

**PALA - PAUMA COMMUNITY SPONSOR GROUP**  
**P.O. Box 1273**  
**Pauma Valley, CA 92061**  
**Phone: 760-742-0426**

**REGULAR MEETING, OCTOBER 2, 2012,**  
**APPROVED MINUTES**

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Date: October 2, 2012

Scheduled start time: 7:00 PM

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

1. **CALL TO ORDER: 7:05 PM.** Roll Call and quorum established: Members: Bill Winn, Vice Chairman; Fritz Stumpges, Secretary; Jim Beezhold; John Ljubenkov and Ron Barbanell were present. Andy Mathews, Chairman, and Robert Smith were absent. Bill Winn was acting chairman in Andy's absence.
2. **OPEN FORUM:** There were no comments from the community at the open forum.
3. **ADMINISTRATIVE MATTERS:**
  - a. The minutes of the September 4th meeting had been circulated to all members. Corrections that Ron had submitted had been incorporated and the minutes re-circulated prior to the meeting. Ron then made a motion to accept these minutes as amended, and Jim gave a 2<sup>nd</sup>. There was no further discussion and they were approved unanimously 5-0.
  - b. There were no operating expenses.
4. **DISCUSSIONS:**
  - a. The first item was for our consideration of the Final Environmental Evaluation, submitted on August 7<sup>th</sup> by the Rincon San Luiseno Band of Mission Indians, for their Harrah's Casino Expansion. Bill mentioned the immensity of this double sided report and with no one else wishing to take the floor on it he submitted his notes: His notes contained Andy's notes/suggestions we had approved at our last meeting and given to them before they met with the BOS. As to the traffic flow on local and state highways he felt that the FEE had addressed our major concerns for the following: for state highway 76 junctions, SR76/Valley Center Road; SR76/Cole Grade Rd. junction and SR76/I15 North and South bound ramps. However, we still have concerns, which were noted in a memo by Andy, such as some major curves on SR76 between the Pala and I15 and our desire for improvements on Pala Temecula Road. Mechanisms for the fair sharing of the funding and if possible impounding of funds; ways to get the county, local tribes, and where applicable, Caltrans, to work together for solutions. We understand that the tribe does not have the jurisdiction authority to implement the identified mitigation regarding traffic solutions; we would appreciate you backing us in getting all of these agencies to work together to implement all of these projects prior to the completion of the Harrah's expansion. We feel that this is basically what you have been doing and now the onus is upon us to get our tribal liaison together with other sponsor/planning groups so as to be able to work with you on these projects. Nikki Symington, Public Relations representative to the Rincon Tribe, then said that she and Chairman Mazzetti went to the Valley Center group's tribal liaison subcommittee and discussed several things. Supervisor Horn is setting up a meeting with the 5 tribes to discuss traffic issues. They discussed the possibility of using a special assessment district to address primarily two roads: SR76 and V.C. road. This would establish a limited area that might be

reasonable to address. Ron mentioned his response to the minutes of that meeting and in it he said that he felt that it seemed to rely primarily on the tribes as the county doesn't appear to have much to bring into the deal. He mentioned the county's reliance on what we've been calling a Ponzi scheme, of using fees on new developments to fix needed infrastructure. Ron's main concern is that the project will be approved without sufficient commitment from the county or tribes to address the traffic problems before completion of the expansion. Nikki said that is exactly what will and always has happened and she cannot change the practices of the county. All she can do is to identify the needed improvement areas that are fundable within reason. It will never be 100% of all that we need out here. She stated again that what she is doing is trying to get the 5 tribes together to access funds that we would not otherwise have access to. What she and Bill are saying is that we need to work together in the best interest of the entire community.

Bill then began addressing more concerns that we have. The first is not a requirement of the settlement but we feel that they should thoroughly consider evacuation and traffic plans for the worse case scenario of a "perfect storm emergency". Nikki said that she once worked with the county's plan and it was pretty much worthless as far as she could see. We talked about how fragile our highway system really is and noted how a recent motorcycle race at Pala completely paralyzed traffic; just imagine a large earthquake/tidal wave or nuclear disaster. The fire disaster that we imagine escaping will be nothing compared with the coastal population trying to leave by this route.

Jim asked why the tribes can't use a standard EIR format for development. Nikki said that there are two areas that they address; the first is federal NEPA and must be completely met. The second is CEQA which is California's and they try to address it also as witnessed by this report to the EIS; BUT, they are not required to meet this. When the tribe signs an agreement with the state, there is a requirement added that they attempt to comply with CEQA. In summary here, Bill stated that first we need to have another meeting of our tribal liaison subcommittee at which we firmly establish our priorities. Then we need to push for the joint county, tribes, and planning groups meetings.

