

PALA - PAUMA COMMUNITY SPONSOR GROUP
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REGULAR MEETING, JUNE 5, 2012 MINUTES,
FINAL APPROVED MINUTES

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Date: June 5, 2012

Scheduled start time: 7:00 PM

Place: Pauma Valley Community Center
16650 Hwy. 76
Pauma Valley, Ca. 92061

1. **CALL TO ORDER: 7:06 PM.** Roll Call and quorum established: 5 Group Members were present: Andy Mathews, Chairman; Bill Winn, Vice Chairman; Fritz Stumpges, Secretary; John Ljubenkov; and Jim Beezhold. Ron Barbanell arrived after the start of the meeting, Robert Smith was absent.
2. **OPEN FORUM:** There were no comments from anyone.
3. **ADMINISTRATIVE MATTERS:**
 - a. The final corrected minutes for May 1, 2012 had been circulated to all members. Bill moved to adopt the minutes, John made the second and they were approved 5-0. (Ron arrived shortly after)
 - b. There were no operating expenses.
4. **DISCUSSIONS:**
 - a. We then reviewed the Environmental Evaluation report for the proposed expansion of the Rincon Band of Luiseno Indian's Harrah's Casino. There had been a public hearing at the Rincon Community Center the previous week where this presentation was made and public comments taken. Nikki Symington, Public Relations representative for the Rincon Band of Luiseno Indians, agreed that they would make a summary presentation for those board members and audience who were not present last week. The development consultant for the Rincon Tribe, Joe Martinez, started the presentation with a handout summarizing the proposed expansion. Using a large plot plan map, he detailed the existing site and showed the proposed expansion in red. The expansion consisted of a large 5 acre parking lot; a large 50,000 square foot multipurpose media room for boxing, shows, meeting rooms, and an area for dining, restaurants, steak house; a smaller 14,000 square foot casino expansion; a 26,000 square foot pool area expansion, mainly for an adult pool area to complement the existing children and family pool; and finally a 21 story, 400 room hotel expansion that will tee into the existing one on the back side. John Boreman, the traffic engineer for this project, was present to help explain the proposed traffic planning. There is to be a new signal at the new parking road entrance on Valley Center Road. The road has already been widened for south bound traffic to make a right turn into the casino there. John B. described the location of the future proposed light at this new intersection as 900 feet north of the current light. Many residents complained about the current light's priority given to Casino traffic and that the new northern entrance has no left turn lane for northbound traffic. John said that the intersection will contain turn lanes both directions and that the design and all traffic planning is the responsibility of the County. The casino has to satisfy all of their requirements. Discussion then turned to the problem of special event traffic and it was agreed that there would be requirements for additional police for security and traffic.

People were very concerned about the increased traffic volume projected for the expansion. The daily trips are to increase from today's 6,200 by an additional 3,000 more! Residents are upset by the current level of unsafe drivers and are afraid that they won't be able to travel up to Valley Center without undue risk. Fritz mentioned the suspicious lack of sobriety checks along HWY 76 and Valley Center Road. We need to request more interdiction to control drivers under the influence. Residents requested that the signals be installed in a timely way to address the additional traffic as it occurs, not 2 or 3 years later as is typical out here. John said that the casino will only be required to pay its fair share for the improvements based on the % of traffic due to it. He stressed that it is up to us to request that Cal Trans ensure that the County and State have their fair share ready to go when needed. Andy reiterated that we would definitely make this one of our comments to the County. Andy then asked what John thought was an adequate level of service rating for the rural roads in the area and he replied "C". Andy said that this was the accepted standard but that the projection was for "D" and worse and that remediation was only required for level "E". We are in for a huge degradation in service below "C" and the community will suffer. These ratings are based on nice straight roads and we actually have horribly dangerous and curvy roads. Why doesn't the planning take this into consideration? John said that that was balanced by the lack of intersections and signals. So, what can the casino and tribe do to help mediate this? Nikki said that it was largely a budgetary problem within the state and county. Andy asked how we could work together to avoid this. Nikki said we could make comments to the county to stress the importance of adequate road funding. Andy and Bill then stated that the actual level of frustration was significantly more than the ratings due to the almost complete lack of areas to overtake and pass and the high level of slow busses and trucks. Andy also asked if West Lilac Road wasn't considered to be impacted by the increased traffic and John answered that it was because there were less than 50 peak hour trips projected in that direction.

The audience's displeasure with this proposed project grew to: What is the goodwill of this project, the mutual benefit to the tribe and valley community? Then Bill adding we could support an improvement to the casino, but an expansion? Al Savard, President of the local Rancho Estates Water District, further questioned the apparent competition of the casinos: Each needs a new gas station, new convenience store, more slots, more hotel rooms...what is the saturation point? Joe stated that Harrah's (Rincon) had their own unique national clients that they were trying to satisfy. The general sentiment questioned what is the limit, when is enough... enough? When do you destroy this beautiful valley community you say you love?

