



DIANNE JACOB
SUPERVISOR, SECOND DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

AGENDA ITEM

DATE: December 6, 2005
TO: Board of Supervisors
SUBJECT: **SUPPORT FOR CASINO CONSOLIDATION**

SUMMARY:

Overview

Unincorporated rural communities in San Diego County have been profoundly impacted by casino and casino-related development on sovereign Indian reservations. Some of the unintended consequences of Indian gaming include traffic, crime, decreased groundwater and changes in community character. Two tribes, the Viejas Band of Kumeyaay Indians and the Ewiiapaayp Band of Kumeyaay Indians, working in partnership with County officials and the State of California, have developed a powerful new tool to lessen the impact of one future casino. The tribes are proposing to co-locate a Ewiiapaayp gaming facility on the Viejas reservation. The concept is called Casino Consolidation and it respects gaming rights, tribal sovereignty and has the potential to stem the scattering of additional large-scale casinos throughout our picturesque backcountry. Casino Consolidation was discussed at length during a November hearing of the Committee on Resources of the U.S. House of Representatives and federal legislation to advance the Ewiiapaayp-Viejas proposal has been drafted. Today's action would express Board support for Casino Consolidation which would allow the Ewiiapaayp Band of Kumeyaay Indians to co-locate a gaming facility on the Viejas reservation.

Recommendation(s)

SUPERVISOR JACOB:

1. Adopt a position of support for Casino Consolidation which would allow the Ewiiapaayp Band of Kumeyaay Indians to co-locate a gaming facility on the Viejas reservation and direct the Chief Administrative Officer to add support for this proposal to the County's legislative program.
2. Direct the Chief Administrative Officer to draft a letter for the Chairwoman's signature to the region's Federal legislative delegation, expressing Board support for Casino Consolidation legislation.

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Fiscal Impact

This item has no fiscal impact.

Business Impact Statement

N/A

Advisory Board Statement

N/A

BACKGROUND:

San Diego County is home to more Indian reservations than any county in the United States at 18. The County has the greatest number of Indian tribes with gaming compacts with the State of California at 14. Currently, nine tribes in our County operate casinos. The County has been called the Indian Gaming Capitol of the Nation.

For tribes, gaming has become a powerful tool for change. Tribal members have broken free from decades of poverty, and on some reservations gaming has completely eliminated unemployment, allowing tribal members to become self-sufficient.

For our region, gaming provides jobs, attracts tourists and adds fuel to our local economy. Together, gaming tribes located in San Diego County employ about 13,000 workers and have annual gross revenue estimated at \$1.5 billion dollars.

The benefits of Indian gaming are not without a price, however. Gaming has profoundly impacted nearby communities. From increased traffic and demands on law enforcement, to decreased groundwater and changes in community character, the unintended consequences of casino development are intense.

Two tribes, the Viejas Band of Kumeyaay Indians and the Ewiiapaayp Band of Kumeyaay Indians, working in partnership with County officials and the State of California, have developed a powerful new tool to lessen the impact of one future casino.

The tribes are proposing to co-locate a Ewiiapaayp gaming facility on the Viejas Reservation. The concept is called Casino Consolidation and it respects gaming rights, tribal sovereignty and has the potential to stem the scattering of additional large-scale casinos throughout our picturesque backcountry.

Since 1991, the Viejas Band of Kumeyaay Indians has operated a casino on its 1,600 acre reservation just north of Interstate 8 in Alpine. The tribe has fostered a good relationship with Alpine residents and is a frequent sponsor of community events. The tribe enjoys a good relationship with county government and has helped bring firefighting resources to the area and is working to improve the access road to the casino.

Twenty miles northeast of Alpine, far off Interstate 8 in the remote Laguna Mountains lies the reservation of the Ewiiapaayp Band of Kumeyaay Indians. The 4,100 acre reservation has no public utilities, no telephone service, no radio service, limited electricity, and no treatment

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system for wastewater or solid waste. More than 98 percent of the Ewiiapaayp reservation is rocky ridges and steep hillsides and access to the reservation is via a 12-mile steeply-graded and poorly-maintained dirt road.

In 1999, the Ewiiapaayp tribe signed a gaming compact with the State hoping to experience the same economic success enjoyed by Viejas and other gaming tribes. However, the geography of the Ewiiapaayp Reservation proved challenging because the land would not accommodate a large casino.

Instead, the tribe tried another avenue; a 10-acre parcel one mile west of the Viejas Casino. Twenty years ago, the land was placed in federal trust in the Ewiiapaayp name. The parcel was, and still is, the home of the Southern Indian Health Clinic, which serves seven tribes, including Viejas. The tribe viewed the health clinic land as its best hope for the site of a future casino.

For six years, the Ewiiapaayp tried to get federal approval to build a gaming facility on clinic land. Viejas opposed the proposal at every turn, and so did I along with others. For the tribes, it was a bitter legal battle that pitted tribe against tribe.

For Alpine and County government, the uncertainty was unnerving. What might road access be like to a second large casino one mile west of Viejas? What about fire protection, emergency medical services and added crime? Would it be possible to adequately mitigate all of the impacts and who would pay?

The County faces these questions time and time again when it comes to the development of an Indian casino. That's why Casino Consolidation— in the form of the unprecedented prototype involving Viejas and Ewiiapaayp— is so important. The concept has the potential to curtail the unbridled proliferation of Indian casinos in remote, rural areas.

Casino Consolidation was discussed at length during a November 9 hearing of the Committee on Resources of the U.S. House of Representatives and federal legislation to advance the Ewiiapaayp-Viejas proposal is being drafted. If the proposal is approved:

- The Ewiiapaayp will gain an economic opportunity the tribe otherwise might not have.
- Viejas will receive a portion of the facility's revenue.
- Litigation between the two tribes will be put to rest.
- Because newer gaming compacts negotiated by Governor Schwarzenegger require enforceable agreements between tribes and local government, the proposal gives the County a seat at the table to negotiate for adequate mitigation measures.

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The proposal is entirely voluntary and none of the parties is forced to act. What was an adversarial situation that sparked fear and conflict has become a proposal representing communication and compromise.

Respectfully submitted,

DIANNE JACOB
Supervisor, Second District

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AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW	<input type="checkbox"/> Yes	
Written Disclosure per County Charter Section 1000.1 Required	<input type="checkbox"/> Yes	[X] No
GROUP/AGENCY FINANCE DIRECTOR	<input type="checkbox"/> Yes	[X] N/A
CHIEF FINANCIAL OFFICER	<input type="checkbox"/> Yes	[X] N/A
Requires Four Votes	<input type="checkbox"/> Yes	[X] No
GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR	<input type="checkbox"/> Yes	[X] N/A
COUNTY TECHNOLOGY OFFICE	<input type="checkbox"/> Yes	[X] N/A
DEPARTMENT OF HUMAN RESOURCES	<input type="checkbox"/> Yes	[X] N/A

Other Concurrence(s): N/A

ORIGINATING DEPARTMENT: District 2

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AUTHORIZED REPRESENTATIVE: _____