
Jamul Dulzura

Community Planning Group

Unincorporated County of San Diego

FINAL MINUTES

November 14, 2022

Location: On-Line Zoom

Recorder: Preston Brown

1. **CALL TO ORDER**: 7:33

2. **ROLL CALL**

Present: Preston Brown, Kevin May, Eve Nasby, Steve Wragg, Dan Neirinckx, Michael Casinelli, Janet Mulder, Ed Mollon, Paul Dombkowski

Guests:

Excused: Paul Romero, Rachel Vedder, Summer Piper

Vacant Seats: 2,9 and 14

3. **APPROVAL**: Agenda for November 14, 2022. **Dan Neirinckx** moved that we approve the Agenda for November 14, 2022. Motion passes unanimously.

4. **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.

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 Asked if everyone had had a chance to review the draft of the Response Letter to the TEIR. He suggested we go through this line by line and ask if this is what we want to say.

The following is the final letter approved by the group. Over a 2 ½ hour period the group made numerous suggestions on grammar and word choice and clarity of the statements. The categories, larger ideas and structure remained intact.

“November 14, 2022

Jamul Indian Village of California

Attn: Chairwoman, Erica M. Pinto

PO Box 612

Jamul CA 91935

Subject: Comments Re: Draft Tribal Environmental Impact Report (TEIR) for the Jamul Casino Hotel and Event Center Project

Dear Chairwoman Pinto,

INTRODUCTION

We have reviewed the TEIR and our recommendation is for the No Project Alternative. This TEIR is extraordinarily incomplete and premature for a project of this magnitude with immense long-term ramifications and consequences for our community and region.

In May 2016, the JIV entered into an agreement with the Board of Supervisors of San Diego County and signed a Memorandum of Understanding (MOU), the basis for the Intergovernmental Agreement (IGA). In that agreement, the JIV made significant commitments for highway improvements that have never been started.

We believe that these should be completed before any new project expansion of the existing casino is even considered.

The traffic analysis remains the most deeply flawed section of the TEIR. In every instance, conclusions and predications are made favorable to the JIV. Through a string of evidence from old outdated Traffic Impact Studies (TIS), assumptions built on previous wrong predictions, generously applying statistics from northern California casinos with different geographies, using peak volumes or averages without total volumes, studying the impact of minor events in the current context of the Jamul Casino which diminish vehicle trip potential and an absurd argument to invalidate the use of Vehicle Miles Travelled (VMT), all lead to a mind-boggling conclusion without credibility.

We believe that in order to achieve a common sense, realistic and factually sound traffic mitigation proposal, an independent traffic analysis and impact study need to be done.

County Planner, Scott Christman, states that this does not need the approval of the BOS or the Governor of California. Approvals for this casino were made on certain conditions, expectations and formal legal agreements, which have not been completed. The argument that this is not “gaming related” excuses you from conforming to Local and State laws defies legal precedent because these additions support and enhance the gaming business model.

We believe that in order for the JIV to do anything significant in an expansion beyond the envelope of the structure and scope of existing casino, it does absolutely need the

APPROVAL/COOPERATION/PARTICIPATION in the negotiating process as called for in the MOU/IGA with San Diego County and the State Compacts with the Governor.

Confidence was built around a casino project originally presented and sold to the public and our elected representatives that would “seamlessly blend into the natural landscape”. Considering the enormous value of the conservation land areas that surround the Jamul Casino, and the decades long efforts of local, State and Federal agencies and numerous private organizations, “conservation communities” to protect, preserve to enhance their growth and prosperity, this expansion proposal willingly and knowingly undermines all these goals. You have stated that there is no way to mitigate the aesthetics or the environmental impacts.

We believe that there is a way to mitigate this environmental harm and that is not to do this project. No Project Alternative.

The problems of methodology and tactics for cloaking unfavorable results are fairly consistent in theme in this Report.

- Field studies are designed to produce results that show minimal impacts by narrowly focusing on smaller geographical areas near the casino land.
- Descriptions of residential communities downgrade their value and quality;
- The wider perspective of the relationship of the Jamul Casino to the topography of the Jamul Valley is cloaked into irrelevance.
- The obvious grand presence of the Rancho Jamul Ecological Reserve and the Hollenbeck Canyon Wildlife Area fade into oblivion with only scant mention near the end of the Report.

We believe the very narrow, inwardly focused perspective that permeates this report makes it impossible to understand and evaluate this project in the broader context.

