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# Jamul Dulzura

## Community Planning Group

### Unincorporated County of San Diego

#### FINAL MINUTES

October 11, 2022

Location: On-Line Zoom

Recorder: Preston Brown

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1. **CALL TO ORDER**: 7:34 pm

2. **ROLL CALL**

**Present**: Preston Brown, Kevin May, Eve Nasby, Steve Wragg, Dan Neirinckx, Michael Casinelli, Janet Mulder, Summer Piper, Ed Mollon, Paul Dombkowski, Rachel Vedder, Paul Romero

**Guests**: Erica M. Pinto, Chairwoman; Scott Christman, County Planner; Craig Benedetto, California Strategies; Ryan Sawyer, Acorn Environmental; Leo Espelet, Kimley Horn

**Excused**: 0

**Vacant Seats**: 2,9 and 14

3. **APPROVAL**:

**Agenda** for October 11, 2022, and **Minutes** for July 12, 2022

**Ed Mollon** moved that we approve the agenda for October 11, 2022, and accept the minutes for July 12, 2022. The motion passed unanimously.

4. **OPEN FORM**

**Preston Brown** suggested that we move "Open Forum" till the end of the meeting and get started on our Main Agenda Item, the Jamul Casino Expansion project. No Objection.

5. **JAMUL CASINO AND EVENT CENTER PROJECT Tribal Environmental Impact Report**

**(TEIR)** located at 14145 Campo Road, Jamul, CA 91935 on the Jamul Indian Village of California's Reservation.

The Project proposes to remodel the existing Jamul Casino to include a new event center, multi-purpose/bingo hall, 225-room hotel, six-story parking structure, and associated infrastructure. Construction activities are proposed to commence in December 2022 and are anticipated to take place over 18-24 months. No expansion of the gaming floor or increase in the number of slot machines or table games is proposed.

The public can learn more about the project at <https://www.jamulteir.com/review>, and can review the Draft TEIR at <https://ceqanet.opr.ca.gov/2022050410/2>.

**Preston Brown** introduced our guests and presenters and congratulated the Jamul Indian Village on the memorialization of “Indigenous Peoples Day” on October 10. He read the first paragraph of The Proclamation.

*“On Indigenous Peoples’ Day, we honor the sovereignty, resilience, and immense contributions that Native Americans have made to the world; and we recommit to upholding our solemn trust and treaty responsibilities to Tribal Nations, strengthening our Nation-to-Nation ties.”*

Preston turned the meeting over to **Craig Benedetto** and **Ryan Sawyer** who presented the Power Point of the Jamul Casino Hotel and Entertainment expansion.

**Erica M. Pinto**, Chairwoman of the Jamul Indian Tribe, thanked **Preston** for honoring their Tribe with this statement. **Craig Benedetto** then turned the meeting over to **Ryan Sawyer** to present.

**Ryan Sawyer**, Acorn Environmental:

She would present the cliff notes version in PPT of the TEIR, giving an overview of the various elements and discussing the process for public review.

#### BACKGROUND INFORMATION

The JIV Casino was finished in 2016. It resides on the 6-acre reservation. Originally the tribe had pursued a plan to build off-site for the casino in a 2003 and issued a FEIS, an Environment Impact Statement. They changed these plans and proposed the new project to be built entirely within the 6 acre reservation. In 2016 the Tribal-State Compact and the IGA Intergovernmental Agreement were signed. The Compact requires a TEIR for any “gaming related projects” to analyze potentially significant off-Reservation impacts.

#### PROPOSED PROJECT OVERVIEW

The proposed project includes a 16 story, 225 room hotel in the western part of the reservation. The casino remodel would eliminate the 2<sup>nd</sup> floor veranda the and 4<sup>th</sup> floors of the event center and expand the 3<sup>rd</sup> floor by 35,00 SF. The new event center will be a covered area and 25,00 SF with events planned for 1-2 e per week from 7:30 – 11:00. A multi-purpose bingo hall of 9,250 SF will also be added. The total SF of the addition will be 3,00 SF. There will be an additional 6 story parking garage south of the hotel. The presenter showed us rendering of 2 views of the project after built out. These are in the CEQA TEIR.

