Native Village of Paimiut	\$50,282
Native Village of Perryville	\$81,472
Native Village of Pilot Point	\$63,338

Native Village of Pitka's Point	\$91,016
Native Village of Point Hope	\$413,533
Native Village of Point Lay	\$175,316
Native Village of Port Graham	\$66,950
Native Village of Port Heiden	\$52,034
Native Village of Port Lions	\$93,447
Native Village of Red Devil	\$50,552
Native Village of Ruby	\$169,188
Native Village of Saint Michael	\$218,526
Native Village of Savoonga	\$517,614
Native Village of Scammon Bay	\$300,222
Native Village of Selawik	\$398,365
Native Village of Shaktolik	\$123,042
Native Village of Sheldon's Point	\$131,767
Native Village of Shishmaref	\$427,641
Native Village of Shungnak	\$147,736
Native Village of Stevens Village	\$87,457
Native Village of Tanacross	\$149,061
Native Village of Tanana	\$242,758
Native Village of Tatitlek	\$62,125
Native Village of Tazlina	\$50,282
Native Village of Teller	\$202,018
Native Village of Tetlin	\$152,682
Native Village of Tuntutuliak	\$233,664
Native Village of Tununak	\$255,220
Native Village of Tyonek	\$116,130
Native Village of Unalakleet	\$351,482
Native Village of Unga	\$50,282
Native Village of Wales	\$132,599
Native Village of White Mountain	\$191,283
Nenana Native Association	\$130,099
New Koliganek Village Council	\$142,457
New Stuyahok Village	\$309,298
Newhalen Village	\$73,545
Newtok Village	\$182,822
Nikolai Village	\$86,582
Ninilchik Village	\$328,130
Nome Eskimo Community	\$734,310
Nondalton Village	\$164,306
Noorvik Native Community	\$277,474
Northway Village	\$119,141
Nulato Village	\$198,298
Nunakuyarmiut Tribe	\$286,442
Organized Village of Grayling	\$159,872
Organized Village of Kake	\$269,315
Organized Village of Kasaan	\$50,282
Organized Village of Kwethluk	\$532,363
Organized Village of Saxman	\$89,860
Orutsararmuit Native Village	\$1,687,485
Oscarville Traditional Village	\$72,083
Pauloff Harbor Village	\$50,282
Pedro Bay Village	\$50,282
Petersburg Indian Association	\$184,190
Pilot Station Traditional Village	\$335,447

	Platinum Traditional Village	\$52,958
	Portage Creek Village	\$50,282
	Pribilof Island Aleut Community of St. Paul Island	\$274,834
	Qagan Tayagungin Tribe of Sand Point Village	\$138,052
	Qawalangin Tribe of Unalaska	\$98,757
	Rampart Village	\$52,918
	Seldovia Village Tribe	\$59,675
	Shageluk Native Village	\$99,899
	Skagway Village	\$55,284
	South Naknek Village	\$66,055
	St. George Island	\$60,066
	Stebbins Community Association	\$378,005
	Sun'aq Tribe of Kodiak	\$246,008
	Takotna Village	\$50,282
	Telida Village	\$50,282
	Traditional Village of Togiak	\$583,944
	Tuluksak Native Community	\$253,095
	Twin Hills Village	\$50,282
	Ugashik Village	\$50,282
	Umkumiute Native Village	\$50,282
	Native Village of Atka	\$52,076
	Native Village of Barrow Inupiat Traditional Government	\$1,341,165
	Native Village of Belkofski	\$50,282
	Native Village of Brevig Mission	\$226,636
	Native Village of Buckland	\$256,735
	Native Village of Cantwell	\$50,282
	Native Village of Chanega	\$50,282
	Native Village of Chignik	\$50,282
	Native Village of Chitina	\$50,282
	Native Village of Chuathbaluk	\$119,697
	Native Village of Council	\$50,282
	Native Village of Deering	\$106,956
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	Native Village of Eklutna	\$50,282
	Native Village of Ekuk	\$50,282
	Native Village of Elim	\$197,395
	Native Village of Eyak	\$127,902
	Native Village of False Pass	\$50,282
	Native Village of Fort Yukon	\$466,967
	Native Village of Gakona	\$50,282
	Native Village of Gambell	\$415,257
Arizona	Ak-Chin Indian Community	\$386,412
	Cocopah Indian Tribe	\$859,700
	Colorado River Indian Tribes	\$2,100,481
	Fort McDowell Yavapai Nation	\$97,909
	Gila River Pima-Maricopa Indian Community	\$8,198,175
	Havasupai Indian Tribe	\$309,505
	Hopi Tribe	\$6,258,308
	Hualapai Indian Tribe	\$1,693,688
	Kaibab Band of Paiute Indians	\$395,684
	Navajo Nation	\$83,770,542
	Pascua Yaqui Tribe	\$4,389,724