PLEASE NOTE: Comments from the Public Meeting held in Jamul on November 3, 2022 are dispersed throughout this document.

AESTHETICS AND ENVIRONMENT

The TEIR states that the aesthetics cannot be mitigated. By its sheer size, this hotel with a height of 225 feet, 255 rooms, and 16 stories, with floor to ceiling glass will function as a huge vertical sign in a near wilderness setting. This will inalterably change the landscape and be a blight on the horizon. While appropriate for Las Vegas, this is an absolute failure for the environment in a highly conserved area, literally on the edge of the renowned and highly prized RJER, Rancho Jamul Ecological Reserve.

The problems we are seeing in this Report are consistent in theme. The practice is to underestimate the impacts with studies that were performed to get results favorable to the project. For example, in the “Environmental Noise Assessment” the field studies on Acoustics narrowly focused on areas close to the casino and at ground level. The idea that by measuring sound at the closest residences to the casino would produce an accurate picture of how sound travels across all areas of the valley is absurd. Some of the areas furthest away up on the opposite hillside could be more disturbed by nighttime music and celebration.

For instance, how will the moveable walls open and close for entertainment events in the 25,000 SF event Center to prevent music and sound from over-spilling into the Valley. If there is a hotel,

how do you screen the light from floor to ceiling windows from becoming a giant SIGN in the sky which is a typical Las Vegas style presentation. This is a huge change of land use for us. The Report freely admits that there is no mitigation for the change or degradation in aesthetics and its impact on the environment. The mitigation is NOT to BUILD IT.

In defining view corridors, again the field studies took a very narrow view point of view for local roads like Melody Road from the ground. This report misses almost entirely the full breadth of the sweeping landscape of the topographical nature of the Jamul Valley and the higher basin on the east. In the upper bowl area at the top of the valley we have an archipelago of communities that have views for miles down the valley, some reaching to the border on Otay Mountain and some to the Pacific Ocean.

In the Report local residences are characterized as “scattered housing” and falsely state “no residence or roads occur within view south of the project.” And that there is “no adverse impact to residential properties, except for the alteration of views”. A full and realistic study that includes these rural housing enclaves to the west, east and south were never shown in pictures or mentioned as being a part of the valley that will be impacted by the change in the environment by light and noise and the sheer presences of the casino build out.

Resident, Jamul Highlands *“I live right behind the school on the hill right here. I can see the casino from my living room. It was a surprise when it came up. It lights up every night like a beacon. So some of my concerns are light pollution. We can also hear the noise from the events. That place is far away, but all of you know that this area is extremely quiet and you can hear your neighbors talk outside. So hearing the casino all the way where we are back here, the bass you can hear it until 11:00 so the biggest concern here is two nights a week from seven to eleven.”*

Resident, Rancho Jamul Estate *“... we get a horrible noise impact at sometimes we can hear the lyrics, these specific lyrics of music coming from the casino at its current entertainment venue. I'm down pretty low, about 0.7 miles from the casino. I see everything you're seeing. I experience the traffic. We're hearing the noise again to the point where we can sing along with them and do the karaoke thing. We're seeing the purple and blue disco ball. Has anybody seen that? I've tried to call the sheriffs and it's very hard to get through to them.”*

In discussing mitigation measures to reduce nighttime light and glare, no real solutions are given. An obligatory statement to make “every effort to use screens or shields” to reduce impacts is not real science. Ryan Sawyer, Acorn Environmental, stated that they had not yet worked out a way screen light from the 225 hotel rooms with floor to ceiling glass. She also said they had not yet worked out the details of the construction and mechanics for the sliding exterior walls of the new event center. Typically, a developer is not allowed to work out issues like these years after completing the project.

This Report fails to include the Rancho Jamul Ecological Reserve (RJER) and the Hollenbeck Canyon Wildlife Area, also managed by the Wildlife Conservation Board (WCB) of California, in the discussing environmental impacts. These 2 highly prized conserved lands are tucked away in the end of the Report. Once this and future projects come into existence the impacts will be a steady erosion of the isolation that the conserved lands rely on to thrive and flourish. Descriptions like “undeveloped lands surround the project site” cloak the significance and purpose of the

surrounding landscape implying that it is been left vacant, unattended and would benefit from future development.

By repeatedly describing lands in the valley as overtaken by “non-native grasses”, the Report implies they have been degraded by neglect and does not acknowledge the conservation efforts of the RJER to restore “native grasses” in the valley and region.

