

Michigan Governor Gretchen Whitmer Revokes and Terminates Easement for Line 5 Oil Pipeline in Straits of Mackinac

Governor Gretchen Whitmer and the Department of Natural Resources (DNR) Director Dan Eichinger notified Enbridge that it will revoke and terminate the 1953 easement allowing the oil giant to operate dual pipelines in the Straits of Mackinac to transport petroleum and other products. This decision comes after years of advocacy and litigation from local tribes and communities that have depended on the Straits for their livelihood.

“We are thrilled and thankful for Governor Whitmer’s decision to revoke the easement for Enbridge’s pipeline to run beneath the Straits,” said President Bryan Newland of the Bay Mills Indian Community. “Enbridge has consistently shown that it only cares about its profits and not about the communities of the Great Lakes. This is a monumental first step in rectifying the harm that the company has already inflicted upon Bay Mills and other tribal nations for decades.”

Background from the Governor’s Office: [This] action to revoke and terminate the 1953 easement is the culmination of a careful review of Enbridge’s compliance with the easement, the threats posed by the continued operation of the dual pipelines, and the state’s energy supply. On June 7, 2019, the Governor issued Executive Order 2019-14, creating the UP Energy Task Force to assess the region’s energy needs and alternative sources of supply. The task force issued a report on April 17, 2020. Moreover, on June 27, 2019, the Governor directed the DNR to undertake a comprehensive review of Enbridge’s compliance with the 1953 easement. That review is now complete and supports this action.

Little River Band of Ottawa Indians’ Muskegon Co. Casino Project Reaches New Milestone in Federal Approval Process

The Little River Band of Ottawa Indians’ Muskegon County casino project is taking a significant step forward in its approval process. The Bureau of Indian Affairs (BIA) formally published a Notice Availability of a Final Environmental Impact Statement (FEIS) for the Little River Band’s fee-to-trust and casino project at a former racetrack in Fruitport Township.

“This is an incredible step forward in our process to build the Muskegon County Casino Project,” said Larry Romanelli, Ogema of the Little River Band of Ottawa Indians. “This

project is about job creation for our community and I want to thank everyone – our steadfast community, our federal and state leaders, labor unions, and tribal members for their support for this project.”

In the FEIS, the BIA considered both the Little River Band’s proposed casino project and a range of economic development alternatives, and concluded that the Little River Band’s project as proposed is the preferred alternative of the federal government. A public comment period will soon be instated after which the Federal government will issue its final decision on the application. The process then moves to the State of Michigan for concurrence of Governor Whitmer and action by the Legislature.

The Muskegon County Casino Project is slated to bring approximately 3,000 jobs to the region that include 1,500 high paying full-time jobs and 1,500 construction and ancillary jobs. The Little River Band of Ottawa Indians is building this casino with internal financial resources and no taxpayer dollars but is expected to generate economic development of \$15 million in tax revenue for the State of Michigan and millions more for local governments.

The Little River Band has been working on this project for more than 10 years. The tribe filed an application in February 2015 requesting the BIA place 60 acres of land in trust for a \$180 million casino and economic development project. The BIA published a Draft Environmental Impact Statement (DEIS) in November 2018 followed by a public hearing and comment period.

The tribe has extensive historical ties to traditional land in the Muskegon region with Muskegon County being home to the Little River Band’s largest population base. Muskegon County is also one of the Little River Band’s service areas and the tribe has long maintained governmental offices in Muskegon to serve its large number of local members.

“The tribe plans to develop a casino on our traditional land in Muskegon County so we can serve our largest population of tribal citizens in our service area,” said Tribal Council Speaker Ron Pete. “A casino in Muskegon County will enable the tribe to provide jobs, housing, health care, education and other services to our elders and youth. It will also provide a very positive economic impact for the Muskegon community.”

The Little River Band’s proposed gaming and economic development would include:

- Approximately 69,000 sq. ft. of gaming floor space

- 1,700 slot machines
- 35 table games
- 220-room hotel
- Event and meeting room space
- Dining and entertainment options

As part of the EIS, the BIA reviewed potential environmental impacts of the casino project, including land use, geology and soils, water resources, agricultural resources, biological resources, cultural resources, traffic, air quality, noise, public health/environmental hazards, hazardous material and waste, public services and socio-economics. A public comment period following the publication of the FEIS is forthcoming and will be announced by the Federal government.

Santa Rosa Rancheria Tachi-Yokut Tribe and Kings County Sign Intergovernmental Agreement

The Santa Rosa Rancheria Tachi-Yokut Tribe and Kings County recently signed an Intergovernmental Agreement to allow for construction of a new fire station, public safety and economic development support for the County, and expansion of Tachi Palace Casino Resort.

This new agreement takes the place of the recently expired 2003 Memorandum of Understanding (MOU) which provided that the tribe would contribute funding to the county for (1) the improvement and maintenance of county-maintained roads, (2) the provision of county law enforcement services, and (3) the provision of county fire protection and emergency services.

“The county and the tribe’s agreement is mutually beneficial and we are proud of our cooperative relationship,” said Doug Verboon, Kings County Board of Supervisors Chairman. “From supporting law enforcement and fire services, to improving the environment, and the economic development that supports our area, we believe this agreement is a win-win for Kings County and the tribe.”

Under the new agreement, the tribe shall construct a new fire station and training facility, on the northeast corner of 17th Street and Kansas, to be named Kings County Fire Department. The tribe will fund the station and assist with staffing costs, apparatus and equipment purchasing and maintenance, plus utility costs.

In addition, the tribe will provide assistance to the county for law enforcement, fire protection, emergency services, wastewater treatment, solid waste disposal, and other programs that contribute to the betterment of the community. The tribe

also agrees to widen the street and add turn lanes to improve the intersection of Jersey Avenue and the casino entrance to accommodate for increased traffic, in accordance with county requirements.

Under the agreement, the tribe agrees to implement additional measures to reduce traffic volumes in and around the project such as encouraging the use of mass transportation for casino patrons, increasing employee carpooling/ride-sharing and exploring the future possibility of a regional bus stop.

“Our tribe and Kings County will continue to have a cooperative partnership based on mutual respect and supportive actions,” said Leo Sisco, Chairman of Santa Rosa Rancheria Tachi-Yokut Tribe. “We are excited to announce the expansion of the Tachi Palace property, along with a new fire station and support of the County’s public service initiatives.”

Also under the new agreement, the tribe intends to pursue the following economic development projects:

- 35,000 sq. ft., 2,500-seat event/bingo center
- New 120,000 sq. ft., 200-room hotel tower
- Yokut Gas: add 12 gas pumps and 12 diesel pumps to existing station; a 6,000 sq. ft. convenience store expansion; 60 Class II machines; and a 3-car wash bay
- Rancheria Housing: add 200 additional homes
- Conference Center: add a 20,000 sq. ft. conference center attached to the Tachi Palace Hotel
- Water and Wastewater Treatment Facilities: implement a 35-45% expansion in water flow, capacity, and treatment

Additionally, expansion of Tachi Palace Casino Resort is outlined to include the following:

- Increase the current footprint of the Tachi Palace Casino to include additional gaming space, a 150-seat food and beverage area including a sports bar, and a new entrance
- Add 1,000 additional Class III gaming devices
- Add 1,200 asphalt guest parking lot

The new agreement will commence December 1st after final approval by Tachi-Yokut members. The agreement runs concurrently with the term of the tribe’s state compact, or until the project ceases to be open to the public and the tribe ceases to conduct Class III gaming, whichever occurs earlier. ♣