#### UTILITY IMPROVEMENTS

There will be additions and reconfigurations of stormwater retention and treatment facilities. Utility improvements relocations are for “potable water and “wastewater”. Currently water is provided through OWD, Otay Water District with a 12” lateral pipe and existing 4” water meter. There is a potential need for loop system for fire service in the build out. The existing WWTP, Waste Water Treatment Plant, will be expanded to accommodate the increased flows. The new treatment room will be located the first floor of the hotel parking garage. The goal is to reuse treated effluent on-site and discharge excess into Willow Creek under the Tribe’s existing NPDES permit. Sludge waste will be trucked to the Point Loma Waste Water Treatment Plant.

#### ALTERNATIVES

- Alternative A - Hotel only Alternative and Eliminate Event Center Casino Remodel

- Alternative B – Reduced Hotel Alternative; 157 rooms (68 fewer), and 12 floors (4 floors less), and a smaller 4 story parking garage
- Alternative C – No Project Alternative

#### AESTHETICS AND LIGHTING

- During operation will comply with ‘dark sky Ordinance’ policy with reduced lighting levels, shielding and screening on the facades.
- Significant and Unavoidable Impact; project will have a substantial adverse effect on the scenic vista.
- During operation will comply with ‘dark sky Ordinance’ policy with reduced lighting levels, shielding and screening on the facades

#### TRANSPORTATION AND TRAFFIC

- **Ryan Sawyer** presented the analysis that there would not be any increase in traffic because they had counted lower than expected visits to the casino than previously predicted and adding the new additional expected traffic counts, the result was still lower than what was originally predicted for and committed to mitigating. So, using that logic it was determined that the project wouldn't have any new significant impact and that no additional mitigation will be required for traffic congestion and level of service. On VMT's, even though it is a new law, it is not required under the Compact between the state and the tribe. And that the fact that the casino is closer to urban areas than other casinos it would be creating less traffic and the amenities of hotel would reduce trips because people would stay at the hotel and not need to make multiple back and forth trips.
- **Leo Espelet, traffic engineer**, also concluded that there would not be an increase in traffic due to the hotel because people staying at the hotel would have driven to the casino in the first place. He also stated that this conclusion was based on data on and consistent with other casinos in the area of the County.

#### FIRE EVACUATION AND SAFETY

- **Ryan Sawyer, Acorn Environmental**, stated that the project commitments would comply with all current Building and Fire Codes, State and County.
- They will update the Casino Fire and Emergency Plan developed by the County in coordination with the Cal Fire.
- Regarding emergency evacuation, patrons could evacuate early or shelter in place to minimize off reservation traffic from the reservation during community evacuation orders.

#### NOISE

- Project determines noise levels would be significant and should have operable walls during events. The even center will have an enclosed roof. The existing one is open Noise modeling shows they will be in line with allowable County standards.

#### IN CONCLUSION

- Ryan stated that the Final TEIR certification and submittal would be made to San Diego County, SCH, The California Gaming Control Commission, and the Attorney General of California.

#### PLANNING GROUP QUESTIONS AND COMMENTS AND PUBLIC COMMENTS

- **Darla Kasmado**, So my question pertains to I have a lot of questions, but if we're just talking about traffic, how is it that you're going to have two events. A week, yet you're still going to be under your which I appreciate what you're saying, and you've done all these projections on your traffic, and that might be fine. You've undershot what you thought you would do because maybe the casino hasn't been successful as you hoped it would be. But when you