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	Salt River Pima-Maricopa Indian Community	\$2,291,680
	San Carlos Apache Tribe	\$5,901,286
	San Juan Southern Paiute Tribe	\$90,947
	Tohono O'odham Nation	\$4,439,539
	Tonto Apache Tribe	\$50,282
	White Mountain Apache Tribe	\$6,682,150
	Yavapai-Apache Nation of Camp Verde	\$1,259,757
	Yavapai-Prescott Tribe	\$50,282
California	Agua Caliente Band of Cahuilla Indians	\$114,736
	Alturas Rancheria of Pit River	\$50,282
	Augustine Band of Cahuilla Mission Indians	\$50,282
	Barona Band of Mission Indians	\$176,828
	Bear River Band of Rohnerville Rancheria	\$64,932
	Berry Creek Rancheria of the Tyme-Maion Tribe	\$585,494
	Big Lagoon Rancheria of Smith River	\$50,282
	Big Pine Paiute Tribe of the Owens Valley	\$483,151
	Big Sandy Rancheria of Mono Indians	\$345,976
	Big Valley Tribe of Pomo Indians	\$433,821
	Bishop Paiute Tribe	\$1,741,262
	Blue Lake Rancheria	\$50,282
	Bridgeport Paiute Indian Colony	\$242,857
	Buena Vista Rancheria	\$50,282
	Cabazon Band of Cahuilla Mission	\$50,282
	Cahto Indians of the Laytonville Rancheria	\$364,438
	Cahuilla Band of Mission Indians	\$85,526
	California Valley Miwok Tribe	\$50,282
	Campo Band of Diegueno Mission Indians	\$668,255
	Cedarville Rancheria of Northern Paiute Indians	\$50,282
	Chemehuevi Indian Tribe	\$863,289
	Cher-ae Heights Indian Comm of Trinidad Rancheria	\$50,282
	Chicken Ranch Rancheria of Me-Wuk Indians of California	\$63,845
	Cloverdale Rancheria of Pomo Indians	\$280,386
	Cold Springs Rancheria of Mono Indians	\$379,659
	Colusa Indian Community - Cachil DeHe Band	\$50,282
	Cortina Band of Wintun Indians	\$95,746
	Coyote Valley Band of Pomo Indians	\$459,501
	Dry Creek Rancheria Band of Pomo Indians	\$575,606
	Elem Indian Colony of Pomo Indians	\$76,338
	Elk Valley Rancheria	\$50,282
	Enterprise Rancheria Indian Housing Authority	\$575,137
	Ewaaapaayp Band of Kumeyaay Indians	\$50,282
	Federated Indians of Graton Rancheria	\$830,900
	Fort Bidwell Paiute Indian Community	\$424,592
	Fort Independence Paiute Indians	\$58,528
	Fort Mojave Tribe of AZ	\$1,361,495
	Greenville Rancheria of Maidu Indians	\$167,479
	Grindstone Rancheria of Wintun-Wailaki Indians	\$527,574
	Guidiville Rancheria of California	\$276,120
	HABEMATOLEL Pomo of Upper Lake	\$129,635
	Hoopa Valley Tribe	\$1,836,575
	Hopland Band of Pomo Indians	\$644,320
	Iipay Nation of Santa Ysabel	\$73,403
	Inaja Band of Diegueno Indians	\$50,282
	Ione Band of Miwok Indians	\$178,904
	Jackson Rancheria of Me-Wuk Indians	\$50,282
	Jamul Indian Village	\$50,282
	Karuk Tribe of California	\$3,722,506

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	La Jolla Band of Mission Indians	\$241,784
	La Posta Band of Mission Indians	\$50,282
	Lone Pine Paiute-Shoshone Reservation	\$248,890
	Los Coyotes Band of Cahuilla Indians	\$50,282
	Lower Lake Rancheria	\$50,282
	Lytton Rancheria of California	\$175,746
	Manchester Band of Pomo Indians	\$974,166
	Manzanita Band of Diegueno Indians	\$50,282
	Mechoopda Tribe of Chico Rancheria	\$324,769
	Mesa Grande Band of Mission Indians	\$228,758
	Middletown Rancheria of Pomo Indians	\$58,492
	Mooretown Rancheria of Maidu Indians	\$923,909
	Morongo Band of Mission Indians	\$358,806
	North Fork Rancheria of Mono Indians	\$1,307,894
	Pala Band of Luiseno Mission Indians	\$578,009
	Paskenta Band of Nomlaki Indians of CA	\$190,282
	Pauma Band of Mission Indians	\$72,541
	Pechanga Band of Luiseno Mission Indians	\$105,275
	Picayune Rancheria of Chukchansi Indians	\$977,804
	Pinoleville Pomo Nation	\$194,830
	Pit River Tribe of CA	\$1,324,934
	Potter Valley Rancheria of Pomo Indians	\$50,282
	Quartz Valley Reservation	\$381,608
	Quechan Tribe of the Fort Yuma Reservation	\$2,069,483
	Ramona Band of Cahuilla Mission Indians	\$50,282
	Redding Rancheria	\$147,784
	Redwood Valley Rancheria of Pomo Indians	\$182,356
	Resighini Rancheria	\$50,282
	Rincon Band of Mission Indians	\$338,156
	Robinson Rancheria of Pomo Indians	\$423,300
	Round Valley Indian Tribe	\$2,679,594
	San Manuel Band of Mission Indians	\$50,282
	San Pasqual Band of Mission Indians	\$356,200
	Santa Rosa Band of Cahuilla Indians	\$67,904
	Santa Rosa Indians of the Santa Rosa Rancheria	\$478,087
	Santa Ynez Band of Mission Indians	\$259,497
	Scotts Valley Band of Pomo Indians	\$145,814
	Sherwood Valley Rancheria of Pomo Indians	\$519,561
	Shingle Springs Band of Miwok Indians	\$375,895
	Smith River Rancheria	\$901,956
	Soboba Band of Mission Indians	\$319,377
	Stewarts Point Rancheria - Kashia Band of Pomo	\$461,658
	Susanville Indian Rancheria	\$902,964
	Sycuan Band of Diegueno Indians	\$50,282
	Table Mountain Rancheria	\$50,282
	Tejon Indian Tribe	\$50,282
	Timbisha Shoshone Tribe	\$181,401
	Torres-Martinez Band of Cahuilla Indians	\$199,777
	Tule River Indian Tribe	\$1,588,608
	Tuolumne Me-Wuk Tribe	\$350,087
	Twenty Nine Palms Band of Luiseno Indians	\$50,282
	United Auburn Indian Community Auburn Rancheria	\$134,714
	Utu Utu Gwaiti Paiute Tribe	\$50,282
	Viejas Band of Mission Indians	\$187,844
	Wilton Miwok Rancheria	\$393,532
	Wiyot Tribe	\$50,282
	Yocha Dehe Wintun Nation Rumsey Rancheria	\$50,282
	Yurok Tribe	\$4,033,249
Colorado	Southern Ute Tribe	\$1,219,489