TRAFFIC

The falsities, distortions, deceptions, and skewing that permeates this Report may go unnoticed by someone reading it in an office in Washington or Sacramento who had no direct experience driving on SR-94 for 10 or 20 years. Section 3.11 describes SR-94.

“As it proceeds to the east, it narrows to a four-lane facility and then, in the vicinity of the project site, to a two-lane that is undivided. It appears as a conventional highway that is also known as Campo Road.”

To use the phrase “in the vicinity of the project” one expects that transition to a 2-lane road to be a lot less than 6 miles away and not to mention a complete transition from a relatively straight urban valley topography to an upward climbing 2 lane rural highway winding up through a canyon where line of sight distances are limited by the turns. The transition is dramatic. This is the most vital link for daily life and for emergency evacuation that residents of Jamul depend on. Even a minor incident can severely impact this 6-mile leg of SR-94. Over the last 2 years traffic frequently is bumper to bumper along this stretch of road particularly during am and pm rush hours. Bumper to bumper traffic on a rural LOS F rated, 2-way road leaves residents with no alternative through-way. This is not only inconvenient but dangerous.

For this one section of highway, Caltrans required a series of road improvements including 2 right turn lane widening improvements from Jamacha Blvd onto SR-94 and widening of the intersection at Steele Canyon with upgraded signalization. 5 of 6 required improvements have not been accomplished or mitigated. The JIV leadership cannot independently dismiss agreed-to requirements that allowed it to build the casino in the first place. This should be done before any future expansion is considered. Most of SR-94 is rated at a LOS of F.

- SR-94 and Maxfield Road roadway improvements.
- SR-94 and Steele Canyon Road Intersection widening Improvements.
- SR-94/Campo Rd and Jamacha Road dual right-turn and other improvements.
- SR-94/Campo Rd and Jamacha Boulevard dual right-turn improvements.
- The Melody Road and SR-94 intersection improvement project.

Stating that the requirement under CEQA to mitigate for VMT does not apply to this project because it is not in the Compact is irrelevant. It is a new law that applies to new projects that reside in areas of the Unincorporated County in their jurisdiction. And the rationale that on a comparison basis this casino is the closet and therefore patrons drive fewer miles to get here than to other casinos exempts them VMT regulation is very faulty logic. Caltrans has asked the TEIR to identify VMT related impacts in their Response to the NOP.

Tables and statistics can be convoluted when combined with and built on interpretations of previous assumption, previous studies that made wrong predictions. While they might be able to be justified as individual parts, CEQA intends to gain a wide view of the totality of the studies. When circulation routes frequently become jammed up, statistic can tell us a certain number of vehicles passed a certain point for the day, am or pm, but it does not give us the quality or characteristics of the vehicular movement. If statistics included observations, the SD County Fire Authority "Risk Assessment" Unit might deem that SR-94 was frequently exceeding its "volume capacity" when as they say, "Bad things start to happen". A new independent traffic analysis needs to be done. This TEIR is referencing as authoritative a patch work of previous studies at different times with insular points of view. It is very questionable work to reference data from an old project like Village 14 that today no longer exists and may never be built. There has to be an alignment to reality.

There are contradictions and inconsistencies found when comparing traffic data from Caltrans 2019 to the counts included in Table 3-20 of the TEIR which illustrates current casino trip comparisons (as compared to 2013 projections) that reveal a 10% increase in weekend traffic, 20% increase in traffic on Fridays and 45% increase in traffic on Saturdays. The highest volume of daily trips reflected in this chart reveal an estimated 13,039 daily trips. These counts are contradicted by the data reflected in the 2019 traffic counts provided by Caltrans, which show peak traffic at Lyons Valley Road is an estimated 19,700.

Page 3-103 of the TEIR states that "the project would result in significant impact if it would: Cause an increase in off-Reservation traffic, which is substantial to the existing traffic load and capacity of the street system (i.e., result in substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on road, or congestion at intersections)."

According to the TEIR findings, a theory is being presented that the significant impacts would only occur if "the existing daily trips are higher than those projected in the Approved TIS" and based on the data collected by Kimley-Horn the Report does not foresee this impact occurring. We contend that there is a fundamental flaw in this logic not only due to the discrepancy in the traffic counts illustrated above, but more importantly in the logic the project team used to assess the impact of traffic resulting from the Bingo Hall and Event Center expansion.