Bill then mentioned that additional needed jobs was a reason given for expansion, yet in 2010 the casino employed 2,147 people and now there are less than 500 tribal members over the age of 21 to possibly work there. How can you expand their opportunity any more?

Andy then questioned the emergency evacuation plan and its relationship to traffic studies. Joe said that evacuation was not even considered and that it is probably due to the rarity of fires. Evacuation plans are in effect for the casino and hotel only.

Andy then questioned the continued use of the outdoor entertainment area by the south parking? Would it be discontinued after the completion of the indoor center? Joe said that under the current environmental study it wasn't even considered. Several residents complained that the present location of the outdoor concerts is so bad that the sound is funneled up the valleys 7 miles away and they can even hear the words to songs from there. It is a real problem and is another reason for local opposition to these outdoor concerts.

Ron then added emphasis to the importance of Al's previous concerns and asked at what point do we allow our desire for the local tribes to prosper, coupled with large expansion desires of non native developers as well, to have the cumulative effect of wrecking these special Pala/Pauma

Valleys. He stated that the Warner Ranch Project was full of sloppy science that does not address the public's concerns. And now this expansion proposal is full of huge holes or worse is disingenuous. He said, "Nikki you are my friend and my sentiments about contrition toward Native Americans is clear", but questioned Nikki's statement of natives concerns that could perhaps be used to justify the legitimacy of breaking promises because that is what was done by non natives to natives in the past. He said then that two wrongs do not make a right. He pleaded for us to work together, without the county bureaucracy, to find a way to protect this valley from the cumulative effects of all of this development.

Andy asked if we could use our subcommittee on Indian Relations to open a dialogue with the Rincon Tribe about all of these issues which are not well defined in the report. All sides could clearly present their side of the issues without having lawyers or official consultants present one sided biased viewpoints. Nikki agreed to go back to the Rincon Tribe with the idea of visiting as neighbors and that we needed to get all of the local tribes to join in on these issues which mutually affect all people in the valley. She did caution us to be ready for the feeling that the Indians have, and that is that the white people have been ignoring their needs and desires all along and now all of a sudden we want to talk. You can see that we are still trying to run things for them.

Bill then commented that the water section of the report seemed well presented. There was concern brought up at the Public hearing at the Rincon Community Center though over the high nitrate levels in the local water all ready. What is going to happen when all of this additional 65,000 gallons of waste water from the final expansion is completed. Bill asked if we could get the analysis of what the expected impact would be and Joe said that he didn't know but that they were going to use the best system available and also that we should request the information. Andy then asked about the rainy day storage capacity and how the current 85,000 gallon capacity would be adjusted. The EE doesn't address the details but just leaves this as another vague statement in the report.

A gentleman in the audience then asked about the fuel contamination reported in the monitoring wells around the casino. The mushroom farm might have been responsible and then it has seeped into the casino area wells. Nikki said that the water is highly monitored and she doubts this report and that there could be any significant fuel present.

Andy then drew the discussions that had developed around the room to a close. He then made a motion for the board to give him authority to write a summary of the discussions of the night and make recommendations to the County, Cal-Trans, the consulting group and the tribe. Bill seconded the motion and it was passed 6-0.

NOTE: A copy of Andy's finalized 5 page summary letter is being made an Addendum to these minutes.

5. ADJOURNMENT:

Ron moved to adjourn, Bill gave a second, all were in favor and the meeting was adjourned at 8:20 PM

Fritz Stumpges, Secretary, PPCSG

The following 5 Page Summary by Andy Mathews is made an official Addendum to these minutes.

These minutes, with addendum, were approved by unanimous vote, 5-0, at the August 7 meeting.

Comments of Pala Pauma Community Sponsor Group regarding the Draft Environmental Evaluation of the proposed expansion of the existing Harrah's Rincon Casino located on the Rincon San Luiseño Band of Mission Indians Reservation.

On June 5, 2012 the Pala Pauma Community Sponsor Group (the "PPCSG") held a public meeting at which were present a representative of the Rincon San Luiseño Band of Mission Indians (the "Tribe") and consultants to the Tribe who had contributed to the preparation of the Draft Environmental Evaluation (the "Evaluation") of the proposed expansion of the existing Harrah's Rincon Casino (the "Project"). These comments are prepared as authorized by a resolution adopted at the above meeting and reflect both an analysis of the Evaluation and information provided orally at the above meeting by consultants to the Tribe.