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	Ute Mountain Ute Tribe	\$1,299,062
<b>Connecticut</b>	Mashantucket Pequot Tribe of CT	\$71,735
<b>Florida</b>	Miccosukee Tribe of FL	\$50,282
	Seminole Tribe of Florida	\$1,000,208
<b>Idaho</b>	Coeur d'Alene Tribe	\$873,049
	Kootenai Tribe of Idaho	\$82,846
	Nez Perce Tribe of Idaho	\$1,222,147
	Shoshone-Bannock Tribes of Fort Hall	\$1,517,680
<b>Iowa</b>	Sac & Fox Tribe of the Mississippi in Iowa	\$305,555
<b>Kansas</b>	Iowa Tribe of Kansas and Nebraska	\$426,141
	Kickapoo Tribe of Kansas	\$846,597
	Prairie Band of Potawatomi Nation	\$249,430
	Sac and Fox Nation of Missouri	\$212,772
<b>Louisiana</b>	Chitimacha Tribe	\$73,012
	Coushatta Tribe of Louisiana	\$50,282
	Jena Band of Choctaw Indians	\$70,129
	Tunica - Biloxi Indian Tribe of Louisiana	\$298,423
<b>Maine</b>	Aroostook Band of Micmac Indians	\$637,092
	Houlton Band of Maliseet Indians	\$537,829
	Indian Township Passamaquoddy	\$983,784
	Penobscot Tribe of Maine	\$1,017,198
	Pleasant Point Passamaquoddy Tribe	\$845,013
<b>Massachusetts</b>	Mashpee Wampanoag Tribe	\$618,715
	Wampanoag Tribe of Gay Head (Aquinnah) of MA	\$462,176
<b>Michigan</b>	Bay Mills Indian Community	\$772,854
	Grand Traverse Band of Ottawa and Chippewa Indians	\$1,246,381
	Hannahville Indian Community	\$169,498
	Keweenaw Bay Indian Community	\$1,820,519
	Lac Vieux Desert Band of Lake Superior Chippewa Indians	\$253,143
	Little River Band of Ottawa Indians	\$273,197
	Little Traverse Bay Bands of Odawa Indians	\$621,591
	Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan	\$186,084
	Nottawaseppi Huron Band of Potawatomi	\$486,537
	Pokagon Band of Potawatomi Indians	\$2,203,682
	Saginaw Chippewa Indian Tribe of Michigan	\$1,028,213
	Sault Ste. Marie Tribe of Chippewa Indians of MI	\$4,759,450
<b>Minnesota</b>	Bois Forte Band of the Minnesota Chippewa Tribe	\$1,029,961
	Fond du Lac Band of Lake Superior	\$3,460,981
	Grand Portage Band of the Minnesota Chippewa Tribe	\$359,635
	Leech Lake Band of the Minnesota Chippewa Tribe	\$3,974,871
	Lower Sioux Indians Community in the State of Minnesota	\$191,692
	Mille Lacs Band of the Minnesota Chippewa Tribe	\$1,591,572
	Red Lake Band of Chippewa Indians	\$3,602,357
	Shakopee Mdewakanton Sioux Comm. of Minnesota	\$140,686
	Upper Sioux Community	\$249,127
	White Earth Band of the Minnesota Chippewa Tribe	\$3,021,441
<b>Mississippi</b>	Mississippi Band of Choctaw Indians	\$3,177,017
<b>Missouri</b>	Eastern Shawnee Tribe of Oklahoma	\$87,897
<b>Montana</b>	Apsaalooke Nation	\$2,672,262
	Assiniboine & Sioux Tribes of Ft. Peck	\$5,504,976
	Blackfeet Tribe	\$7,107,219
	Chippewa Cree Tribe of the Rocky Boy Reservation	\$3,065,646
	Confederated Salish & Kootenai Tribes	\$4,254,579
	Fort Belknap Indian Community	\$1,624,233
	Northern Cheyenne Tribe	\$2,865,730
<b>Nebraska</b>	Omaha Tribe of Nebraska	\$1,319,499

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	Ponca Tribe of Nebraska	\$1,556,257
	Santee Sioux Nation	\$949,710
	Winnebago Tribe of Nebraska	\$1,650,755
Nevada	Duck Valley Shoshone-Paiute Tribe	\$2,070,626
	Duckwater Shoshone Tribe	\$488,146
	Ely Shoshone Tribe	\$617,330
	Fallon Reservation - Paiute Shoshone Tribe	\$1,438,616
	Fort McDermitt Paiute - Shoshone Tribe	\$534,047
	Las Vegas Tribe of Paiute Indians	\$50,282
	Lovelock Paiute Tribe	\$143,376
	Moapa Band of Paiute Indians	\$387,605
	Pyramid Lake Paiute Tribe	\$1,758,210
	Reno-Sparks Indian Colony	\$1,392,722
	Summit Lake Paiute Tribe	\$50,282
	Te-Moak Tribe of Western Shoshone	\$1,324,120
	Walker River Paiute Tribe	\$2,238,996
	Washoe Tribe of Nevada & California	\$1,529,924
	Winnemucca Indian Colony	\$50,282
	Yerington Paiute Tribe	\$725,169
	Yomba-Shoshone Tribe	\$281,666
New Mexico	Jicarilla Apache Nation	\$1,386,365
	Mescalero Apache Tribe	\$2,571,027
	Ohkay Owingeh	\$713,982
	Pueblo de Cochiti	\$309,086
	Pueblo of Acoma	\$1,068,341
	Pueblo of Isleta	\$949,413
	Pueblo of Jemez	\$575,006
	Pueblo of Laguna	\$1,510,121
	Pueblo of Nambe	\$627,848
	Pueblo of Picuris	\$83,947
	Pueblo of Pojoaque	\$123,293
	Pueblo of San Felipe	\$549,807
	Pueblo of San Ildefonso	\$376,744
	Pueblo of Sandia	\$265,697
	Pueblo of Santa Ana	\$198,572
	Pueblo of Santa Clara	\$864,374
	Pueblo of Taos	\$488,142
	Pueblo of Tesuque	\$128,152
	Pueblo of Zia	\$224,063
	Pueblo of Zuni	\$3,826,726
	Santo Domingo Tribe	\$966,232
New York	Cayuga Nation of New York	\$373,575
	Oneida Nation of New York	\$801,449
	Onondaga Nation of New York	\$50,282
	Seneca Nation of New York	\$2,546,755
	Shinnecock Indian Tribe of NY	\$220,849
	St. Regis Band of Mohawk Indians of New York	\$2,061,165
	Tonawanda Band of Seneca Indians of New York	\$50,282
	Tuscarora Nation of New York	\$50,282
North Carolina	Coharie Intra-Tribal Council, Inc.	\$560,219
	Eastern Band of Cherokee Indians of NC	\$3,000,213
	Haliwa-Saponi Tribe	\$706,745
	Lumbee Tribe of North Carolina	\$13,342,869
	Waccamaw Siouan Tribe	\$267,288
North Dakota	Spirit Lake Sioux Tribe	\$3,545,243
	Standing Rock Sioux Tribe	\$5,095,283
	Three Affiliated Tribes of Fort Berthold	\$4,956,317