Table 3-20 of the TIER reveals that a traffic study was conducted during what would be peak hours and on a night where the Casino had "live entertainment (e.g., band and/or disc jockey). We would like to understand how the project team reasonably suggests that comparing the existing entertainment area in the Casino on a night when an unknown band/DJ played to an expansion of over 25,000 square feet with seating capacity approaching 2000 patrons (between the Bingo hall and event center) is a fair comparison. This is incredibly misleading and clearly is not taking the traffic congestion or safety of the Jamul community into account.

As stated above, the special events that could be held as a result of this expansion will inevitably create an extraordinary crush of traffic over a short time period. This has not been evaluated and most certainly will cause an "increase in off-Reservation traffic, which is substantial to the existing traffic load and capacity of the street system (i.e., result in substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on road, or congestion at intersections)." How does the Project team plan to mitigate this impact under normal circumstances let alone during an emergency situation when competing confluences of traffic flows collide with each other as they enter SR-94 heading in different directions? Lives will be placed at risk.

Assumptions of “No Extra Traffic”. This is a strange assumption to make when at the same time an additional 6 story parking garage south of the hotel is proposed. Using the lower prediction as new base line to project future traffic volumes is simply self-serving to lower mitigation needs. This project expansion design has the potential for substantial growth which could cause an increase in traffic volumes. Existing traffic already frequently pushes this highway well past its capacity limits to crushing gridlock. Residents of Jamul currently spend up to twice the amount of time getting in and out of the community due to the increased traffic resulting from the Casino being built. The Jamul community saw an increase of 17% of trips from the 2016 Caltrans traffic study to that conducted in 2019. The JIV has done the bare minimum to improve SR-94 and mitigate the impacts to traffic and failed in building the many road improvement projects agreed to in the MOU. Before any new expansion efforts are proposed, it is critical that a proper traffic study be conducted assessing the impact of a crush on traffic during peak hours and events being held at the Casino.

Assuming 7 SF/person for “Assembly Areas”, (concentrated use without fixed seats) under the UBC of California, the 25,000 SF event center could allow up to an additional 3,571 occupants. Assuming 11 SF/person for the “Gaming Area”, (non-Class III Gaming) under the UBC of California, the 10,000 SF Bingo Hall could allow up to an additional 909 occupants. Adding these together would give an increase potential maximum occupancy of 4,480 people. Adding this to the already 5,500 capacity allowance for the current gaming floor and we now have an allowable occupancy of (9,980) for the Jamul Casino. The current garage only allows for 1,800 cars. The new garage will increase it by 255 for a total capacity of (2,055) vehicles. This does not include estimates for the maximum occupancy of the hotel.

The completion of Caltrans Traffic Projects that were promised to provide better service and safety to the drivers on SR-94 need to be completed before starting a new expansion project.

Otay Lakes Intersection: Is there 1.5 million on deposit for the future roundabout? What contribution will be made for this build-out to complete the 25 million dollar estimate for this improvement. The Intersection of Otay Lakes Rd and SR-94 needs to be improved according to the Caltrans plan or a roundabout prior to this Project moving forward.

Resident, Jamul Highlands *“I mean, I have to look at the casino website to see when their specific events are so that I can figure out which way to go out. So I'm not stuck on the 94 behind all of the people coming and going. And there are days when I take humble drive because I know that I'm going to be spending half an hour on the 94 trying to get to my house.”*

WILDLAND FIRE AND EVACUATION

In Appendix F, “Casino Fire and Emergency Plan”, this TEIR resubmitted the prior plan of 2016 for the Hollywood Casino. This TEIR is an “incomplete draft”, assembled in a piecemeal, fractional way. By doing this, the Report divulges nothing about the plan or the size and occupancy of the new buildings. This makes it hard to do our own calculations and forecasting traffic and its impacts. And this brings up a really big point about the flaw in this whole process. If the TEIR is worth anything then it has to be revealing true information based on an actual plan with real numbers and solutions to problems worked out beforehand.

Most glaringly missing is a WEEP, Wildland Emergency Evacuation Plan. This is required under CEQA. The Jamul Casino is in a VHFHSZ, Very High Fire Hazard Severity Zone. Archipelagos

of communities disperse into the hills throughout the Jamul Dulzura region and residents rely entirely on SR-94 as a necessity for daily needs and for an escape route in a wildland fire emergency. Theories that casino patrons will “shelter in place” belies common sense and imagination. If a fire were roaring through the valley, patrons will most certainly be immediately concerned with their homes and their families and want to rush home as soon as possible. This situation could easily induce all-out panic.