- do have an event, when you give something away or whatever you do to promote the casino, traffic is an absolute standstill. It can take me 40 minutes to go 6 miles. So if you're going to do two events a week, how is that not going to impact all of the people living in this community? And I don't care about counts. I'm talking about actual impact. If you guys gave away a knife set tomorrow, you'd have a string of traffic all the way back past Target. So if you're going to hold two events a week, how is that going to be mitigated? The impact in the community is absurd.
- **Eve Nasby** added that you are going to hear this same question a hundred-fold from this community. Because we have all had to wait in traffic while you have events and it takes us 3 times as long to get home stuck in traffic and 2 events per week is going to impact this community. Tremendously and negatively. So that question needs to be answered. And it is also a safety issue. And when you talk about traffic with fire, you really think that the people that are staying in a 225-room hotel when they see fire around them are going to want to shelter in place when the rest of the people in Jamul are leaving. That's another ridiculous statement, but let's stick with the topic. Traffic with two events a week.
  - **Preston Brown** added that I think we might want to spend just a little bit of time on this because the traffic issue is huge here. And Darla brought up a really good point that when you have an event, you have a large rush of traffic that's sudden. It's not just streaming in and out over a 24 hours period. It's a mass conversion on a casino, which, depending on when those times happen, will affect the traffic and life and mobility for residents here. Without having to say what the statistics are and how you figure this and what algorithms you used, was it something that you considered in terms of mitigating? What could be really adverse effects? Was that something that went in the analysis? I haven't had time to read this whole thing. I'm just starting to plow through this right now. Leo?
  - **Leo Espelet** replied Yeah, and I understand the comment. And again, what we are relying on is data that we can measure from the current casino operations. Right. So when we measure the data of what the casino generates and we have the traffic estimated from this expansion, which is the event center and the hotel, we are below the threshold that we assume on the previous traffic style that generated the mitigations that we are in the process of completing. Does that make sense?
  - **Eve Nasby** encourage them to go back and take a look at when you have an event what the traffic actually looks like.
  - **Darla Kasmado** Leo, with all due respect, you can give me numbers all day long and you guys can present the numbers in a way that works your story. And I think anybody that works with numbers knows that. And I'm not trying to call it into question. What I'm asking is that you take into consideration the human component of this and the impact on our families and our lives. And I'm asking that maybe you do a study on a night that you have an event or you give something away and you do your study during one of those events. And I don't care about the number of people. I care about the count of people sitting in a line for 45 minutes to an hour and the delay in the impact you're having on the actual people that have to live next to this monstrosity. I'm asking you to actually listen to us because otherwise it appears as though you're smoking mirrors. You're telling us you won't comment. Okay, yeah, we'll email them in. Nothing's going to happen. I'm asking with you to please actually do that comparison because this is going to have a huge impact on our community, and I'm asking you to please take that into consideration.

- **Lisa Hodgson** I'd like to chime in there just with a recommendation. This is Lisa Hodgson, I'm concerned citizen of humor, resident, that you also look at the direction from which the traffic is coming. Not all the traffic is coming from 94, some of it's coming in from South Bay. So what happens is it all kind of converges in the same area. So the number of trips in and out doesn't adequately represent the actual impact of traffic to the community. So just as the previous commenter was saying is that when these events happen and everyone's converging at once, it can easily add 45 minutes an hour to one's commute and it all depends on kind of where you're coming from. So I think that further analysis is warranted. I know we'll add this to our comments, but I don't know if it'll be significant and taken seriously enough to actually change the scope of this particular section of the TEIR, the transportation traffic portion. So not just counting the numbers of ins and outs from the parking lot, but the actual count in minutes of people from getting from one point on the 94 to the actual driveway of the Jamul Casino.

#### **QUESTIONS ABOUT DARK SKIES**

- **Eve Nasby** Okay. So I'm curious to know, with the light policy that we have here in Jamul, dark skies, how building the actual hotel itself with the lights on within the hotel, how are you mitigating the light when the hotel is built and you've got 225 rooms that are lit with windows, how are you mitigating the dark skies? You only talked about construction. Mitigation of light.
- **ANS:** The Dark Skies ordinance is also applying to operation. And so this will have to be a detailed response we'll include in the final TEIR for you. There is some discussion of this in the TEIR. Just off the top of my head, can I answer that question? But it is the tribe's intention to construct and operate the project consistent with the Dark Sky Ordinance.
- **Preston Brown** I have the same question, too. That is going to be tough because you've got windows, you've got floor to ceiling windows and need some kind of screening. Otherwise you're going to have a big lantern on the countryside there. So, yes, good question.