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	Turtle Mountain Band of Chippewa	\$9,663,880
Oklahoma	Absentee-Shawnee Tribe of Indians of Oklahoma	\$2,760,009
	Alabama-Quassarte Tribal Town	\$99,574
	Apache Tribe of Oklahoma	\$1,146,812
	Caddo Nation of Oklahoma	\$551,687
	Cherokee Nation	\$28,563,606
	Cheyenne-Arapaho Tribes	\$2,785,366
	Chickasaw Nation	\$11,516,147
	Choctaw Nation	\$12,030,776
	Citizen Potawatomi Nation	\$2,097,109
	Comanche Nation	\$2,310,287
	Delaware Nation	\$89,559
	Delaware Tribe of Indians	\$576,437
	Fort Sill Apache Tribe	\$99,011
	Iowa Tribe of Oklahoma	\$96,945
	Kaw Nation	\$845,171
	Kialegee Tribal Town	\$106,969
	Kickapoo Tribe of Oklahoma	\$508,817
	Kiowa Indian Tribe of Oklahoma	\$1,269,016
	Miami Tribe of Oklahoma	\$53,870
	Modoc Tribe	\$130,644
	Muscogee (Creek) Nation	\$14,989,805
	Osage Nation	\$1,323,611
	Otoe-Missouria Tribe	\$367,126
	Ottawa Tribe	\$256,351
	Pawnee Nation	\$577,388
	Peoria Tribe of Indians of Oklahoma	\$1,421,772
	Ponca Tribe of Indians of Oklahoma	\$952,305
	Quapaw Tribe	\$297,142
	Sac and Fox Nation	\$1,633,129
	Seminole Nation	\$1,701,194
	Seneca-Cayuga Tribe	\$118,574
	Shawnee Tribe	\$50,282
	Thlopthlocco Tribal Town	\$249,940
	Tonkawa Tribe	\$552,181
	United Keetoowah Band of Cherokee Indians	\$1,152,707
	Wichita and Affiliated Tribes	\$515,583
	Wyandotte Nation	\$557,546
Oregon	Burns Paiute Tribe	\$236,468
	Confederated Tribes of Coos, Lower Umpqua & Siuslaw	\$810,189
	Confederated Tribes of the Grand Ronde	\$2,875,912
	Confederated Tribes of the Siletz Reservation	\$3,580,742
	Confederated Tribes of the Umatilla Reservation	\$1,885,037
	Confederated Tribes of the Warm Springs Reservation	\$1,406,312
	Coquille Indian Tribe of Oregon	\$990,235
	Cow Creek Band of Umpqua Indians	\$888,428
	Klamath Indian Tribe of Oregon	\$2,644,475
Rhode Island	Narragansett Indian Tribe of RI	\$539,622
South Carolina	Catawba Indian Nation (aka Catawba Tribe of SC)	\$1,481,855
South Dakota	Cheyenne River Sioux Tribe	\$5,319,741
	Crow Creek Sioux Tribe	\$1,702,252
	Flandreau Santee Sioux Tribe	\$335,124
	Lower Brule Sioux Tribe	\$1,665,915
	Oglala Lakota Sioux Tribe	\$12,112,147
	Rosebud Sioux Tribe	\$8,819,197

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	Sisseton Wahpeton Sioux Tribe of Lake Traverse Reservation	\$3,393,025
	Yankton Sioux Tribe	\$2,133,785
Texas	Alabama-Coushatta Tribes	\$218,564
	Kickapoo Traditional Tribe of Texas	\$269,050
	Ysleta Del Sur Housing	\$1,072,839
Utah	Confederated Tribes of the Goshute Reservation	\$421,411
	Northwestern Band of the Shoshoni Nation	\$218,574
	Paiute Indian Tribe of Utah	\$1,737,673
Washington	Skull Valley Band of Goshute Indians	\$50,282
	Ute Indian Tribe of the Uintah & Ouray Res	\$1,642,330
	Confederated Tribes of the Chehalis Reservation	\$987,425
	Confederated Tribes of the Colville Reservation	\$3,690,076
	Cowlitz Tribe	\$2,122,863
	Hoh Indian Tribe	\$126,629
	Jamestown S'Klallam Tribe	\$308,357
	Kalispel Tribe of Indians	\$119,207
	Lower Elwha Tribe	\$685,126
	Lummi Tribe	\$3,193,045
	Makah Tribe	\$826,300
	Muckleshoot Tribe	\$1,119,974
	Nisqually Indian Tribe of WA	\$416,747
	Nooksack Indian Tribe	\$788,697
	Port Gamble Indian Community	\$917,904
	Puyallup Tribe	\$2,975,780
	Quileute Tribe of WA	\$649,322
	Quinault Tribe of WA	\$1,781,013
	Samish Indian Nation	\$711,983
	Sauk-Suiattle Tribe	\$415,723
	Shoalwater Bay Tribe of WA	\$243,812
	Skokomish Tribe of WA	\$579,945
	Snoqualmie Tribe	\$228,937
	Spokane Tribe	\$2,323,101
	Squaxin Island Tribe	\$834,530
	Stillaguamish Tribe	\$218,436
	Suquamish Indian Tribe	\$669,305
	Swinomish Indian Tribal Community	\$1,128,323
	Tulalip Tribes of Washington	\$2,650,903
	Upper Skagit Tribe of Washington	\$1,220,336
	Yakama Nation	\$6,973,599
Wisconsin	Bad River Band of the Lake Superior Tribe of Chippewa	\$1,473,108
	Forest County Potawatomi Community of Wisconsin	\$355,788
	Ho-Chunk Nation of Wisconsin	\$4,222,854
	Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin	\$2,704,134
	Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of WI	\$1,566,075
	Menominee Indian Tribe of Wisconsin	\$2,600,456
	Oneida Tribe of Indians of Wisconsin	\$3,623,676
	Red Cliff Band of Lake Superior Chippewas Indians of Wisconsin	\$1,118,509
	Sokaogon Chippewa Community	\$919,121
	St. Croix Chippewa Indians of Wisconsin	\$1,395,796
Wyoming	Stockbridge-Munsee Community of Wisconsin	\$515,496
	Eastern Shoshone Tribe	\$1,522,953
	Northern Arapaho Tribe	\$2,257,825
	<b>TOTAL:</b>	<b>\$651,044,316</b>

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U.S. Department of Housing and Urban Development  
451 7th Street S.W., Washington, DC 20410  
Telephone: (202) 708-1112 TTY: (202) 708-1455  
[Find the address of the HUD office near you](#)



# Exhibit H

[William B. Iyall, P.E., Chairman, Cowlitz Indian Tribe](#)

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# COWLITZ INDIAN TRIBE

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[Reservation](#)

[Home](#) [Announcements](#) Tribal member sales tax exemption!

## Tribal member sales tax exemption!

As of March 9, 2015, Cowlitz Tribal members can now purchase motor vehicles and other items on the reservation without paying the State sales tax. Delivery of the motor vehicle or property must physically take place on the Cowlitz Reservation at exit 16 off Interstate 5 to the west, in Clark County, Washington. Please note that there are new forms!