Bill then took us back to his next concerns in which he thanked them for addressing the Palomar Dark Sky Ordinance even though it was not a requirement of the project. We are also still concerned with the additional impact of an expanded bar and subsequent additional drinking and driving. We recommend that significant training of bar tenders and servers be implemented. Nikki was in full agreement. Fritz asked for clarification as to the extra law enforcement mentioned and Nikki responded that the Tribe currently funds two extra officers at the expense of \$700,000/yr. Next we mentioned the impact of additional waste water effluent disposal. The FEE currently only states that the facility will be expanded to handle the new additional effluents and all codes. Further it stated that all current data shows the treated water does not affect the waters of the San Luis Rey River; however this is based on current reports and is not guaranteed to be all of the facts. Bill stated that he was aware that while the Rincon Tribe did not have to publish its data measurements for sewer / reclaimed water to any county or state agency; there is some community concern about the effluence that is being percolated back into our mutual aquifer. Bill stated that he would feel much better if Nikki could arrange for an in depth tour of the Rincon Sewer / reclamation water facilities with a qualified technical person from Dudek Management Co. Nikki agreed to ask the tribe to allow a tour of the treatment facility by Bill and a technical person from Dudek Sewer / Water Consulting Co. Ron again mentioned that his big concern is with all of these vague promises to do what is right and no monitoring or enforcement mechanisms. Nikki said that be what it may, the tribe is a sovereign nation and is required to only meet those national requirements; not state and county. Ron then moved to accept Bill's report as presented with other attachments also mentioned, Jim gave a second and it was passed 5-0. Nikki then told John that the tribe had agreed to move their concerts indoors as we had requested. Also I have attached said attachments as an Addendum to these minutes.

- b. Bill then announced that we were no longer part of the Department of Planning and Land Use, DPLU. It has been terminated and replaced by the Department of Planning and Development Services, DPDS (Name Change). Bill also mentioned that past management have been replaced with new personnel. Mark Wardlaw is the new director, Beth Murray, assistant. We will just have to wait and see what this means.
- c. We then considered a new draft of the BOS policy I-1. We were to consider the new options to our group to our selection and rotation of our Chair and Vice Chair. There are four choices: 1 is to rotate annually with no term limits. 2 is for group members to select them but have term limits. 3 is to rotate them annually based on seniority with each member then becoming vice chair and then next year chair. 4 is the status quo which is for the group to select a chair and vice chair each year with no limits to tenure. We all agreed that none of us wanted to ever be chairman and we wanted the status quo. Bill moved so, Ron gave a second and it was passed 4-0 with John temporarily absent. We then discussed the requirement that you would have to have training prior to taking a seat on the board. Andy has proposed a 90 day grace period since we are such a small group and each member is needed. Ron moved to accept this and Jim seconded it. We then discussed the next proposal the BOS wants to require agenda information be in to them 30 days in advance and that a 2" X 2" add be in the local paper. First, we post a full agenda and post it on the county web site. It must be in to the news paper 9 days ahead in order to be printed 7 days before a scheduled meeting. Andy also took exception to the 30 requirement to the BOS because we often don't get information from the county until later than that and we would not be able to respond to current issues. Ron then made a motion to accept the entire document that Andy had made and distributed to us all prior to the meeting, John gave a second. Fritz requested that we briefly discuss each yet. We will still have between 5 to 7 members. One thing that they propose changing is that we will have to step down at the end of each 4 year term, and if we want to continue we will have to run as any other person who desires the seat for the next term. We would go out and look for new people each time. Then we took the vote and it was 4-0 in favor.
- d. We then mentioned that the Colonia designation for Pauma was revised to include only Pauma Water Authority and that further review has been delayed until October 31<sup>st</sup>. Ron made a motion to oppose designating any place in the Pala Pauma region a "Colonia"; Fritz 2<sup>nd</sup> and approved 5-0.
- e. We then revisited our priorities regarding remediation of traffic and other impacts of developments. We currently have all of our recommendations in and the only issues outstanding are the Pauma Reservation and SR76 Traffic Light delay and the new proposed roundabout at SR76 and V.C. road. We have just noticed Caltrans is back working on the light so this issue has gotten some action already. As for the Roundabout, we are all very leery of a roundabout at that location. Andy has asked for a presentation for the rationale behind it. We then went and looked at the details and this is the strangest ever proposed roundabout. It appears to have two extra bypass roads. We definitely need more information to explain it. Fritz wanted to vote no on it to send a clear message even without all of the information, but everyone wanted to wait until next meeting where Andy will have someone here to explain it.