#### **QUESTIONS ABOUT CRIME**

- **Darla Kasmado** did any of the reporting that you are doing did you take into account the increase of crime and impact on homeless and the impact of crime in our neighborhood. Was that studied? Will that be studied? I didn't see any of that today on the presentation. Was there anything about the increase in accidents and prostitution, effects on the local businesses of theft? Any of that? Drug use, paraphernalia left in our neighborhoods, needles in our streets, things like that? Was that covered?
- **Ryan Sawyer** replied Yes, the TEIR does include an analysis of impacts associated with law enforcement and increased calls for service related to that. Specifically, issues associated with law enforcement and calls for services were covered, as that is required to be addressed within the Tribal Environmental Impact Report. So there is a chapter and analysis of that type of effect.
- **Darla Kasmado** And does that show the increase? Or let me not assume there's been an increase. Does that show that what changed since before and after the casino?
- **Ryan Sawyer**, We didn't look at the community. Yeah, we didn't look at the community wide.
- **Darla Kasmado** Might I suggest you look at the surrounding community? Because we've had a significant increase in petty thefts, people trying to break into our homes, drug paraphernalia left on our streets since the casino was built. And I think if that's an opportunity for an area for you to look at, you certainly should. And the lack of with having

the sheriff department there's already a shortage of the sheriffs that it's sad for them, the calls when you call, it takes hours sometimes to get someone out there due to the spread that they have to cover. So it's a huge impact. And this is Darla talking. I live within three blocks, four blocks of that casino. So I'm talking about a direct impact to my community. This isn't miles away.

- **Judy Bolen** Okay, so I have two questions. The first one is the casino, Indian Casino. They own the 10.47 acres on the northwest corner of Melody in 94. And there's been a very large amount of homeless people there and they have not done anything about it. In fact, there was a fire about two minutes after this meeting started on that corner. Again, this is the third fire that we've had the opportunity to experience on that corner, and they're not taking care of their land. So my first question is how are they going to take care of the problems that they have currently without having to add to it with the casino? Because there's so much bad things happening on our corners within a half a mile of where this casino is built. The second question that I have is if this TEIR has not been approved yet, how come the bid went out for the construction and was actually awarded in July? So I want to know how, if this TEIR has not been approved, how did this contract get awarded? Because I do know that it has been awarded and I do know who has it.
- **Chairwoman Erica Pinto** placed a comment in the chat. "The piece of property that she's referring to is not owned by the tribe or controlled by the tribe. It's controlled by Penn National Gaming. They are the owners. So if you have concerns or questions about how that land is managed or the homeless population is there, I would direct them to Penn National."
- **Craig Benedetto** added, It's not our land. We're not in communication with them. There's no relationship between the tribe and Penn National?
- **Kevin May** I didn't hear an answer to Judy Boland's second question about the wording of the contract for construction back in July before this TEIR is even approved. I wonder if we could address that.
- **Preston Brown** added So how can you award a contract when you don't know what you're going to be building out of there? You do have two alternatives. You have a smaller project that's four stories shorter in height, and it's possible that through our discussions and negotiations with the county, that there might be other changes as well. I can't hear you
- **ANS:** Not really anything to address there. The business relationship with the contractors and others involved in this have no bearing on the approval or lack thereof for the TEIR.
- **Darla Kasmado** That's a very big problem. And that was the point I was trying to make. The amount of crime in our neighborhood and homelessness and drugs and fires it's every day. You guys, we are living this every day since the casino was built. And so I'm just really trying to touch on this because it's not an insignificant problem and it is only going to get worse. So we can't just wash our hands of it and throw up numbers and have things that are getting approved. And the tribes doing all this great work because they actually want to immerse themselves in the community as representatives and consultants representing the tribe. Engage them in a conversation with the community. I don't recall one ever having taken place. Engage them in a conversation and let's talk about what they can do to actually improve the community, not just their bottom line and the revenue they bring in. Because if it's a joint partnership, make it one. If you actually want our comments, make us feel like you actually want to hear them. Because the way it feels right now is this whole thing is going to go through and you're going to give us lip service, and we get to email our little comments in, and we get to get frustrated on a phone call, but nothing's going to change. So