I. Mitigation

PPCSG is of the view that, while the mitigation proposed in the Evaluation may not result in the same off-reservation quality of life subsequent to the Project as before the Project, there is no certainty that even the mitigation proposed will be realized in a timely manner, or maybe at all. The achievement of the mitigation depends to a large extent upon agencies and entities other than the Tribe (i) contributing the cost balance not provided by the fair share contribution of the Tribe and (ii) carrying out the civil engineering works.

PPCSG recommends that the County, Caltrans and the Tribe enter into an intergovernmental agreement that provides for:

- i Impounding of the monies subscribed for mitigation to ensure that such monies are actually used for the intended purpose.
- ii Detailed timelines for each of the mitigation actions so that Direct Impacts are mitigated no later than the completion of the Project and ideally coincident with the phase of the Project which creates the requirement for mitigation and Cumulative Impacts are mitigated so as not to experience a LOS below D (as is the case presently at the SR-76/I15 NB ramps at LOS E).

II. Traffic

1. Vicinity of the Project

The Tribe's consulting Traffic Engineer in response to a question advised the meeting that a desirable and generally accepted minimum level LOS for rural roads was LOS C. Table 3.9-2 of the Evaluation identifies that four street segments of eight analyzed in the vicinity of the Project are presently operating at LOS D. The project will increase traffic on those segments by approximately 17% – 20% resulting in one street segment falling to LOS E as in Table 3.9-10 and cumulative effects as Table 3.9-14 will result in four street segments falling to LOS E. In reliance upon County and SANTEC significance criteria the Evaluation proposes minimal mitigation.

That minimal mitigation will not provide the public the level of safety and convenience presently enjoyed. In particular, Valley Center Road south of the Project and Lake Wohlford Road are narrow, with sharp curves, limited sight lines, no passing spaces, and steep gradients. Due to their unfamiliarity with the roads, many drivers proceed at a speed well below the posted limits or advisories. As a result, it is probable that the road capacities used in the Evaluation are overstated, as they are based upon level terrain with passing

spaces, resulting in the anticipated LOS probably being overstated.

PPCSG recommends that the County, Caltrans and the Tribe meet to review the traffic analyses of Valley Center Road south of the Project, Lake Wohlford Road, and SR-76 and identify and agree to fund and construct roadway improvements that will provide safety of free flowing traffic at LOS C or better on all analyzed street segments. In particular this concern for public safety reflects the facts that much of the traffic volume is in hours of less than full daylight with drivers having some degree of blood alcohol content and an unusually high traffic mix of buses serving the Project and other casinos in the vicinity.

2. Special Events

The Project includes the construction of a 23,000 sq. ft. multipurpose room to be used for both public and private events. The Evaluation makes no provision for the traffic generated by large public events. Table 21.1 of the Traffic Impact Analysis projects an ADT of 2,000 for these events yet, upon unsupported assumptions, sets the peak hour traffic at 250 In and 25 Out (300 and 30, respectively, for weekend events). The study goes on to say “potential significant traffic impact would occur during special events” and continues “special event traffic control will be required on the days of the events”.

PPCSG is of the view that the Evaluation dramatically understates the impact of these Special Events as it is probable that this traffic would be largely additional to regular casino traffic and that the peak hour traffic, especially outbound, would be far in excess of that contemplated in the Evaluation. In that context the ADT parameter has no significance compared to peak traffic. Additionally, the Evaluation is less than specific regarding mitigation of at least a busy hour doubling of the non Special Event Traffic.

PPCSG recommends that the Tribe, CHP and the County Sheriff meet to determine and document as part of the final evaluation a detailed plan (possibly involving one way traffic inside the Project) that can be implemented to ensure that traffic in the vicinity of the Project is not disrupted by these Special Events. In addition, PPCSG recommends that the Tribe should undertake to pay the costs of additional CHP and Sheriff personnel implementing the plan.

PPCSG further recommends that the Tribe confirm in the Evaluation that the previous use of temporary outdoor construction for special events will be discontinued. Noise from these outdoor events has been of concern to many residents because it has contributed a significant background noise level caused by the hills of Pauma Valley funneling the sound into concentrated pockets. Since this noise source is not included in the Evaluation it is assumed, requiring confirmation, that this outdoor facility will not be used in future.

3. Emergency Evacuation

The Evaluation makes no mention of detailed Emergency Evacuation plans for implementation in the event of the occurrence of a natural or manmade emergency. In particular, the Project is in an area that has been subject to wildfire emergencies. Whether shelter in place or evacuation by road would be implemented is of concern as the traffic generated by the evacuation of several thousand people in a short space of time could cause traffic chaos on the, at most two, likely evacuation routes, which would already be crowded by non-Project evacuees. Additionally, there is the clear need for the unrestricted passage of

emergency vehicles to reach the incident.

PPCSG recommends that the Tribe, CHP and the County Sheriff meet to determine preferred evacuation safety plans ready for implementation as may be required.