Past fires have burned through Otay Lakes to the Wildland Urban Interface (WUI), at the edge of East Lake’s planned communities. The theory that the casino will “evacuate early” is also problematic. What constitutes early? For residents, they are either under a warning or evacuation mandate. In either case, departing patrons will interact on SR-94 with evacuating Jamul residents. Which percentage of visitors are going south or north. Which direction is the fire coming from? There is no acknowledgement and study evaluating the interaction of evacuating casino patrons with that of the residents of Jamul. CEQA requires that this be analyzed.

An analysis of Wildland Fire Evacuation requires an expert comprehensive study with realistic current statics on traffic volume uses and an updated evaluation of the “capacity limits” for SR-94. As CAL FIRE Chief Mecham has stated in our group meetings, “Risk Assessment” needs to be able to determine the “capacity” of a road or highway. This study cannot be built on the guess work of the traffic and transportation study.

Residents driving on SR-94 experience the common danger of traffic gridlock and “fire entrapment” from “brush fires” on the side of the highway on a weekly basis in the summer season. In hot dry weather conditions idling cars along road sides are one of the leading causes of wildland fires due to ignition sparks. There is also great risk from cigarette butts being tossed from cars to the roadside. This was the suspected cause of the Viejas wildfire in 2003 that started on the edge of the Viejas reservation. When brush fires occur, traffic comes to a standstill and backs up for miles frequently past Steele Canyon and all the way to Jamacha Road.

There needs to be a plan for mitigating the roadside hazards from increased frequency of vehicles stalled out in bumper to bumper traffic. The Lilac Hills Ranch housing development project for 1,700 homes was rejected because the roads used for evacuation could not be made safe from fire entrapment for fleeing residents. A casino entertainment facility is a large commercial development that should be held to the same standards and requirements in a remote rural setting.

CUMULATIVE EFFECTS of CRIME

There exists a hidden baseline of human factor accumulative effects that cannot be ignored. The JDCPG Subcommittee held a public meeting on November 3 at 6-8pm to gather insight from the community and learn what impacts they have been experiencing for the time period the casino has been up and running. We submit them to the TEIR as part of the Cumulative analysis to help us predict future social impacts as the casino continues to propose new expansion projects.

There is a dark side to the gaming industry that spreads from the physical grounds of the facility. Crime and vagrancy, an itinerant homeless roving crowd with alcohol and drug addiction problems can become literally a dragnet of multi-problems spreading into communities on route to the casinos and in the vicinity of the casino itself in search of some quick wins and easy money. The following speakers recount their personal observations and interactions with the changing social elements in Jamul.

Resident, Lawson Valley “My concern is that the increase in the drug use, the drug paraphernalia, things that are happening in cars that are parked along the side of the road, that are parked in people's driveways you've all heard the stories we're starting to see because of the type of folks that are being attracted to that particular area of Jamul. My concern is that we're going to start seeing that in Lawson Valley, lee Valley, and Lyons Valley here pretty soon.”

Resident Proctor Valley “Aliens that are being picked up right at the corner of Melody and 94. It happens constantly. You see them hiding over by that drainage ditch amongst the five, 6710 shelters that are being created back there. There are several people living back there. There is several people cooking back there. There are several people starting fires back there. And I am just curious if the fires department's here and law enforcement is here. I have made so many phone calls in regards to the illegal aliens picked up drug deals. I watch them as I'm pulling out of the corner. I can see the guy in the truck. I can see the guy hand something over. I can see the other guy handing him money. People randomly just walking around at 02:00 in the morning, coming into our neighborhoods and checking car doors to see if the car will open so they can steal things. Right off the melody. Calle Mesquite and the Proctor Valley Estates. It's all happening there constantly. And we see just random people trying to open our gates, go in our backyard. We see motorhomes that were there and we had to call. But because they're within the law of 72 hours, they can leave it there for 72 hours.”