To take advantage of this exemption, the Tribal member and the seller must complete a form from the State Department of Revenue. Copies of the forms are available for download or printing below. The address on the form is the one provided to the State Department of Revenue, as it is listed for the main tax parcel on the Reservation. Cowlitz Tribal members who have allotments can continue to take delivery of a motor vehicle on their allotment property and be exempt from the State sales tax. The seller can confirm this procedure by calling the Washington State Department of Revenue at 1-800-647-7706.

[Vehicle tax exempt form - Purchased from Dealer](#)

[Vehicle tax exempt form - Purchased from private party](#)

[Non vehicle tax exempt form](#)

# Exhibit I

[William B. Iyall, P.E., Chairman, Cowlitz Indian Tribe](#)

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# COWLITZ INDIAN TRIBE

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[Home](#) [Resources](#) [Housing](#) [Housing News](#)

## Housing News

### Housing for elders

Beautiful brand new independent living apartments are now available at St. Mary's Mission for qualifying Cowlitz Elders to rent. (Elders 62+) All units are air conditioned and served by elevators and include the free use of clothes washer and dryers. Rent and apartment sizes vary from efficiency apartments to 2 bedroom apartments.

### Down Payment Assistance

Qualifying low income tribal members may receive down payment grants to help with purchase of a home, subject to HUD rules.

### Home Repair and Rehabilitation

Do you have a leaky roof? No foundation? Did your furnace quit working? Help is available for low income tribal members whose homes qualify for repairs. We can also help with handicap accessibility.

Cowlitz Tribal Housing has a strong weatherization program for qualifying tribal members and other natives. Some area restrictions apply.

### **Mortgage Assistance**

Low income tribal members may receive help with mortgage payments for up to 6 months.

### **Well and Sewer Repair or Replacement**

By coordinating with Indian Health Service, we are able to bring clean water and sanitary living conditions to members in need.

### **Standard Rental Assistance**

In Time of need, low income tribal members may receive help with monthly rent up to 6 months

### **Student Rental Assistance**

Our most popular program, student rental assistance provides help with monthly rent for low income full time students.

### **Elder & Disabled Rental Assistance**

Qualifying low income Elders and disabled tribal members may receive help with rent.

### **Home Owner Counseling**

We can assist members through the home buying process. When members are ready to apply for a home loan, we help find the lowest interest rate possible. Down payment assistance of up to \$20,000.00 can be available for those who can close the loan.

### **How Do I Know if I Qualify for Assistance?**

Qualification for services is based on family size and household income.

Call 360-864-8720 for information or to request an application

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### **Foreclosure Help from CITH**

Foreclosure proceedings are an issue in many tribal households. Just like the rest of the nation, our Cowlitz Tribe has members suffering from layoffs, and BAD LOANS! One option being used more and more is: Throw in the towel on your huge mortgage and start over at today's home prices. We can help you clean up your credit and purchase a home at TODAY'S prices. CITH was able to buy a few homes in various counties for our Home Ownership Program with an ARRA (American Recovery and Reinvestment Act) grant. Our carpenters have done some remodeling and minor

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fixing up of the homes to make them ready for qualified tribal members that wish to become Home Owners. Available homes are listed below.

Please Call Sheryl Bertucci at 360 - 864-7019 for more information.

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# Exhibit J

William B. Iyall, P.E., Chairman, Cowlitz Indian Tribe

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# COWLITZ INDIAN TRIBE

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[Home](#) [Resources](#) [Education](#) [Looking for Scholarships?](#)

## Looking for Scholarships?

You may be interested in the following information. For additional details follow the links to the websites.

### Check out these links for Scholarship information!

ACT/SAT: <http://www.actstudent.org/finaid/resources.html>

Adventures in Education (AIE): <http://www.aie.org/scholarships/>

American Indian College Fund: <http://www.collegefund.org/content/scholarships>

American Indian Graduate Center: <http://www.aigcs.org/scholarships/>

Association on American Indian Affairs (AAIA): [http://www.indian-affairs.org/scholarships/aaia\\_scholarships.htm](http://www.indian-affairs.org/scholarships/aaia_scholarships.htm)

Coca-Cola Scholars Foundation: <http://www.coca-colascholarsfoundation.org/applicants/#programs>

Evergreen State College: <http://evergreen.edu/scholarships/home.htm>

Indian Health Service (IHS) Scholarship Program: <http://www.ihs.gov/scholarship/>

Intertribal Timber Council: [http://www.itcnet.org/about\\_us/scholarships.html](http://www.itcnet.org/about_us/scholarships.html)

Jack Kent Cooke Foundation: <http://www.jkcf.org/scholarship-programs/young-scholars/>

National Academy of American Scholarships (NAAS): <http://naas.org/>

The National Center for American Indian Enterprise Development: <http://scholarships.ncaied.org/>

Native American scholarship search/link: <http://www.educationcorner.com/native-american-scholarships.html>

National Indian Education Association Student Resources: <http://www.niea.org/Students.aspx>

Northwest Archivists: <http://northwestarchivists.org/nacr-scholarship>

Northwest Indian Housing Association (NWIHA) Scholarship: <http://nwiha.org/youth-scholarship-program/>

theWashBoard.org: <http://thewashboard.org/login.aspx>

Udall Undergraduate

Scholarship: <http://www.udall.gov/OurPrograms/Scholarship/AboutScholarship.aspx>

University of Washington Daniel Iyall Native American Teacher Education Fellowship:  
<http://education.uw.edu/alumni-and-friends/iyall>

Washington Indian Gaming (WIGA) Scholarship: <http://www.washingtonindiangaming.org/wiga-college-scholarship.aspx>

Washington State University Memorandum of Understanding Member Scholarships available at the Pullman, Tri-Cities, and Vancouver Campuses: <http://native.wsu.edu/tribal-liaison/scholarships/MOUscholarship.html>

Washington State University Scholarships: <http://admission.wsu.edu/scholarships>

# Exhibit K





**Northwest Portland Area  
Indian Health Board**  
*Indian Leadership for Indian Health*



[Home](#) > [Member Tribes](#) > [Washington Tribes](#) > Cowlitz Tribes

## Member Tribes

Member Tribes  
Overview

Idaho Member Tribes

Oregon Member  
Tribes

Washington Member  
Tribes

## Cowlitz Tribes

Cowlitz Tribe

### About the Clinic

With drums, blessings and thanksgivings, the Cowlitz Indian Tribe dedicated a new medical clinic Friday that they said has been more than 20 years in the making.

"We are living the dream of our ancestors," tribe Chairman William Iyall said during the dedication ceremony. "We're working hard to achieve what they started so long ago."

