

# Lummi Nation | Lummi Indian Business Council



## Geography of Lummi's Opportunity Zone:

The Lummi Indian Reservation is located approximately eight miles west of Bellingham, WA; 90 miles north of Seattle, WA; and 60 miles south of Vancouver, B.C., Canada. The reservation is comprised of a five-mile long peninsula (Lummi peninsula), which separates Lummi Bay on the west and Bellingham Bay on the east; a northern upland area and the smaller peninsula of Sandy Point; the floodplains and deltas of the Lummi River (aka Red River) and the Nooksack River; Portage Island; and associated tidelands.

The Reservation is located at the mouth of the Nooksack River and along the western border of Whatcom County, WA. The Nooksack River drains a watershed of approximately 786 square miles, flows through the reservation near its mouth, and discharges to Bellingham Bay (and partially to Lummi Bay during high flows). The Reservation is located at the southern extent of Georgia Strait and the northern extent of Puget Sound.

Over 32 miles of highly productive marine shoreline surround the Reservation and all but the north and northeast borders. Much of the high-density development to date has occurred along the marine shoreline. The Reservation also features relatively low topographic relief and a temperate marine climate. Today the Reservation uplands encompass approximately 13,500 acres and the tidelands encompass approximately 10,500 acres.

# Opportunities and Incentives for doing business with the Lummi Nation

- **Historically Underutilized Business Zone “HUBZone”** - which seeks to create jobs in historically depressed areas, which includes “lands within the external boundaries of the reservation”.
- **Foreign Trade Zone “FTZ”** – the Lummi Reservation is the home of FTZ #128. Indian and non-Indian businesses involved in international trade, which locate on the Lummi reservation can defer, reduce or in some instances eliminate U.S. Custom duties on products imported or exported through the Lummi FTZ. In addition, as a matter of federal law, State and local ad valorem taxes cannot be imposed upon imported tangible personal property stored or processed on the reservation FTZ, or produced in the U.S. and held in the FTZ for exportation in its original or processed form.
- **Empowerment Zones** – designated by the Secretary of Housing and Urban Development and the Secretary of Agriculture, are areas with conditions of poverty, high unemployment, and general economic distress. The benefits of locating within the Lummi reservation EZ includes employment credits, a 0% tax on capital gains, increased tax deductions on equipment, and accelerated real property depreciation.
- **State/County Land Use Exemption** – If a non-Indian company seeks to build a facility on trust lands, the development will be exempt from local, county and State zoning and land use restrictions. As such, the business could save a significant amount of time – and time is money – by avoiding, among other things, State permitting requirements.

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- **Buy Indian Act** – within the discretion of the Secretary of the Department of the Interior, that Indian labor shall be employed, and purchases of the products...of Indian industry may be made in open market. This Act gives Indian businesses a strong opportunity to obtain government contracts. Similarly, the Secretary of DHHS may use these principles in the acquisition of hospital and health facilities for Indians and related health conservation.
- **Indian Incentive Program** – is a Congressionally sponsored program, originating from the Buy Indian Act, that provides a 5% rebate to Department of Defense prime contractors, with a contract of \$500,000 or more, on the total amount paid to Indian-owned economic enterprises or Indian organizations.
- **SBA 8(a) Business Development Program** – offers a broad range of assistance to businesses with at least 51% tribal ownership. The program helps small businesses gain competitive advantages and build business savvy. Section 8(a) participants may take advantage of specialized business training, counseling, marketing assistance and high-level executive development provided by the SBA. Tribal businesses, as well as individually owned Indian businesses, can apply to participate in this program.
- **Federal and State Tax Savings** – a number of federal and state tax benefits are available for non-Indian businesses that partner with Indian-owned businesses or employ members of Indian tribes. The exact tax benefits available depend on the specific nature of the business involved.
- **Unique Financing Opportunities** – developing businesses on Indian lands and/or partnering with tribal governments offers a variety of unique financing opportunities for non-Indian businesses.

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- **Tribal Sovereignty** – Native American tribes consider ‘sovereign immunity’ to be crucial for the protection of tribal resources and the promotion of tribal economic and social interests.