## 5. ADJOURNMENT:

John moved to adjourn, Jim gave a second, all were in favor and the meeting was adjourned at 8:35 PM

Fritz Stumpges, Secretary, PPCSG

These minutes were approved at the November 6 2012 meeting. Ron moved, Bill 2<sup>nd</sup> & 6-0 approved.

These minutes contain two attached addendums: one 4 page and one 2 page.

## Comments of Pala Pauma Community Sponsor Group regarding proposed changes to Board of Supervisors Policies I-1 and I-1A, and regarding the proposal to structure rotation of Chairs of Community Sponsor and Planning Groups.

This document is a summary of concerns of the Pala Pauma Community Sponsor Group (“PPCSG”) formalized in a public meeting held October 2, 2012 and submitted by the Vice Chair (in the absence of the Chair) as authorized by a resolution unanimously adopted at such meeting.

### I. Role of Planning and Sponsor Groups

The draft policy in various places defines the purposes, roles and authorities of

Planning and Sponsor Groups to be as typified in Attachment 1, PPCSG suggests that:

1. there should be clarity that the Groups can and should continue to serve other County- and State-related organizations that have called for citizen input in the past. Such Groups could include, but not necessarily be limited to, Department of Parks and Recreation with regard to priorities for recreational planning and priorities, Department Public Works - Traffic Engineering with regard to consultation on proposals to be taken to the Traffic Advisory Committee and road use permits, Caltrans, and CHP, etc.
2. the roles of the Groups should be set forth in one comprehensive, summary paragraph as the wording of the definitions in the various places in the drafted policy is not necessarily consistent and could lead to ambiguity.

### II. Training

PPCSG supports the concept of mandated training provided that the syllabus is succinct, however PPCSG suggests that there be more flexibility than as suggested by the drafted language, particularly with regard to:

1. the training should have to be completed within ninety (90) days of seating (assuming that a course is available in that period) because of the impracticality of requiring members to be trained before seating. Since Planning Group members are elected in the month of November and take office on the following first Monday after the first January 1 following an election, it is unreasonable to expect that the training can be assured in that short holiday period. Sponsor Group Members are appointed by the Board of Supervisors and their seating is not certain until such appointment. It is unreasonable to expect an individual to undertake training prior to board appointment and the requirement for training before seating would delay the seating until a course is available and can be completed.
2. there should be a transition period of say 180 days following the adoption of a revised policy mandating training within which already seated members should receive training subsequent to any adoption of the revised policy.
3. recognition or adoption of training received under other local government auspices such as the online ethics course of the California Fair Political Practices Commission (“FPPC”) which is required of some who serve their communities.
4. making the training available on line and self paced (as is the case with the FPPC) in recognition of the fact that the members time is limited as all are volunteers, many have demanding occupations and some have commitments to other community obligations.
5. broad input into establishing the syllabus for training including input from Chairs of Planning and Sponsor Groups.

### III. Agendas

PPCSG believes that the agenda serves a key purpose of clearly defining for each

member of the public whether there is a topic of interest to them demanding their attention and as such each agenda deserves the broadest of construction and publication such that:

1. the entire agenda should be published in a newspaper of significant local publication. The proposed 2” x 2” ad placement [Article VI Section IV] pointing to the location of the posted agenda does not provide the same enticement to attend and participate as does the entire agenda (especially using the prescribed form.) In rural areas, it is far more convenient to read the agenda in the local newspaper (a typical placement cost of \$250 per month) than to especially drive some distance to view the posted agenda. Few people are accustomed to retrieving the agenda from the County website.
2. the time lines for construction and publication of the agenda should be consistent. Many Groups operate on a monthly meeting schedule on a fixed day per month, so the draft requirement to notify County Project Manager two (2) weeks ahead of meeting [Page 16 second paragraph] of an agenda item cause potential conflicts with other drafted requirements, such as:
  - a the requirement that a meeting be held within thirty (30) days of submittal to the Department of Planning and Development Services (“DPDS”) [Page 16 second paragraph], would itself require a major change in DPDS timelines to provide the material to the Group in a way that would enable the thirty day timeline to be met and would require a change in present policy that only “approved” documents may be provided Groups), and
  - b to notify County Project Manager and the applicant/developer two (2) weeks ahead of meeting [Page 16 second paragraph], and
  - c the final agenda to be posted and provided to DPDS seventy-two (72) hours prior to the meeting start [Article VI Section IV]
  - d that Board of Supervisors referrals be placed on next properly noticed agenda [Article VI Section VII]
3. the timeline for construction and publication of the agenda should provide flexibility to recognize the reality of press publication deadlines. In the case of PPCSG the meeting is held on the first Tuesday of a month and the deadline for press copy is first thing the Monday of the preceding week (eight days earlier). In practice therefore the agenda is finalized nine days ahead of the meeting date – not an unreasonable amount of time considering the amount of material often requiring to be read by the Group members in advance, and possibly other individual research to be done, if they are to make a substantive contribution to the meeting.

