



# United States Department of the Interior

Office of the Assistant Secretary - Indian Affairs

Washington, DC 20240

**Fact Sheet and Q&A:**

**11/17/2022**

Notice of Fee-to-Trust Acquisition for the  
White Earth Band of the Minnesota Chippewa Tribe Buschelle Site  
Clearwater County, Minnesota

Decision:

- On November 17, 2022, the Assistant Secretary – Indian Affairs made a final agency determination to acquire in trust 92.18 acres located on the White Earth Reservation, Clearwater County, Minnesota (Buschelle Site), for gaming and other purposes.

Background:

- In 2017 the White Earth Band of the Minnesota Chippewa Tribe (Tribe) submitted a request to the Department of the Interior (Department) for the acquisition in trust of approximately 92.18 acres of land in Clearwater County, Minnesota, known as the Buschelle Site (Buschelle Site or Site) for gaming and other purposes. The Tribe also requested confirmation that the Buschelle Site would remain eligible for gaming if acquired in trust.
- The Buschelle Site is within the boundaries of the White Earth Reservation in Minnesota and is held in fee by the Tribe.
- The Tribe currently operates the Shooting Star Casino (Casino) in a building entirely located on the Buschelle Site. The Tribe also operates within the Casino building a restaurant, bar, and a lounge. The Tribe will continue the existing uses after the Buschelle Site is transferred into trust.
- The Tribe’s proposal consists of the following: (1) The Department’s acquisition of the Buschelle 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 Buschelle Site is eligible for gaming pursuant to Section 2719 (a)(1) (on-reservation exception) of Indian Gaming Regulatory Act (IGRA).
- The Buschelle Site is located within the White Earth reservation boundaries as they existed on October 17, 1988. Pursuant to the “on reservation” exception of Section 20, the Tribe may continue to conduct gaming pursuant to IGRA after the Site is acquired in trust. The Department’s acceptance of the Buschelle Site in trust reinforces the Tribe’s governmental authority over the Site.

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 Buschelle Site, a Categorical Exclusion Exception Review was completed by the BIA for the Site on March 11, 2019. 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 Buschelle Site now?

Answer: Yes. The Department determined that the Buschelle 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.