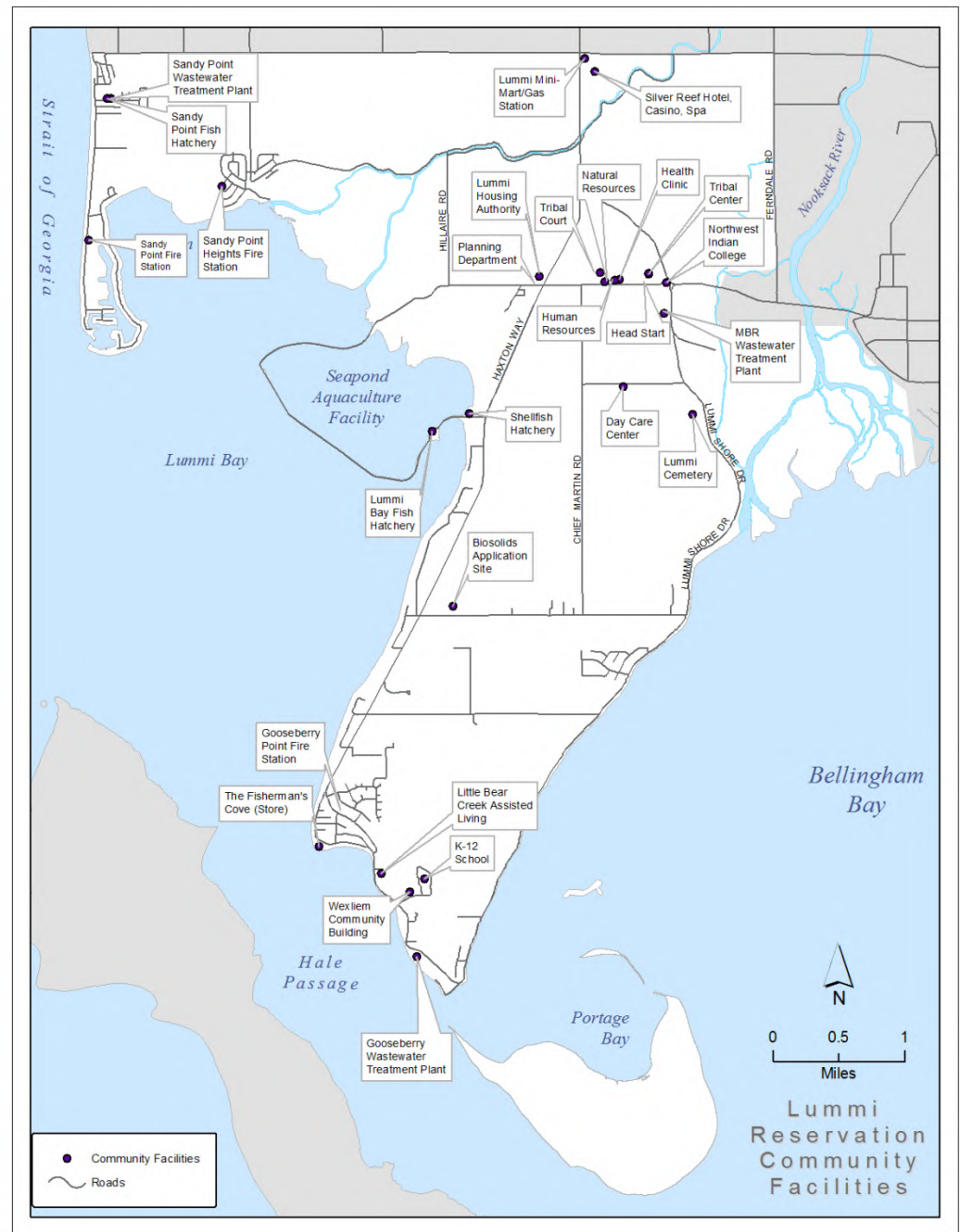
A sovereign state is one that is independent from all other authority, retaining the right and power to regulate its internal affairs without foreign interference. Sovereign immunity is the doctrine that precludes the assertion of a claim against a sovereign without the sovereign’s consent.

Indian tribes are sovereign entities. Tribal sovereignty is not granted to tribes by the United States but rather reserved as inherent in their status as governments predating the formation of the United States. The fact that the colonizing nations, and subsequently, the U.S. government entered into treaties with tribes supports this.

## LIBC & Affiliated Enterprises

Lummi Indian Business Council, a tribal government, is the third largest employer in Whatcom County. LIBC and affiliated enterprises – Lummi Commercial Company (who provides oversight to Silver Reef Casino Resort, Fisherman's Cove, 260 Tobacco & Fine Spirits and the Lummi Minimart), Northwest Indian College, Lummi K-12, Lummi Housing Authority, Lummi Tribal Sewer & Water Association. This does not include our fishing fleet, with is the largest in the Puget Sound.

Although most of the LIBC and affiliated enterprises employees are tribal members, numerous non-Lummi are also employed by the Lummi Nation. The LIBC provides community, administrative, education, material resources management, natural resources management, cultural resources management, and health services to the tribal population in order to help achieve the tribal economic and social development goals. These goals include protection and enhancement of natural and cultural resources, job creation for tribal members, income generation to fund community development programs and diversification and stabilization of the local economy by creating alternatives to fishing and gaming. Revenue generation is needed in order for the Lummi Nation to develop economic self-sufficiency.



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## Projects:

- Kwina Corridor Master Plan
  - Lummi Tribal Health Center/Detox Center
  - Housing
  - Retail
  - Northwest Indian College Expansion
  - Technology Training Center
- Silver Reef Casino Business Development
- Infrastructure
  - Waste Water Treatment Facility
  - Broadband
  - Solar Energy
  - Natural Gas
- Shellfish Hatchery
- Community Sports Plex – Baseball/Soccer Fields
- Museum – Lummi Cultural Center
- Foreign Trade Zone #128
- Gooseberry Point Marina

## Four Parties:



- Lummi Nation Opportunity Zones points of contact:

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