

Summary of the Intergovernmental Agreement between the County of San Diego and the Pala Band of Mission Indians

This agreement was signed August 1, 2007 and runs for the duration of the tribe's amended compact, which is in effect until December 31, 2030. The agreement may be amended by mutual consent of the county and the tribe.

In making the agreement, San Diego County and the Pala Band acknowledged that residents of the reservation and the county are neighbors with legitimate concerns over safety, development, and the character of life in the county.

The tribe's 2004 compact amendments require the tribe to negotiate with the county and to enter into an agreement to mitigate off-reservation impacts attributable to a casino expansion. The Pala Band plans to add 98,000 square feet of gaming, food service, storage and administrative areas and to add 250 additional slot machines. All mitigation measures must be in effect prior to the completion of the expansion or when the tribe has 2,400 Class III slot machines in operation, whichever occurs first.

Traffic/Transportation

The tribe will pay \$13 million to widen and realign the first 1.3 miles of Highway 76 east of Interstate 15.

The tribe will pay up to \$20 million for improvements for the next 3.7 miles of Highway 76 to the casino for safety and traffic relief improvements, including passing lanes, turnouts, shoulder widening, curve realignment, and intersection improvements.

The tribe will pay an estimated \$5 million for Highway 76 frontage improvements along one additional mile of Highway 76 before, in front of, and immediately past the casino. Those improvements may include an additional through lane in each direction, turn lanes, a second signalized intersection, and landscaped medians.

The tribe will seek to expand van and bus services for casino patrons, encourage and assist employees to carpool and ride share, and work with county agencies on interregional transit services and on a park and ride lot at Interstate 5.

Water Resources/Wastewater Treatment

The tribe will build a state-of-the-art wastewater treatment plant to treat flows to a tertiary treatment standard from the existing casino facility and from the expansion areas. All wastewater will be disposed of in on-reservation ponds or through use in landscaping and agricultural areas.

Solid Waste Recycling

The tribe will recycle all cardboard, mixed paper, glass, plastic, copper, aluminum, tin, white goods, and green waste from landscaping.

Law Enforcement

The tribe will pay the county \$200,000 per year, increasing with inflation, to fund a deputy sheriff unit.

The tribe will contribute \$6,000 per year to help fund the district attorney's Tribal Liaison Project and will pay the county \$15,000, increasing for inflation, for the costs of processing additional criminal caseload.

The tribe will provide on-site security during all hours of operation.

Public Safety

The tribe agrees to continue to provide fire protection and emergency medical services, staffed by professional firefighters and paramedics, to the reservation and to off-reservation areas extending west to Interstate 15 and north to the Riverside County line.

The tribe also agrees to continue its existing mutual aid agreements with non-tribal fire agencies in the area.

Problem Gambling/Gambling Addiction

The tribe will pay the county \$150,000 annually, increasing with inflation after six years, to provide gambling addiction treatment programs.

The tribe will continue and expand its existing responsible gambling program, including voluntary and involuntary exclusion programs, responsible gambling signage and brochures, employee training programs, and support for the California Council on Problem Gambling.

Lighting

New exterior lighting will meet or exceed the county's "dark skies" standards.

Construction Mitigation Measures

During construction, the tribe will use dust suppression measures, sweep soil from roadways, use low emission construction equipment, and avoid the use of portable generators.

No heavy truck traffic will be allowed between 10 p.m. and 7 a.m.

Best management practices will be used during construction to prevent off-reservation storm water impacts and runoff from the parking and roof areas will be treated with filters and oil-water separators.

Dispute Resolution

The tribe and the county agree to resolve disputes concerning the terms of the agreement through good faith negotiations, whenever possible, following notice from one party to the other of an issue to be resolved. Disputes that cannot be resolved through such a meet and confer process will be submitted to binding arbitration. Both the county and the tribe consent to the jurisdiction of the federal court or the San Diego County Superior Court, if the federal court lacks jurisdiction, to compel arbitration or to enforce a decision or award resulting from arbitration. Either party may petition the federal or state court to confirm an arbitration award. The tribe agrees to waive sovereign immunity exclusively to the county for civil actions authorized by the agreement, however the waiver does not extend to tribal assets other than the casino facility's revenue stream and it does not extend to any action by a third party.