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Coalition Backs Calif. Tribe's Fight Over \$700M Casino Project

By **Grace Dixon**

Law360 (May 22, 2025, 5:08 PM EDT) -- A coalition of tribes weighed in on a dispute over the federal government's decision to rescind gambling eligibility for the Scotts Valley Band of Pomo Indians' \$700 million casino project, questioning the federal government's perceived acquiescence to pushback from other tribes.

The Coalition of Large Tribes, which includes the Navajo Nation and Muscogee Nation among more than 50 others, on Tuesday **urged** a Washington, D.C., federal court to issue an injunction blocking the U.S. Department of the Interior's sudden decision to revoke approval for gambling on a 160-acre parcel in Vallejo, California.

Alluding to lawsuits brought by three other tribes challenging the DOI's land trust approval, the Coalition of Large Tribes warned against allowing political interference by competing entities to weigh on federal land trust decisions.

"The best interests of all of Indian Country are served by keeping politics out of those processes, strictly following the law, and acting consistently with the department's many strong supporting tribes' self-determination, including the finality of the land-into-trust process following publication in the federal register," the coalition said.

In the final days of the Biden administration, the DOI **approved** the Scotts Valley Band of Pomo Indians' 2016 application to take the land near the San Francisco Bay Area into trust. It plans to build a 400,000 square-foot casino and resort on the land, as well as tribal homes.

The Biden administration greenlighted gaming at the site newly transferred into trust under the restored lands exception, which allows gambling on newly acquired lands if the tribe was federally recognized, lost that status and later saw its status restored, as was the case for the Scotts Valley Band of Pomo Indians.

Three other California tribes had filed separate suits in March, challenging the land trust approval and alleging it violated multiple federal laws and regulations. The tribes alleged that the approval was rushed and politically motivated, and that the DOI failed to properly consult them.

Days later, the DOI **temporarily suspended** the tribe's gaming eligibility, though the agency said it would maintain the tribe's land trust status while it reviewed additional evidence related to its gaming eligibility determination.

The coalition noted on Tuesday that decisions allowing restored tribes to oversee gaming on their lands are often "broadly unpopular" with tribes that had long held lands in their territories, because they create competition. But it argued that these concerns shouldn't bear on the federal government's decisions to take land into trust for tribes.

"COLT supports regular order in land-into-trust processes. Regular order does not include consideration of mere anti-competitive arguments from other governments," counsel Jennifer Weddle said in a statement. "Such arguments are regrettably common, highly speculative and not something to even be addressed under federal law."

The coalition also voiced concerns on Tuesday about the precedent set if the Trump administration is

allowed to undo the final agency action allowing it to conduct gaming activity at the site.

"Finality and certainty are essential to financing and developing the property," COLT said. "If it were the case that any new presidential administration could reopen a decision after it has been published in the federal register, every party that opposed the transaction would wait for the next administration to try to undo it."

Counsel for the Scotts Valley Band of Pomo Indians did not immediately respond to a request for comment. A representative for the U.S. Department of Justice declined to comment Thursday.

The Coalition of Large Tribes is represented by Jennifer H. Weddle, Troy A. Eid and Harriet McConnell Retford of Greenberg Traurig LLP.

The DOI is represented by Amber Dutton-Bynum, Devon L. McCune and Kristofer R. Swanson of the U.S. Department of Justice's Environment and Natural Resources Division.

The Scotts Valley Band of Pomo Indians is represented by Patrick R. Bergin and Conly J. Schulte of Peebles Bergin Schulte & Robinson LLP and Arlinda F. Locklear of Law Office of Arlinda Locklear.

The case is Scotts Valley Band of Pomo Indians v. Burgum et al., case number 1:25-cv-00958, in the U.S. District Court for the District of Columbia.

--Additional reporting by Joyce Hanson and Crystal Owens. Editing by Linda Voorhis.

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