"It's a good day for (the) Cowlitz. It's a happy day," said Cassandra Sellards-Reck, chairwoman of the tribe's health board. "We strive for wellness for all our members and this clinic will help with that."

The Cowlitz Tribe was not federally recognized until 2000, but officials said the tribe's health care program began as a dream in the 1990s.

The clinic opens to patients next month. Eventually, the tribe would like to offer dental, pharmacy and x-ray services, but for now the building will house primary care space, mental health treatment areas and a separate chemical dependency unit.

The 12,000 square-foot clinic is located directly behind the existing tribal administrative building at 1055 Ninth Ave., Longview. Work began in 2009, but the building's completion was delayed as plans were redesigned several times to squeeze as much space as possible out of the site, said Steve Kutz, chairman of the tribal council and manager of the medical clinic.

The clinic has four exam rooms and a treatment room on the primary care/mental health side. Space also is reserved for a three-chair dental clinic, though officials are still trying how to make that service profitable before offering it, Kutz said. There also is a meeting space, which has been sorely needed as the medical workers have had to cram into the administrative building for several years.

"We were double and triple bunked over there," Iyall said. "We've been waiting for this for a long, long time."

The building features native artwork, large murals of trees and nature scenes and carvings by tribe member Robert Harju, who also has carved canoes for the tribe.

The nearly \$3 million building was paid for with a \$1.13 million grant from the federal Indian Health Services agency and \$500,000 from the federal Housing and Urban Development department. The remaining costs were covered by the tribe with health care dollars.

The medical clinic has 1,400 active patient files, including both Cowlitz tribal members and members of other tribes. Federal regulations require the tribe to provide medical care for any eligible member of other federally recognized tribes, Kutz said.

[Location](#)

[About the Tribe](#)

Webpage: <http://www.cowlitz.org/>

[History](#)

[About the Area](#)

[Geography](#)

[Other Information](#)

[Members](#)





Other Offices and Programs

Total Tribal Employees

Housing

[Send comments, suggestions, questions](#)  
[Previous Page](#)

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# Exhibit L

Cowlitz Emails\_B.Allan.txt

From: Sibbison, Heather [HSibbison@PattonBoggs.com]  
Sent: Friday, October 29, 2004 4:08 PM  
To: Jakeybelle@aol.com; ballan@analyticalcorp.com; Roberts, Lawrence  
Cc: Kent.Caputo@millernash.com; Meridee.Pabst@MillerNash.com;  
dzweig@analyticalcorp.com  
Subject: RE: Three way agreement signed by Stan Speaks

YEAH!!!!!!!

Best news I've gotten all day.

Thanks Dave. H.

-----Original Message-----

From: Jakeybelle@aol.com [mailto:Jakeybelle@aol.com]  
Sent: Fri 10/29/2004 7:02 PM  
To: Sibbison, Heather; ballan@analyticalcorp.com; Roberts, Lawrence  
Cc: Kent.Caputo@millernash.com; Meridee.Pabst@MillerNash.com;  
dzweig@analyticalcorp.com  
Subject: Three way agreement signed by Stan Speaks

I have just received the three way agreement signed by Stan Speaks that selects AES as the contractor. The tribal office will be receiving the original hard copies(which the Tribe and AES will need to sign) on Monday.  
Dave

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From: Sibbison, Heather [HSibbison@PattonBoggs.com]  
Sent: Monday, November 01, 2004 11:54 AM  
To: Jakeybelle@aol.com; patrickmcroberts@gsminc.com; kcriswell@jdwhite.com; Steve.Horenstein@MillerNash.com; rsoper@mohegansun.com; Kent.Caputo@millernash.com; ldanielson@gsminc.com; starkd@gsminc.com; bgogerty@gsminc.com; jwhite@jdwhite.com  
Cc: ballan@analyticalcorp.com; DBalyeat@mohegansun.com  
Subject: RE: NOI ad has been pulled.

Folks, it is my supposition that the notice was held because of the election based on some general stuff I was hearing, rather based on hard fact, so I would be most appreciative if we not make the election thing an issue with anyone in the government and that we not discuss it publicly -- no need to aggravate the folks at Interior with whom we are working.

I'll let you know as soon as I hear more.

Thanks.

Heather

Cowlitz Emails\_B.Allan.txt

Thank you.

-----Original Message-----

From: Harvey, Julie  
Sent: Monday, March 21, 2005 1:51 PM  
To: 'Bill Allan'; 'sschaeffer@pattonboggs.com'; Dave Barnett [Salishan] (E-mail); Harry C. Coldreck (hcoldreck@mohegansun.com); Horenstein, Stephen W.; Pabst, Meridee E.  
Subject: RE: Cowlitz Casino - MOU/NEPA coordination matter

The follow-up conference call to discuss the MOU/NEPA coordination matter is scheduled for Wednesday, March 23 at 9:00 a.m. Pacific time (12:00 p.m. Eastern time). The call in number is 1-888-809-4012, passcode 6994771.

> Julie Harvey  
> Legal Secretary to  
> Stephen W. Horenstein  
> Miller Nash LLP  
> 500 E. Broadway, Suite 400  
> Vancouver, Washington 98660-3324  
> Tel: (360) 619-7009  
> Fax: (360) 694-6413  
> mailto: julie.harvey@millernash.com  
> http://www.millernash.com  
>

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>  
>

-----Original Message-----

From: Horenstein, Stephen W.  
Sent: Friday, March 18, 2005 3:33 PM  
To: 'Bill Allan'; Pabst, Meridee E.; Harvey, Julie  
Subject: RE: Cowlitz Casino Biweekly Conference Call

Bill, we need someone with federal BIA NEPA experience to sign off on the approach taken in the memo. I sent it to Heather who called me on her way out for a few days of vacation. She has another partner who is formerly a BIA attorney working on NEPA matters involving tribes. She is out until Monday and will call me then. I cannot be on the first two calls due to prior schedule conflicts. I had mentioned that we should do a follow up call on Tuesday or more likely Wednesday to address this issue once and for all. I would suggest that given the foregoing, we take the MOU off the agenda at least as a decision item. Meridee will be on the call and can answer questions about the memo.

I will have Julie Harvey call on Monday to set up a mid week call to finalize our approach to the MOU/NEPA coordination matter. Thanks

Stephen W. Horenstein  
Miller Nash LLP  
500 E. Broadway, Suite 400  
PO Box 694  
Vancouver WA 98666



Cowlitz Emails\_B.Allan.txt

TEL (360) 737-1470  
FAX (360) 759-4694

Please note that my e-mail address has changed to  
steve.horenstein@millernash.com. If appropriate, please revise your  
address book to reflect the change.