These are problems that must be mitigated with a commitment of dollars for law enforcement to protect the security and health of neighboring residents. When crime in the vicinity of the Casino on the 10-acre parcel north of Melody Rd. was addressed during a JDCPG Subcommittee meeting on Oct 11th 2022, Craig Benedetto, California Strategies for the JIV, replied that the property in question did not belong to the JIV but to Penn National Gaming, the developer in partnership with the JIV and “It is not our problem”. We think that it is and should formally be made a mitigation issue in the next MOU. In Table 3-18: San Diego Sheriff's Department Calls for Service Logs only covers the time period from July 2021 to June 2022. We need to see the logs for crime going back to the opening of the casino in 2016 to get an accurate basis for comparison

Resident on Terra Seca Drive stated,... “So you want to get involved. You see crime, call the police. What are your property taxes going for? You see people in your neighborhood that shouldn't be there. The cops don't come, maybe you'll confront them yourself.”

Residents should not have to form their own neighborhood patrols and plan for vigilante tactics to protect themselves when they know very well the cause of this. The Jamul Casino is a thriving business and can well afford to commit resources to law enforcement to mitigate the deteriorating social environment.

IN CONCLUSION

In the concluding remarks the TEIR states that,

“The Project does not represent a “precedent-setting action” such as changing an existing land use or requiring amendment of land use plans. The Project would not induce unanticipated growth beyond that identified in the San Diego County General Plan. The Project would result in a less-than-significant growth-inducing impact.”

The Report claims it will not be “growth inducing”, which is an expressed goal of our Sub-Regional Plan. Perhaps not to anyone else but it is “growth inducing” unto itself. This is another incremental step of the expansion of the resort entertainment complex. Our fear is that future steps of “land to Trust ” applications for expansion which will continue to multiply the adverse effect on the area and region. While seemingly harmless, the variable of adding hotels expands the potential clientele to utilize international cross border waystations. Entertainment for private events bring their own fallout of impacts by the sheer volume of heavy equipment that needs to be hauled over long distances in trucks. The variety of crews with technical expertise in sound, lighting and stagecraft and media form an extra burden of unpredictable numbers of cars and trucks required for these showroom spectacles.

This expansion is a huge jump into the realm of a Las Vegas style casino with a 16-story hotel that functions as huge sign that will dominate the landscape. This vision is in extreme conflict with the long-term conservation land goals of our Sub-Regional Plan and General Plan. Even with a very slanted presentation of the facts, it would be an impossible stretch to say as you have done, “The project would be largely consistent with the County land use plans, policies and regulations.” This distortion in interpreting facts is common in the Report. We see an exaggerated interpretation of the goals for growth for our sub-area plan that helps justify the idea of continued expansion of the casino business. This long-term vision does not synch up with the realities of the conservation and rural preservation goals and the very limited residential and commercial growth clearly defined in our sub regional and general plan.

We will be asking our elected officials to put the brakes on this. This second phase of the casino build out has to be reviewed from the bottom up. The question is, “not that it can be built, but should it be built.” The claim of “sovereign immunity” is used as a foil to evade CEQA, responsibility and the laws of our state. This cannot stand. We will ask our elected officials at every level of government to apply the laws that govern a project like this. And the judgement of the County and State through all relevant agencies must weigh in whether this project should actually happen.

We want to make it clear that construction should not start prior to a complete review and assessment of the viability of the proposal of a massive expansion of what seems destined to become an entertainment gaming conglomerate in the middle of one of the most conserved biologically diverse regions in the continental United States.

SPECIAL NOTE: Concerning Timely Notification: Our Planning Group was never notified of the NOP release back in May 22 of 2022. And we received notification of the release of the TEIR from the County on October 6, 2002, 6 days after the it was submitted to the (SCH).

PLEASE NOTE: Appendix of Public Comment follows. On request we will make available the complete transcript from the Public Meeting in Jamul on November 3, 2022. The meeting was recorded and transcribed.

Respectfully,

Preston Brown, *Chair*
Jamul Dulzura Community Planning Group

APPENDIX: PUBLIC MEETING COMMENTS

Resident Peter Anderson, Sierra Club San Diego "Sierra Club is opposed to this. Sierra Club is committed to keeping east county rural. Pristine livable place that caused us to move here in the first place. There's a number of other problems. CA has some of the strictest greenhouse gas rules. CA is trying to lead the nation in preventing climate change. One of the things we're trying to prevent is excessive car trips. So these new development produce a lot of vehicle miles traveled [VMTs]. There's a new bill, SB 743, that restricts new developments because of VMTs. Nowhere in there (TEIR) is a correct assessment of the number of new trips. They are going to produce air pollution and excess greenhouse gases in violation of local and state ordinances."