#### IV. Membership

PPCSG believes that the policy regarding membership selection and replacement may need to be such as to recognize the difference in size among Sponsor Groups and Planning Groups and in some cases even among some class of Groups. The number of members of the Groups according to data at

<http://www.sdcounty.ca.gov/pds/CommunityGroups.html> varies from 7 - 15 for Planning Groups and 5 - 7 for Sponsor Groups. For Sponsor Groups, PPCSG recommends that:

1. the procedure for identifying candidates for memberships should be as set forth in [http://www.sdcounty.ca.gov/pds/docs/Planning-Sponsor\\_Group\\_Application.pdf](http://www.sdcounty.ca.gov/pds/docs/Planning-Sponsor_Group_Application.pdf). If that is not possible, then PPCSG recommends that the procedure established in the applicable Standing Rules of the Group should be made known to the public by publishing such Standing Rules at <http://www.sdcounty.ca.gov/pds/CommunityGroups.html>.

2. members should not be automatically proposed for reelection at the end of their term. The requirement should be publicly advertised just as if the individual had resign or otherwise not continued to serve and the retiring member should be considered by the Group with other potential new members who responded to the public announcement.
3. County Counsel should be asked for an opinion with regard to the impact, if any, upon Group members with regard to the protection afforded public officials, officers and employees under the provisions of the California penal code. Is it possible that the policy statement that such members are not County Officials, as set forth in the draft policy [Page 7 second paragraph] could remove whatever physical and liability protection might otherwise have been available.
4. The Department of Planning and Development Services (“DPDS”) should e-mail copies of permit applications, and the like, to Members of the appropriate Group, thereby relieving the volunteer Chair. The draft policy [Page 15 sixth paragraph] requires DPDS to email such documents to the Chair of the appropriate Group but as DPDS will have on file the email address of each member of the Group [Article 2 Section V] it would require no additional effort for the documents to be distributed by DPDS to all Group members.

#### V. Expenses

PPCSG believes that the proposed policy on expenses is unduly restrictive and will generate more overhead costs in its application, accordingly PPCSG recommends that:

1. The proposed proviso that DPDS has to grant permission to a Planning/Sponsor Group member for an expense to be reimbursable [Page 11 sixth paragraph] should be modified. To have to seek prior approval for de minimus expenses such as typing paper, file folders, mileage, etc. is unreasonably bureaucratic, especially given the reimbursable limit of \$100 per application.

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William Winn,  
Vice Chair, Pala Pauma Community Sponsor Group  
October 4, 2012

## Attachment 1

The draft policy details the responsibilities and authorities of the Planning and Sponsor Groups in various places, including:

2. “advising and assisting the Director of Planning and Development Services, the Zoning Administrator, the Planning Commission and the Board of Supervisors in the preparation amendment and implementation of community and sub regional plans” [Page 1 fifth paragraph]
3. “advise the County on discretionary projects as well as on planning and land use matters that are proposed within their respective community ... areas” [Page 1 sixth paragraph]
4. “an information linkage between the community and the County on matters dealing with planning and land use” [Page 2 fifth paragraph relating to Sponsor Groups]
5. “[to] act in an advisory capacity to the Director of Planning and Development Services, the Zoning Administrator, the Planning Commission, the Board of Supervisors and others involved in the County land development process ... [provided that] ... Community issues not related to planning or land use are not within the purview of these Groups” [Page 7 second paragraph]
6. “provide a public forum for the discussion of planning issues which are important to their community” [Page 10 first paragraph]
7. “during the preparation or update of a community or sub regional plan, the role of the planning or sponsor Group is to advise and provide recommendations to the Planning Commission and Board of Supervisors on the proposed community or sub regional plans .....” [Page 11 fourth paragraph et seq.]
8. “to review and make recommendations on proposed amendments to the community or sub regional plan” [Page 14 first paragraph]
9. “advise the Director of Planning and Development Services, the Zoning Administrator, the Planning Commission and the Board of Supervisors ... on development proposals, rezones, general plan amendments, and similar matters ...” [Page 14 fourth paragraph]
10. “advise the Department of Planning and Development Services, the Zoning Administrator, the Planning Commission and the Board of Supervisors on discretionary projects and on planning and land use matters ... “ [Bylaws Article I Section II]

