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March 19, 2007

Andrea Hoch
Legal Affairs Secretary
Office of the Governor
State Capitol Building
Sacramento, CA 95814

Re: Jamul Indian Village Casino Proposal

Dear Ms. Hoch:

I am writing once again on behalf of the County of San Diego to request your assistance in enforcing the terms of the Tribal-State Compact between the State of California (State) and Jamul Indian Village (JIV).

The Tribal-State Compact was entered into in 1999. The Compact entitles Jamul to construct and operate a casino on tribal lands once certain requirements are met. Jamul has not met the terms of the Compact. It has not satisfied Section 10.8.2(a) of the Compact which requires it to conduct adequate environmental analysis of the off-reservation impacts of its project, and to provide mitigation for those adverse off-reservation impacts.

Despite this non-compliance with the terms of the Compact, Jamul has taken the following actions to commence the Project¹. In addition to having held a ceremonial groundbreaking event, Jamul has recently taken action to clear all remaining buildings from the property. Such actions included the eviction of two lifelong residents of the land. The land is presently being cleared and prepared for grading and development work


¹ As defined in Section 10.8.2(c) of the Compact, Project means any expansion or any significant renovation or modification of an existing gaming facility, or any significant excavation, construction or development associated with the Tribe's Gaming Facility or proposed Gaming Facility.

in furtherance of its project. This activity, performed by Jamul over the last several days, constitutes significant construction or development associated with the Tribe's proposed Gaming facility as defined by the Compact, and is being performed in violation of the terms of the Compact.

Further, the JIV has recently stated its intention to construct a casino to commence Class II Gaming, and has indicated it is not pursuing the Class III Gaming facility allowed under its Compact with the State. Given this state of affairs, and in order to prevent JIV from constructing the Class II Gaming Facility and later commencing Class III Gaming without complying with the environmental provisions required in its Compact, the County of San Diego urges the State to take immediate action to declare the JIV in breach of the Compact and take the steps necessary to terminate the Compact. Time is of the essence in this request, as JIV has stated its intention to begin construction which will cause irreversible damage to the off-reservation environment. The State should not allow such activity to proceed under the present Compact, and should terminate that Compact to clarify that the JIV will not have the option of proceeding with a Class III Gaming Facility without complying with the Environmental Review requirements that all Class III Gaming Tribes must meet.

Thank you for your attention to this request. I look forward to hearing from a member of your staff or from the Office of the Attorney General concerning these important issues. Please contact Claudia Anzures, Chief Deputy County Counsel, at (619) 531-4847, with respect to any issues associated with this matter. She is available to provide more information should you determine that additional assistance is necessary.

Very truly yours,


JOHN J. SANSONE
County Counsel

JJS:CFA:vh
05-01957

cc: Board of Supervisors, County of San Diego
The Honorable Edmund G. Brown Jr., Attorney General
Walt Ekard, Chief Administrative Officer (A6)