4. During Construction

Paragraph 2.2.8 of the Evaluation sets a start date for construction of November 2012 and then proceeding in two phases; the first of up to sixteen months duration being the casino and pool expansions and the multipurpose room followed by a second phase of fourteen months of further casino expansion and renovation. The Tribe's consulting Traffic Engineer advised PPCSG that different configurations of Project entrances and exits would be used at different times during the construction period. The traffic analysis assumes two entrances to and exits from the Project, which may be the end state configuration. Because of the almost three year construction period during which the casino will continue in operation there is a high probability of traffic disruption as entry and exit configurations are altered and parking capacity is limited.

PPCSG recommends that the Tribe should have prepared and included in the Evaluation traffic models of the various anticipated configurations to identify any mitigation that may be required during the construction period to accommodate both casino traffic and pavement disruption.

5. Cumulative Effects

The analysis of cumulative effects of the Project and other known projects shows a dramatic decline in LOS levels requiring additional mitigation. While the Evaluation contains the intent of the Tribe to contribute a fair share to the costs of such mitigation, there is no timeline related to the additional projects, some of which are believed to be imminent. Prior experience would lend credibility to the scenario in which these mitigation efforts are effected well subsequent to the additional projects coming on line. If that were to be the case, then both the off-reservation and on-reservation communities would experience a significant degradation of traffic flow.

PPCSG recommends that the County with the cooperation of the Tribe, Caltrans and other involved parties should take a leadership role and begin now the process of establishing timelines and funding sources for mitigation linked to additional projects and other cumulative effects so that the mitigation actions are realized coincident with need and not long after the existence of the need.

III. Endangered species

1. It is not clear that the Evaluation has provided for a biologist's review of the ground to be covered by the Project and accessed during construction. As one example, there is known to be Arroyo Toad habitat not far removed from the Project site which would require mitigation under federal law if present at the Project site.

PPCSG recommends that the Evaluation be revised to include the report of a biologist of standing as to the presence or absence of protected habitat and/or endangered species within and proximate to the Project boundaries and that mitigation protocols be developed as may

be desirable as a result of the review by a biologist of appropriate standing.

IV. Utilities

1. Lighting

The mitigation statement at paragraph 3.2.3 of the Evaluation states that the Tribe “may continue to honor the San Diego Dark Sky Ordinance” and further that “the following mitigation measures may be implemented”. [Emphasis added]

PPCSG recommends that the Tribe should commit to honoring the mentioned ordinance and implementing at least the defined mitigation measures.

2. Electricity

PPCSG recommends that the Evaluation should consider the use of solar power generation in mitigation of the increased electrical power demand.

3. Wastewater

The Evaluation projects that the additional approximately 65,000 gpd wastewater generation, in addition to the present approximately 180/200,000 gpd, will bring the wastewater demand close to the stated capacity of 240,000 gpd of the existing plant. In addition it is not clear in the evaluation that the ‘rainy day’ storage capacity is adequate to support the higher demand. The Evaluation states at paragraph 2.2.6 that “the wastewater treatment facility would be expanded as needed”. Because the Project lies at the Eastern end of a groundwater source used by many downstream or to the West, any degradation of water quality of the underground river and aquifers would have severe off-reservation impact. In particular, the level of nitrates in the water supply is increasing at some straws.

PPCSG recommends that the Evaluation should define the extent and timing of the expansion of both the wastewater treatment facility and the ‘rainy day’ storage capacity so that it is assured that these facilities are expanded well ahead of the increased capacity demand.

V. Socioeconomic

1. Alcohol consumption

The Project includes a 10,000 sq. ft. night club in addition to the gaming areas, bars and restaurants, and multipurpose room. Clearly, alcohol consumption is a feature of the Project leading to a community concern of a decrease in traffic safety as even a small amount of alcohol consumption impairs physical and mental coordination. In particular, a high level of driving capability is required to successfully navigate the curves, limited sightlines, and significant gradients of roads such as Valley Center Road south of the Project, Lake Wohlford road, and SR-76 west of Pala.

PPCSG recommends that the Evaluation address this issue, possibly by the Tribe among other things undertaking to ensure that the management and staff operating the Project be trained to be, and continue to be, particularly diligent in the serving of alcohol to patrons.

2. Vehicle Code Enforcement

The Tribe supports additional Sheriff patrols and CHP has a substation adjacent to Cole

Grade Road. Yet there is a neighborhood community sentiment that law enforcement agencies could be more diligent in the enforcement of the Vehicle Code in roads leading to the Project and other casinos.

PPCSG recommends that the CHP and County Sheriff review whether the appropriate level of Vehicle Code enforcement is regularly being practiced on roads in the vicinity of the Project and adjacent casinos

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