

Kewadin casino allowed to open

The Kewadin Shores Casino in St. Ignace can finally welcome gamblers, at least until a lawsuit is resolved over whether the casino can exist on land that's ineligible for Indian gaming.

U.S. District Court Judge Allan Edgar of the Western District of Michigan has issued an order allowing the Sault Ste. Marie Tribe of Chippewa Indians to open the casino until the court renders a decision in the suit. The tribe has sued the National Indian Gaming Commission and the U.S. Department of Interior to allow the opening of the casino, which is located 10 minutes from the Mackinac Bridge.

„We're thrilled," said Aaron Payment, chairman of the Sault Ste. Marie Tribe. „This has come after a lot of effort and a lot of time. We've got all kinds of volunteers to help us move the slots because everybody is so overjoyed."

The Tribe began moving 800 slot machines and 26 gaming tables from a temporary facility to the new casino on Wednesday and plans to have the new gaming center open by Friday.

The 29,070-square-foot casino is part of the USD 41 million Kewadin Shores Casino and Hotel. The three-story, 81-room hotel, along with two restaurants and a lounge, opened in 2006.

In February 2006, the National Indian Gaming Commission refused to allow the casino to open because a portion of the structure was mistakenly built on land where the U.S. government says Indian gambling is not allowed.

However, the commission didn't issue its ruling until the casino was nearly 80 percent completed. The tribe went ahead

and completed the structure.

The federal Indian Gaming Regulatory Act of 1988 dictates where Indian casinos can be located and specifies when property acquired by Indian tribes qualifies for gaming use. Generally, Indian land obtained before 1988 is eligible. In the Sault tribe case, they obtained some of the property before 1988 and some after, although all of it is in a tribal trust.

Payment has said the tribe applied for reservation status for some of the land before 1988, but the process was never completed.

While seeking a solution to the issue, Payment ordered a 25,650-square-foot tent-like structure built on eligible land to temporarily house a casino.

Payment then filed suit against the Commission and the U.S. Department of Interior. The tribe also sought a preliminary injunction to halt the federal action.

With the new casino's opening, the tent structure, which is insulated and looks like any other windowless casino from the inside, will be used for entertainment and other tribe business.

The National Indian Gaming Commission in Washington, D.C., could agree to allow the casino to open permanently or let the suit take its course in court.

„We don't have any comment,“ said Shawn Pensoneau, a Commission spokesman.

Meanwhile, the tribe plans to reward all its customers who have patiently been waiting for the new casino to open. Payment said the casino will give away USD 30,000 during the Labor Day weekend.

The tribe also owns Greektown Casino in Detroit, which is a

commercial casino and is not on Indian grounds.