



## STAR LAKE TOWNSHIP E - BULLETIN #18

**SUBJECT: CASINO UPDATE**

**DATE: 1/26/18**

A response to a Freedom of Information Act (FOIA) request to the U.S. Army Corps of Engineers (USACE) regarding the status of the proposed Star Lake Resort and Casino has recently come available.

To more thoroughly understand this new information, it is important to remember the following:

- **8/22/17 OTC Board of Commissioners determine that an Environmental Impact Statement (EIS) is required for a variety of concerns.** The developer accepted this decision and no appeal was submitted.

The Star Lake Twp. (SLT) Board is pleased with that decision, as it has long been our position that the size, scope, location, and nature of this project presented a host of potential environmental issues that must be given the most stringent analysis/review. The EIS requirement imposed by Otter Tail County was the necessary next step to allow for this enhanced analysis to occur.

- **9/5/17 OTC Board of Commissioners Provides ESTIMATE OF EIS SCOPING COSTS:** An early task in the EIS process was to estimate the costs associated with the scoping process (i.e. identifying the specific issues to be addressed within the EIS). The scoping costs were estimated to be \$29,595. The estimated scoping costs must be paid by the proposer before any EIS scoping work can begin. To date, this has not been done.

The recently obtained FOIA request provides the following relevant information:

- **11/20/17** the USACE sends a letter to the WEN tribal attorney advising among other things the following: (letter copy is attached)
  - RE: Their "Dredge & Fill" permit application, that additional information is required regarding on-site alternatives,
  - That *"By law, the Least Environmentally Damaging Practicable Alternative is the only alternative which can be permitted by USACE"*.
  - That *"Your project does not require access to, or proximity to, or sitting within a wetland to fulfill its purpose."*
  - That *"If we do not hear from you within 60 days of this letter, we will assume you are no longer interested in obtaining this permit, and we will close our file"*.
  - As of Jan.,19, 2018 the developer has not responded.

- **11/29/17** the MN Pollution Control Agency (MPCA) advised the USACE that on 9/22/17 the attorney for the developer submitted a letter to MPCA withdrawing the 401-permit application, (this is part of the essential “Dredge & Fill” permit). This permit cannot be completed until the Environmental Impact Statement (EIS) decision is completed. MPCA also advised USACE that an “Antidegradation Assessment” will most likely” now be required. MPCA further advised they would send a letter to the developer advising of such.

TRIBAL CONCERNS: As mentioned in earlier updates, we understand that there is much discussion among White Earth members and Tribal Council regarding the proposed Star Lake Casino, and many other important issues.

How all the above plays out will remain to be seen. It does appear that for now the project is at a standstill. We will continue to follow the process, and keep you posted if/when there are significant developments.

Lee Mindemann, Chairman  
Star Lake Township Board