>Confidentiality Notice: This e-mail message may contain confidential  
and privileged information. If you have received this message by  
mistake, please notify us immediately by replying to this message or  
telephoning us, and do not review, disclose, copy, or distribute it.  
Thank you.

>  
>  
>

-----Original Message-----

From: Bill Allan [mailto:ballan@analyticalcorp.com]  
Sent: Friday, March 18, 2005 3:11 PM  
To: Horenstein, Stephen W.; Scott Walls; Pabst, Meridee E.; Heidecker  
Kelley; Harry Coldreck; Dennis Balyeat; David Barnett; David Zweig  
Subject: Cowlitz Casino Biweekly Conference Call

Hello All,

Our next conference call is scheduled for 12:30 AM PDT (3:30 PM EDT) on  
Monday March 21. I am attaching a draft agenda and a table showing the  
deliverables and delivery schedule for work by sub-contractors. If you  
have  
any questions, please advise.

Bill

From: Bill Allan [ballan@analyticalcorp.com]  
Sent: Thursday, April 07, 2005 2:16 PM  
To: Steve Horenstein; Meridee Pabst; David Zweig; Harry Coldreck; Dennis  
Balyeat; David Barnett  
Cc: Suzanne Schaeffer; Heidecker Kelley  
Subject: Strategy for Interchange Redesign and Construction - Meeting with  
WSDOT on April 20  
Attachments: Cowlitz Interchange Strategy.doc

Hello All,

I am attaching a draft memo which provides guidance for the meeting scheduled with  
WSDOT on April 20. I would appreciate everyone's review of this memo and receiving  
appropriate email comments from everyone. I am proposing a 30 minute conference  
call to discuss these issues at 9:00 PST on Thursday April 14. Please let me know  
promptly about schedule conflicts as I would like to get the agenda for the call out  
tomorrow. Thanks,

Bill

From: Schaeffer, Suzanne [SSchaeffer@PattonBoggs.com]  
Sent: Friday, April 08, 2005 8:34 AM  
To: Bill Allan  
Subject: RE: Strategy for Interchange Redesign and Construction - Meeting  
with WSDOT on April 20

Bill, were you expecting me to participate on this call re: the WSDOT meeting? I  
will be available, although I will probably be in a coma from sleep deprivation

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Cowlitz Emails\_B.Allan.txt

after taking the red eye back from San Diego. And by the way, I am going to be in San Diego, although basically just for the Wednesday afternoon session on off-reservation gaming. I think my flight gets in around 11:30 or so. I will look for you/call you on your cell when I get there. Susi

-----Original Message-----

From: Bill Allan [mailto:ballan@analyticalcorp.com]  
Sent: Thursday, April 07, 2005 5:16 PM  
To: Steve Horenstein; Meridee Pabst; David Zweig; Harry Coldreck; Dennis Balyeat; David Barnett  
Cc: Schaeffer, Suzanne; Heidecker Kelley  
Subject: Strategy for Interchange Redesign and Construction - Meeting with WSDOT on April 20

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Bill

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From: Bill Allan [ballan@analyticalcorp.com]  
Sent: Friday, April 08, 2005 8:50 AM  
To: Schaeffer, Suzanne  
Subject: RE: Strategy for Interchange Redesign and Construction - Meeting with WSDOT on April 20

Thanks Susi,

No, I wasn't expecting you to participate in the meeting. I just wanted to make sure you were aware of our general strategy since it will directly affect BIA approval decisions. I'll look for you in San Diego. My cell number is (916) 769-4873. Bill

-----Original Message-----

From: Schaeffer, Suzanne [mailto:sschaeffer@PattonBoggs.com]  
Sent: Friday, April 08, 2005 8:34 AM  
To: Bill Allan  
Subject: RE: Strategy for Interchange Redesign and Construction - Meeting with WSDOT on April 20

## Cowlitz Emails\_B.Allan.txt

Bill, were you expecting me to participate on this call re: the WSDOT meeting? I will be available, although I will probably be in a coma from sleep deprivation after taking the red eye back from San Diego. And by the way, I am going to be in San Diego, although basically just for the Wednesday afternoon session on off-reservation gaming. I think my flight gets in around 11:30 or so. I will look for you/call you on your cell when I get there. Susi

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Sent: Thursday, April 07, 2005 5:16 PM  
To: Steve Horenstein; Meridee Pabst; David Zweig; Harry Coldreck; Dennis Balyeat; David Barnett  
Cc: Schaeffer, Suzanne; Heidecker Kelley  
Subject: Strategy for Interchange Redesign and Construction - Meeting with WSDOT on April 20

Hello All,

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From: Bill Allan [ballan@analyticalcorp.com]  
Sent: Monday, April 18, 2005 8:52 AM  
To: HSibbison@PattonBoggs.com; Jakeybelle@aol.com  
Subject: RE: tribal issues and socioeconomic conditions sections

True, it would be better. Bill

-----Original Message-----

From: Jakeybelle@aol.com [mailto:Jakeybelle@aol.com]  
Sent: Sunday, April 17, 2005 10:57 AM  
To: HSibbison@PattonBoggs.com; ballan@analyticalcorp.com  
Subject: Re: tribal issues and socioeconomic conditions sections

Heather

Cowlitz Emails\_B.Allan.txt

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From: Bill Allan [ballan@analyticalcorp.com]  
Sent: Thursday, February 23, 2006 8:54 AM  
To: Suzanne Schaeffer  
Cc: Heidecker Kelley; Heather Sibbison; David Zweig  
Subject: Cowlitz

As a PS, I just talked to June, she is promising to email the NOA to Sutherland today.

Bill

Hi Susi,

My Blackberry died so I lost your phone number until tomorrow some time. You might email me back with it so we can talk.

Maria called me back yesterday morning about 11 am so she probably called me before you. She says that "she thinks she can have her comments to us by Friday." We will see.

I also brought up to her an issue that David brought to my attention. The issue is the selection of the preferred alternative in the Draft. Considering 40 CFR, the new BIA guidance, and particularly Nick Yost's remarks in the "40 most asked questions about NEPA", I thought it was a slam dunk and we have to do it now. But Maria said she would bring it up to Cason yesterday and let me know, because of their concerns about the political nature of disclosing it now and possible perceptions of preselection. She should let me know today. Hopefully she will be providing her comments on the draft at the same time.