"The casino is located in Jamul Ecological Reserve-bordered on two sides. Home to lots of endangered species that have little to no habitat left and are protected in the state of CA. They will need to install 120 foundational nails into the actual Reserve need to be applied because the plot is too small to support a hotel. They did it the first time without telling anyone. Now it's in the EIR. That is an actual physical violation of Jamul Ecological reserve. It's not the only one."

Resident Dianne Jacob, Deerhorn Valley "I want to go on record supporting the NO PROJECT alternative. Building a hi-rise 16-story hotel in this rural community is not just a slap in the face to this community... it's a knock-out punch. I say that, not lightly... It doesn't fit in the community. It never will fit into the community. It is a bad project in a lot of ways.

"Both state and county governments have passed laws and policies supporting implementation of VMTs in looking at new developments. One thing I would like to see The Planning Group ask for "are state and local governments going to weigh in on this particular project?" They certainly should because it appears to me that there is a conflict between what the state and county government is saying to everybody else about new development and what the JIV are saying in their environmental document that they want to do here. It's a contradiction."

State Route 94 "has a level of service "F" ... only makes sense any additional traffic, particularly on 94, without a doubt, will severely increase collisions and loss of life on an already extremely congested and dangerous highway. It is one of the most dangerous highways in all of San Diego County!"

Resident, Jamul "I'm 1/16 Native American. This is not fair to us as a community. They don't care about what they're doing here. They think they have the right to do whatever they want since the Federal government gave them the fee to trust transfer."

Resident Marcia Spurgeon, Honey Springs "Let's put the brakes on until we know the real impacts are."

Resident Jamul "I want to go on record and say what my concerns are: Fire safety, Negative impact to environment, who is Who's making sure it's up to code? Who's making sure it's safe?"

Resident Jamul "What kind of events? Probably music? This will impact traffic drastically because of specific start times for events."

Resident Jamul "In 2016, they promised it [the Casino] would blend in and they would control light pollution. It does anything but. It lights up the entire valley. It sticks out like a sore thumb. I can't imagine what the 16-story hotel will disperse!"

Resident Lawson Valley “Their plan is to shelter in place, right? To have their guests shelter in place, and then if not, then evacuate early. I'm not sure what they expect to happen, but when they see the smoke and the flames coming over the ridge. A lot of those people aren't from Jamul. They're not from the area. They're not like dad. That's a good 7 miles away. I got a good 15 minutes to finish up what I'm doing. No, they're going to panic. They're going to jump in their cars and they're going to get out onto 94 with the rest of us all trying to evacuate. Exactly, and that's another great point. And they're probably not sober. So these are the concerns that I have as a resident of Jamul, specifically of Lawson Valley, which is a box canyon. There's only one way in, there's only one way out, and that's Lawson Valley Road. And then it dumps you off eventually onto the 94 along with everybody else and the casino.”

“So if you're like me and you're concerned and you want to voice your opinion, then we need to make our comments, get them recorded here, include them in the letter. But you're also free to go to the public comment section of the TEIR. We can provide that website if you haven't seen it yet. I know I've been posting on the Lawson Valley Jamul Facebook page, and I think it's been posted in Deerhorn Valley and Jamul, you can click that link and there's a place that you can go to actually lodge your comments. So it's very important that the community speaks up about this now.”

Resident Jamul Highlands “So one of the assumptions in here is that because the casino is the closest one to San Diego, people are going to opt to stay overnight. And I'm like, where do you get that assumption? I'm so close, I'm going to go home and sleep in my own bed. Why should I pay to stay at a hotel when my bed is so close? So I don't know where that assumption came from, but it seems pretty erroneous assumption to me.”

Resident Jamul (Retired US Customs Service) “And I have a perspective of the relationship of the Jamul area to the port of entry of Tecate. Don't think that the port of entry, because of small, isn't a major conduit for drugs coming across the border. And the hotel here is going to provide a very, very convenient location for the drug smugglers, the cartel people, to come over here to meet the people from the north to pick up the loads of narcotics and take it in with. I worked several smuggling cases in Tecate involving bribery of customs officers. Because it's a smaller port, it's more vulnerable to those kinds of activities and there's less traffic and it takes less time to get your load cars through the port of entry. The other thing that was mentioned is prostitution. At least it'll go from outside in the cars into a hotel room. But that brings all kinds of problems of crime. So I just wanted to express my concern about that becoming a place for smugglers to conduct their business and to exchange their narcotics from one vehicle to another or pick up.”

