

**CONTENTS**

**DECISION** ..... I

**BACKGROUND** ..... 2

**The Proposed Project** ..... 2

**The Ho-Chunk Nation** ..... 2

**REVIEW OF THE NATION'S APPLICATION PURSUANT TO IGRA AND PART 292, SUBPART C** ..... 7

    Section 292.16 provides that a tribe's application requesting a Secretarial Determination under section 292.13 must include the following information: ..... 7

        (a) The full name, address, and telephone number of the tribe submitting the application. .... 7

        (b) A description of the location of the land, including a legal description supported by a survey or other document..... 7

        (c) Proof of identity of present ownership and title status of the land ..... 7

        (d) Distance of the land from the Tribe's reservation or trust lands, if any, and tribal government headquarters..... 7

        (e) Information required by section 292.17 to assist the Secretary in determining whether the proposed gaming establishment will be in the best interest of the tribe and its members..... 8

        (f) Information required by section 292.18 to assist the Secretary in determining whether the proposed gaming establishment will not be detrimental to the surrounding community..... 8

        (g) The authorizing resolution from the tribe submitting the application..... 8

        (h) The tribe's gaming ordinance or resolution approved by the National Indian Gaming Commission in accordance with 25 U.S.C § 2710, if any..... 8

        (i) The tribe's organic documents, if any..... 8

        (j) The tribe's class III gaming compact with the State where the gaming establishment is to be located, if one has been negotiated..... 9

        (k) If the tribe has not negotiated a class III gaming compact with the State where the gaming establishment is to be located, the tribe's proposed scope of gaming, including the size of the proposed gaming establishment..... 9

(1)	A copy of the existing or proposed management contract required to be approved by the NIGC under 25 U.S.C. § 2711 and 25 CFR Part 533, if any.....	9
	<b>ANALYSIS OF BEST INTEREST OF THE TRIBE AND ITS MEMBERS .....</b>	<b>9</b>
	<b>Section 292.17 provides that an application must contain: .....</b>	<b>9</b>
(a)	Projections of class II and class III gaming income statements, balance sheets, fixed assets accounting, and cash flow statements for the gaming entity and the tribe.....	9
(b)	Projected tribal employment, job training, and career development .....	11
(c)	Projected benefits to the tribe and its members from tourism .....	12
(d)	Projected benefits to the tribe and its members from the proposed uses of the increased tribal income .....	12
(e)	Projected benefits to the relationship between the tribe and non-Indian communities .....	16
(f)	Possible adverse impacts on the tribe and its members and plans for addressing those impacts .....	17
(g)	Distance of the land from the location where the tribe maintains core governmental functions.....	17
(h)	Evidence that the tribe owns the land in fee or holds an option to acquire the land at the sole discretion of the tribe, or holds other contractual rights to cause the lands to be transferred from a third party to the tribe or directly to the United States.....	17
(i)	Evidence of significant historical connections, if any, to the land.....	17
G)	Any other information that may provide a basis for a Secretarial Determination that the gaming establishment would be in the best interest of the tribe and its members, including copies of any: (1) Consulting agreements relating to the proposed gaming establishment; (2) Financial and loan agreements relating to the proposed gaming establishment; and (3) Other agreements relative to the purchase, acquisition, construction, or financing of the proposed gaming establishment, or the acquisition of the land where the gaming establishment will be located.....	18
	<b>Conclusion: Best Interest of the Tribe and its Members .....</b>	<b>19</b>
	<b>Analysis of Detriment to the Surrounding Community .....</b>	<b>19</b>
	<b>Section 292.18 provides that to satisfy the requirements of§ 292.16(f), an application must contain the following information on detrimental impacts of the proposed gaming establishment:.....</b>	<b>19</b>

(a)	Information regarding environmental impacts and plans for mitigating adverse impacts, including an Environmental Assessment (EA), an Environmental Impact Statement (EIS), or other information required by the National Environmental Policy Act (NEPA).....	19
(b)	Anticipated impacts on the social structure, infrastructure, services, housing, community character, and land use patterns of the surrounding community.....	21
(c)	Anticipated impacts on the economic development, income, and employment of the surrounding community.....	25
(d)	Anticipated costs of impacts to the surrounding community and identification of sources of revenue to mitigate them.....	29
(e)	Anticipated cost if any, to the surrounding community of treatment programs for compulsive gambling attributable to the proposed gaming establishment. ....	30
(f)	If a nearby Indian Tribe has a significant historical connection to the land then the impact on that tribe's traditional cultural connection to the land.....	31
(g)	Any other information that may provide a basis for a Secretarial Determination whether the proposed gaming establishment would or would not be detrimental to the surrounding community, including memoranda of understanding and intergovernmental agreements with affected local governments.....	31
	Conclusion: Detriment to Surrounding Community .....	31
	Consultation .....	32
	Section 292.19 provides that in conducting the consultation process: .....	32
(a)	The Regional Director will send a letter that meets the requirements in Section 292.20 and that solicits comments within a 60-day period from: (1) Appropriate State and local officials; and (2) Officials of nearby Indian Tribes.....	32
	Conclusion .....	34