



United States Department of the Interior

Office of the Assistant Secretary - Indian Affairs

Washington, DC 20240

Fact Sheet and Q&A:

9/1/2022

Notice of Fee-to-Trust Acquisition for the
Oneida Nation Proposed West Mason Site
Green Bay, Brown County, Wisconsin

Decision:

- On September 1, 2022, the Assistant Secretary – Indian Affairs made a final agency determination to acquire the 1.411 acres located in the City of Green Bay, Brown County, Wisconsin (West Mason Site), for gaming and other purposes.

Background:

- In 2019, the Oneida Nation (Nation) submitted a request to the Department of the Interior (Department) for the acquisition in trust of approximately 1.411 acres of land in Green Bay, Brown County, Wisconsin, known as the 2522 West Mason Parcel (West Mason Site or Site) for gaming and other purposes. The Nation also requested confirmation that the West Mason Site would remain eligible for gaming if acquired in trust.
- The West Mason Site is in Wisconsin within the boundaries of the Oneida Reservation and is held in fee by the Nation.
- The Nation currently operates the Oneida Casino West Mason (West Mason Casino) in a building partially located on the West Mason Site. The Nation also operates within the West Mason Casino building a restaurant, bar, and a coffee station. The West Mason Site also includes 35 parking spaces. The Nation will continue the existing uses after the West Mason Site is transferred into trust.
- The Tribe's proposal consists of the following: (1) The Department's acquisition of the West Mason Site in trust for the Tribe pursuant to Section 5 of the Indian Reorganization Act, 25 U.S.C § 5108; and (2) a determination that the West Mason Site is eligible for gaming pursuant to Section 2719 (a)(1) (on-reservation exception) of Indian Gaming Regulatory Act (IGRA).
- West Mason Site is located within the Oneida reservation boundaries as they existed on October 17, 1988. The Nation may continue to conduct gaming pursuant to IGRA after the Site is acquired in trust. The Department's acceptance of the West Mason Site in trust reinforces the Nation's governmental authority over the Site



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Q&A

Question: Does the publication of the Notice of Land Acquisition in the *Federal Register* mean that the Department has approved the Tribe's application to take land in trust?

Answer: Yes. The Tribe's fee-to-trust application has been favorably reviewed and meets all applicable legal requirements.

Question: What NEPA review process is applicable to this acquisition?

Answer: Because there will be no change of use on the West Mason Site, a Categorical Exclusion Exception Review was completed by the BIA for the Site on August 11, 2020. The BIA determined that no extraordinary circumstances existed that would require further analysis or the preparation of an environmental assessment.

Question: Can the Tribe conduct gaming at the West Mason Site now?

Answer: Yes. The Department determined that the West Mason Site is eligible for gaming pursuant to the "on-reservation exception" of Section 20 of Indian Gaming Regulatory Act, 25 U.S.C. § 2719 (a)(1).

Question: Is there opposition for the Proposed Project?

Answer: No. There is no opposition to the Tribe acquiring land into trust within its reservation.