I have called June repeatedly and not gotten an answer so far. If I don't get her this AM I will call Stan Speaks office. In the mean time, our NOA is just sitting there and has not gone out to Don Sutherland. I will try and lean on her today to get it out. Speaking of June, Maria said she had still not gotten cooperating agency comments on the PDEIS from June so I faxed them to her yesterday.

Meanwhile, I had Kelly email you some revisions in "purpose and need" and "proposed action" to beef up the strengthening of Tribal Government aspect. It still leaves unanswered the aspect that the majority of the Tribal members are scattered and not in Clark County to be able to take advantage of either governmental programs or the strengthened Tribal Government. I think the basic response on this is that we expect the casino/resort Tribal Headquarters to act as a magnet with the combination of jobs, programs including housing assistance, drawing more members. What I want from you and Heather is a cut as to whether we should say this now, or provide it as a response to this issue in the final.

Bill

From: Schaeffer, Suzanne [SSchaeffer@PattonBoggs.com]  
Sent: Thursday, February 23, 2006 9:42 AM  
To: ballan@analyticalcorp.com  
Subject: RE: Cowlitz

Bill, thanks for the update. My phone number is 434/296-4810. I will get back to you re: the fax language as soon as I can today -- I am tied up right now but will turn to it shortly. Maria did not yet call me back, but I only called her yesterday, and it usually takes at least 24 hours -- and since you talked to her, she may not call me at all. Did you fax Maria ALL the cooperating agency comments

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Cowlitz Emails\_B.Allan.txt

(including the Tribe's)? I don't know if that will help her or slow her down, but at least she has them. Talk to you later. Susi

-----Original Message-----

From: Bill Allan [mailto:ballan@analyticalcorp.com]  
Sent: Thursday, February 23, 2006 11:22 AM  
To: Schaeffer, Suzanne  
Cc: Heidecker Kelley; Sibbison, Heather; David Zweig  
Subject: Cowlitz

Hi Susi,

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Bill

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# Exhibit M

**United States Department of the Interior**

**Bureau of Indian Affairs**  
**Northwest Regional Office**  
911 NE 11<sup>th</sup> Avenue  
Portland, Oregon 97232-4169



In Reply Refer To:  
Environmental Services

APR 15 2005

Regional Director

June Boynton, Environmental Services

Attached is a memorandum from Bill Allan, contractor on the Cowlitz EIS, recommending a strategy for dealing with the Interchange on I-5. I favor including the Interchange redesign within the EIS as a connected, but non-BIA, action. I have discussed this issue with Colleen Kelly. Colleen understands both sides of the discussion and will follow-up with a telephone call to Maria Wiseman, Solicitor's office in D.C.

I will contact you as soon as I have more information.

*June Boynton*

**RECEIVED**

MAR 30 2006

RESOURCE COMPLIANCE  
Bureau of Indian Affairs - NWRO

**MEMORANDUM**

**TO:** Cowlitz Project Team

**FROM:** Bill Allan

**SUBJECT:** Interchange Redesign and Construction Strategy

The purpose of this memorandum is to provide direction on the upcoming meetings with WSDOT and others concerning Interchange Redesign and Construction. The basic strategy consists of simplifying the approval of the trust acquisition by reducing the number of ancillary approvals required. Just as we need to ensure that the trust acquisition is not dependant on the Corps of Engineers issuing a 404 permit, we need to ensure that WSDOT approval of interchange design and construction is not a prerequisite of the trust acquisition. The basic procedural and regulatory framework constraining our actions is outlined with a three-part strategy for project completion.

We are working on an Environmental Impact Statement (EIS) prepared under the National Environmental Policy Act (NEPA) to analyze and present to decision makers and the public the effects of several federal actions and alternatives. These federal actions are, briefly, the proposed trust acquisition under 25 CFR 151, issuing a reservation proclamation, and approval of a gaming management contract under the Indian Gaming Regulatory Act. Focus on the federal actions reduces the responsibility of federal agencies for compliance with local environmental procedural requirements (such as SEPA or County ordinance) as well as allowing decisions to be based on federal programs, or project aspects under federal management or control.

Analysis of the environmental effects requires analysis of the "proposed project" and its essential elements. The "proposed project" is the resort and casino and essential elements without which the project could not exist. Examples of such essential elements include parking and other "on-site" appurtenances.

If there was no legal access to the site, the argument could be made that creation of access was a part of the project. In this case legal access exists. However, everyone is aware that the existing interchange will not be adequate for the traffic anticipated in connection with the proposed project. Accordingly, redesign and construction of the Interchange will be required as mitigation for the project to reduce adverse effects of increased traffic.

Once mitigation is included in the BIA Record of Decision (ROD) it is enforceable. A party can take the BIA to court and force the BIA to cause the mitigation outlined in the ROD to be implemented. This means that outside parties may be assured that the mitigation will be conducted, but the BIA will frequently be reluctant to make the decision and sign a ROD without assurances regarding their ability to enforce mitigation or be otherwise assured that all mitigation will be conducted. This is complicated by factors: 1. The BIA is traditionally reluctant to enforce back against Indian tribes, and

The BIA is not legally allowed to utilize unappropriated funds and cannot commit to using appropriated funds in future years (the BIA is subject to the Anti-Deficiency Act).

There are two traditional means of satisfying the Bureau: the most complete solution is to provide an enforceable three party agreement as part of the EIS and decision package. This agreement allows a non-federal party to enforce mitigation provisions back against the tribe and the operator. This agreement usually is a Memorandum of Agreement between the state highway agency, tribe and party having the gaming contract. The tribe usually provides a limited waiver of sovereign immunity under the agreement. In the absence of agreement from the state highway department, a three party agreement between the tribe, operator and BIA will suffice, although it is regarded as a less desirable alternative since the BIA must enforce back against the tribe.

Proper timing of the mitigation is essential. Mitigation must be agreed, detailed and enforceable prior to the federal decisions. Mitigation must be constructed and in place prior to opening of the facility. Accordingly, all efforts needed to satisfy WSDOT requirements such as a Modified Access Decision Document should be initiated now. Documentation can be included as appendices to the EIS and as mitigation specified in the EIS are an integral part of the EIS effort. Accordingly, we suggest that contracts for this work be included with subcontracting arrangements for the EIS.

In summary, the basic strategy consists of three main elements: 1. Addressing Interchange Improvements as mitigation rather than project elements, 2. Completing necessary environmental and engineering studies concurrently with the EIS preparation, and 3. Ensuring the enforceability of the mitigation (Interchange Improvements) through a Memorandum of Agreement. We hope to secure at the upcoming meeting WSDOT agreement on these three elements, as well as agreement to enter into discussions on the content of a Memorandum of Agreement.