maybe go back to them in your next meeting and actually invite a conversation because we deserve to be. Heard. We spend a lot of money on our properties. We have pride of ownership. We're raising children here, and we deserve to live in a crime free community

#### **OTHER COMMENTS**

- **Preston Brown** The casino purchased the property known as the Barrett Ranch. I think they're referring to the Simpson property. Do you have any plans that you can announce today in terms of what you would be using the Simpson property for?
- **Craig Benedetto** We'll take that up separately Preston. Right now we're talking about the hotel and event center.
- **Janet Mulder** Yes, this is Janet Mulder and I am appalled that we are given such a very short amount of time for such a major impact on our community. I'm concerned a bit on why we were not included in the beginning when you guys first started, because I gather that you did all of this realizing that the community was not going to be excited. And so then you do what? We have such a very short turnaround period. We've done lots and lots of research originally, and many of those comments, unfortunately, have come absolutely through our concerns. And so I think it's important that you all realize that we have concerns and that they are, in fact, very valid.
- **Preston Brown**, I would just like to add to that Craig and Scott and Chairwoman Pinto. Our group never received notification of the NOP that was sent on May 22. When Caltrans was the lead agency we received notices promptly at the same time that everybody else. In the TEIR, September 30 is listed as the starting time for review and comment. And Scott did not get this to me until October 6. So we're a little bit behind right now, and we should have received notice earlier.
- **Scott Christman, Planner**, The notice of preparation was just a notice letting folks know that the Tribe was preparing the TEIR. So, it was not nearly as substantial a document as what you have before you. Now that you have the draft TEIR, there's much more to review and there's more guidance in the gaming compact about public notification once the draft ter has been provided. And that's what occurred on September 30. And so we can be sure to let you know, the CPG know as soon as we receive anything going forward. And I think we could do a little bit better job with that.
- **Lisa Hodgson** Another question regarding the new event center. What is his anticipated use? It has an occupancy of 1500. Like, what type of events and what will the occupancy be?
- **Ryan Sawyer ANS:** the occupancy information, it is in the TEIR, and so that information was disclosed at least in terms of the seating capacity there. So just give me one brief moment. But then in terms of events, the events will probably be consistent with the current events at the existing facility. So music events as the primary event type, so concerts.
- **Preston Brown** asked So there are walls that will move to and close off the area when you have very loud events.  
**Ryan Sawyer ANS:** The actual mechanism for enclosing the facility has yet to be designed. We know that it can't operate open air and comply with the noise ordinance for a very large list type performances. So we've listed a laundry list of potential measures that could be implemented to achieve the noise reduction that would be necessary to comply with the noise ordinance.
- **Darla Kasmado** and we deserve the right to a conversation to really understand what's going on and not get piecemeal information. You know what you're going to do. You have a big vision plan. It doesn't take a rocket science to figure that out. So share it and be

transparent and let us weigh in on it and at least understand what's coming. Because otherwise it feels very it doesn't feel genuine at all. It feels like it's a slip service. And I'm just being honest with you and asking you to actually have a partnership and change your methodology. Thank you. And this is Darling case you don't know.

- **LISA** There is already a shortage of the sheriffs it takes hours to get someone out there due to the spread they have to cover.