[Remainder of this page intentionally left blank]

## **Summary of concerns regarding the Final Environmental Evaluation (FEE) for the Harrah's Rincon Casino Resort Expansion by the Pala Pauma Community Sponsor Group**

To be reviewed and voted on by the PPCSG at the October 2<sup>nd</sup> Meeting.

The massive Final Environmental Evaluation for the Harrah's Rincon Casino Resort Expansion has addressed some of the issues with positive mitigation being proposed; however it still leaves many community concerns that we feel need to be placed into public record.

### **1) Traffic volumes on the local County Roads and State Highways**

I think that the FEE has addressed the PPCSG major concerns for the following:

- 1.1) SR76 and Valley Center Rd junction
- 1.2) SR76 and Cole Grade Rd junction
- 1.3) SR76 and I-15 SB Ramps
- 1.4) SR76 and I-15 NB Ramps

However we still have community concerns as outlined (Aug. 18 by our Chair, Charles Mathews) regarding:

- a) Improving some curves on SR76
- b) Improving some curves and passing lanes on Pala Temecula RD
- c) Mechanism for the FAIR SHARE funding & Impounding of funds
- d) Mechanism for getting the Tribes, County and (where applicable) Cal Trans to work together for a solution.

PPCSG understands that you do not have the jurisdictional authority to implement the identified mitigation regarding traffic solutions.

We would appreciate your backing in assisting us in getting all of these agencies to work together in completion of all these projects prior to the completion of the Harrah's expansion.

### **2) Natural Disaster Evacuation**

While we understand that Emergency Evacuation was not a requirement of your FEE; we urge you to be concerned regarding the "Perfect Storm" cumulative effects of the additional traffic due to your expansion and the added Special Event traffic if all of the mitigated traffic solutions are not in place prior to the completion of the Harrah's expansion.

We would appreciate your support in working with us to make this a priority for all the agencies needed to implement an effective Emergency Evacuation Program for this community.

### **3) Palomar Dark Skies Ordinance**

We are aware that the Dark Skies Ordinance is not applicable to your proposed expansion project. Therefore, you are to be commended for your stated effort to ensure that impact from any increase in light and glare due to the Harrah's Rincon Expansion will be minimized.

4) **Community concern regarding the addition of the 10,000 sq ft bar and multiple bars in the gambling areas cumulating in more drinking and driving.**

Your comments as noted in Section 3.11.2 of the FEE:

The proposed Project would introduce an increased number of patrons and employees into the community, which in turn may increase criminal incidents within the project area, the aforementioned law enforcement services will provide ample security to ensure that the Proposed Project would have a less-than-significant effect on off-reservation law enforcement services while ensuring public safety on the Reservation.

PPCSG still has concern for the public safety with a higher number of drivers and the possibility that some will be alcohol impaired. We recommend that significant training of bartenders and servers be implemented to ensure the safety of the public.

5) **Disposal of additional treated wastewater effluent**

Current wastewater is between 180,000 and 200,000 gal per day.

Expansion is to add approx.. 65,000 gal per day taking you to a possible high of 265,000 gal per day. The FEE simply reports that the existing treatment facility meets all regulations and standards required and that you will expand the treatment facility and retainer tanks to meet the future needs.

This water is used for some irrigation and spray-fields in which it then percolates vertically into the highly permeable soil.

Although the treated wastewater eventually comingles with the waters beneath the application area, there is no evidence of these waters daylighting into the San Luis Rey River.

At the end of the report it states:

AEG's report is based on factual information obtained from AES, Federal, Tribal, State and local agencies and others, that has been ASSUMED to be correct, accurate and complete. Applied Engineering and Geology, Inc does not guarantee the correctness, accuracy, or completeness of those data.

While PPCSG is concerned about this wastewater effluent getting into the San Luis Rey River; we are even more concerned with the wastewater effluent percolating into our aquifers.

William Winn

**Vice Chairman, Pala Pauma Community Sponsor Group**