“What they do is they all come down and pick up that vehicle and take it inland. That was my concern about the short storage facility here. This giant storage facility is being used by smugglers to park a load, give the key to somebody else, and they pick up. They love it. So that's what we're facing right there, right by the anybody have any questions?”

Resident Proctor Valley Estates “And there's tricks being done. Women in the motorhome, men driving up, or whomever driving up, getting out of their cars, going into the motorhome, and then the motorhome, after they get a warning, they move the motorhome around the corner so it sits there. Then the motorhome has been seen in Rancho San Diego, the motorhome has been seen in La Mesa. It's going on all over the place. But it's just sad and unfortunate that such a beautiful community like this, this casino, has brought a lot of this activity going on.”

Resident Proctor Valley Estates “So the first thing was to join the meeting two weeks ago where this tie r was presented and it was really the tribe representatives presenting what their plan was

and how again it would blend seamlessly and it would be no problem and this sort of thing. On that call I asked a lot of questions about traffic and crime and protection of sort of the neighborhoods and what they're doing to collaborate with the community and do more if it's going to happen, to really partner with us and have a conversation. And I've gone through the 500 page document as best I can to really understand it because I live within three blocks of that casino and we have seen firsthand to the impacts. I'll get to the TEIR in a second. But just personally, what we've seen is increased crime. We've had petty theft, we've had home invasion attempts in our neighborhood. We have drug paraphernalia that we see as we're walking around. We observe drug deals right on Melody, there's a homeless encampment right on Melody, they've lit a fire. We've had our gardeners have had their cars stolen. There're rumors of prostitution. I've personally not seen that. But I have personally witnessed a crime increase in our community. And we've put a gate around our home now in a fence, trying to protect it. And no longer is it a community where I would let my grandkids go and ride their bike without me being there. Even during the day. Some of this crime has occurred during the day and on any given weekend you'll see transient, tight people walking through our neighborhood. And it's pretty apparent to me that they're gambling and then they're coming over and then kind of bleeding in and breaking into mailboxes. That's a common occurrence weekly. And so none of this was happening before the casino was built.”

Resident Honey Springs *“One of the things we've talked about and I've met this in the community and it upsets me, but they say, why bother? Why do anything? Just let it go. Well, I'll tell you why. If they hear silence on us, this will keep going. And Darla said a long time ago, it'll be parcel by parcel by parcel to this downtown area is gone and it'll be just what we see there now, but all over. So we have a duty to talk to our friends and neighbors and tell them that it is important for you to care, because if you don't, we'll pay the price, every one of us.*

Resident Deerhorn Valley, Dianne Jacob *“I think in fairness to the gentleman that spoke, if I might say, it's not going to be helpful talking among ourselves. And we need evidence. We need evidence, documentation. So if you see something, document it, time, day, take pictures of it, put it into the record. That is what's going to make a difference. Just talking about it, it's not going to do it. So if you see a crime, for example, I think you said you saw a crime document, time, place, if you can take a picture of it, anything that you see that has the potential of being illegal activity, that's what matters to the decision makers, whether they're state or whatever they are. But we need to reach out. This is a good meeting, it's a good start, but we need more work to do.”*

Resident Rancho Jamul Estates *“We've seen a proliferation of abandoned vehicles on the road. It became kind of a joke. At Rancho Jamul Estates, we saw the same truck out there for three weeks, abandoned by the casino. Where was the highway patrol? Call the highway patrol, tell them, remind them when you see homeless people defecating in public or lighting matches and doing things, call the sheriff's department. There are a lot of things that we can still do as a community to keep drawing attention.””*

6. OPEN FORM

No comments.

7. JDCPG OFFICER'S ANNOUNCEMENTS AND REPORTS

No announcements.

NOTICE OF NEXT REGULAR MEETING
TUESDAY December 13, 2022 @ 7:30 P.M.
VIRTUAL MEETING

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

We strive to protect personally identifiable information by collecting only information necessary to deliver our services. All information that may be collected becomes public record that may be subject to inspection and copying by the public, unless an exemption in law exists. In the event of a conflict between this Public Notice and any County ordinance or other law governing the County's disclosure of records, the County ordinance or other applicable law will control.

Access and Correction of Personal Information

You can review any personal information collected about you. You may recommend changes to your personal information you believe is in error by submitting a written request that credibly shows the error. If you believe that your personal information is being used for a purpose other than what was intended when submitted, you may contact us. In all cases, we will take reasonable steps to verify your identity before granting access or making corrections.

**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