#### **OTHER POINTS and CONTRIBUTIONS**

- The estimated construction timelines are outlined in the TEIR. They're estimating construction will take between 18 to 24 months, and they're hoping to start at the end of this year.
- **Summer Piper** brought up the point that there is no such thing as “early evacuation” and that in evacuation order the community of Jamul would already be evacuating and mixing with the casino patrons. Also Asked if the Casino is currently a “shelter in place” property.  
**ANS: Ryan Sawyer** I'm not going to be in a position to answer that question during this meeting, but we will provide an answer to that within the Final TEIR.
- **Scott Christman, County Planner**, The BOS does not approve projects on federally recognized tribal sovereign land. However, the intergovernmental agreement that may come out of this process, that would be presented to the Board of Supervisors for approval.
- **On the question of does this need the approval of the Governor as the first casino project did?** **ANS:** There is no expansion of the class three gaming activities on the project site. The governor will not consider this project will not come before him for approval. It's on sovereign federal land, and it's proceeding in accordance with the existing compact provisions in terms of environmental review requirements. But the governor does not, at the end of the day, certify the final TEIR for the project.
- **Victor Diaz** requested that this be in the record. “My name is Victor Diaz. I'm a member of the Southwest Regional Council of Carpenters. I live in the local area and live, work, and recreate in the vicinity of the project. I believe that I will be impacted by the environmental impacts of the project. The city should require a project to be built with contractors that will hire locally, pay prevailing wage, and utilize apprentices from state certified apprenticeship training program. Workforce requirements reduce construction related environmental impacts while benefiting the local economy and workforce development. In a recent 2020 report titled Pulling California on High Road a Jobs and Climate Action Plan for 2030, the California Workforce Development Board concluded that investing investments in growing diversifying and upskilling California workforce can positively affect returns on climate mitigation efforts. The South Coast Air Quality Management District recently found that local hire requirements can result in air polluting reductions. Other cities have not hesitated to apply workforce requirements for private development projects in their cities.”

#### **6. OPEN FORM**

**Preston Brown** made a Motion to form a subcommittee to hold a review of the TEIR and hold meetings with the public and formulate comments for our Response Letter to the TEIR. Joining the subcommittee will be Darla Kasmado, Dan Neirinckx, Michael Casinelli, Paul Romero, Rachel Vedder. Preston Brown will be the Chair. Motion was seconded.

We will hold an in-person Public Hearing to get greater public comment.

#### **7. CONTINUANCE of THE TELECONFERENCING MEETING OPTION**



**Dan Neirinckx** made the Motion to approve:

A motion to find the Jamul Dulzura Community Planning Group has reconsidered the circumstances of the State of Emergency and state and local officials continue to recommend measures to promote social distancing, "Pursuant to Government Code section 54953(e)(3), "The motion passed unanimously.

**8. JDCPG OFFICER'S ANNOUNCEMENTS AND REPORTS**

**Michael Casinelli** requested a roster of JDCPG and send it out to the entire group. Then members can make any corrections that are needed and update the list.

**9. ADJOURNMENT: 9:23 pm**

**NOTICE OF NEXT REGULAR MEETING**  
**TUESDAY October 25, 2022 @ 7:30 P.M.**  
**VIRTUAL MEETING**

**Meeting Minutes and Agendas can be accessed at**  
**<http://www.sdcounty.ca.gov/pds/CommunityGroups.html>**

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# JAMUL-DULZURA COMMUNITY PLANNING GROUP

## MISSION STATEMENT

*“The mission of the Jamul-Dulzura Community Planning Group is to represent the best interests of the communities of Jamul and Dulzura while adhering to County of San Diego, California Board of Supervisors Policy I-1.”*

## PURPOSE STATEMENT

*The purpose of the Jamul-Dulzura Community Planning Group is:*

- *To provide a public forum where local citizens can learn about issues of importance to them and their community and provide input.*
- *To carefully consider all input when advising the county on such issues as planning, land use, discretionary projects, and community and sub-regional plans.*

APPROVED 5/12/2020