

SOC

Save Our Communities

August 1, 2009

Dear Cheryl Schmit,

Below is a summary of our issues and requests.

BACKGROUND: The Soboba Band of Luiseño Indians, in coordination with the Bureau of Indian Affairs, is preparing an Environmental Impact Statement for a proposed fee-to-trust land transfer. On July 2, 2009, the Draft Environmental Impact Statement (DEIS) was released for public comment. The comment period will end on September 15, 2009.

- SOC (Save Our Communities) consists of and represents a majority of the concerned citizens from the three residential communities and several major land owners in the immediate vicinity of the proposed fee-to-trust land annexation by the Soboba Band of Luiseño Indians. We are approximately 1200 residents on over 850 acres.
- The subject property, known as the **Horseshoe Grande Fee to Trust Transfer**, consists of 34 parcels, totaling 534.91 +/- acres of land, (almost 1 sq mile) located in the City of San Jacinto and Riverside County.
- The six communities would become **islands of U.S. territory within reservation (Sovereign nation) borders** and U.S. citizens as well as local, County and State agencies would have no valid input in what happens on sovereign Indian land around these residents with regard to type of construction, noise and visual pollution, traffic flow, crime issues, air quality, hazardous conditions, water and other environmental issues.
- Proposed development on the subject property would include a casino/hotel, massive parking structure, Tribal fire station, waste water treatment facility, and gas station/convenience store. The **location is significantly hampered by seismic, flood, fire and limited accessibility factors.**
- If this plan were put forth by a private individual; the myriad of negative factors in the location and the significant impact to local resources would render it **completely unfeasible** and beyond consideration.
- This Proposed Project would **violate over 20 of the City of San Jacinto's General Plan requirements** for the Horseshoe Grande area. The General Plan was developed to enhance and maintain the tone of various areas of the city for the betterment of the entire City of San Jacinto and its citizens.
- The proposed mitigation plans described in the DEIS have not been presented to corresponding agencies for validation; they are merely ideas of what may happen. The mitigation plans are drafted in order to **provide documentation to support the approval** of the fee-to-trust application; they are not assurances, guarantees or commitments of specific actions developed by the Tribe.
- **The Tribe's 1999 Compact does not require mitigation actions.** The DEIS repeatedly states that once the fee-to-trust application is completed, the land is no longer subject to ordinances, building codes, land use designations, etc. and would be under Sovereign Rule. The drafted mitigation plans, or the whole proposed project could then be disregarded in favor of other purposes.
- The California State Association of Counties letter of September 8, 2008 reports that: "**for every dollar** the community collects from gambling-related taxes, **it must spend three** dollars to cover new expenses, including police, infrastructure, social welfare, and counseling services."



- The transfer would **eliminate all tax revenues** for the City and County from property taxes, TUMF, sales tax, etc., for perpetuity. Currently significant tax revenues are generated by the subject property and future development would generate significant additional revenues.
- Many of the economic benefit projections rely on data from as far back as 2002; greatly **misstating the positive results** in light of the current economic downturn.
- The Secretary of the Interior must determine whether the establishment of a gaming facility for the Tribe on these lands (A) *will be in the best interest of the Tribe and its members* and (B) **will not be detrimental to the surrounding communities**.
- SOC supports Tribal self-sufficiency, to have jobs and career opportunities, however, this proposed project, a Las Vegas-style high-rise hotel/casino resort situated on light residential zoned land in the middle of a predominately senior citizen residential area is **not appropriate and not the answer** to those goals.
- It is not appropriate, nor the intent of the law to harm U.S. citizens who may be caught in a Tribe's sovereign pursuit of economic gain. We cite the spirit and the intent of Environmental Justice as defined by the U.S. Environmental Protection Agency's (EPA) Office of Environmental Justice:

*"The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that **no group of people**, including racial, ethnic, or socioeconomic group **should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of Federal, state, local, and tribal programs and policies.**"*

REQUESTED ACTION BY YOUR OFFICE:

1. **BECOME INFORMED** of the substance and consequences of the fee-to-trust application by becoming familiar with the DEIS. It is available on line at: <http://team.entrix.com/clientsite/soboba.nsf>
2. **BE PREPARED** the BIA will ask whether this fee to trust acquisition and gaming facility will be detrimental to the surrounding communities; this will occur via inquiry of State, County, and local governments of the immediate cities and surrounding communities.
3. **ENSURE** the County of Riverside is on record with the Bureau of Indian Affairs as a "Cooperating Agency" scheduled to receive any and all notices regarding this Transfer and responds to all actions by the BIA.
4. **SUPPORT OPPOSITION** to the Horseshoe Grande Fee to Trust Transfer by the Soboba Band of Luiseno Indians.

Thank you for giving us your time.

Respectfully,

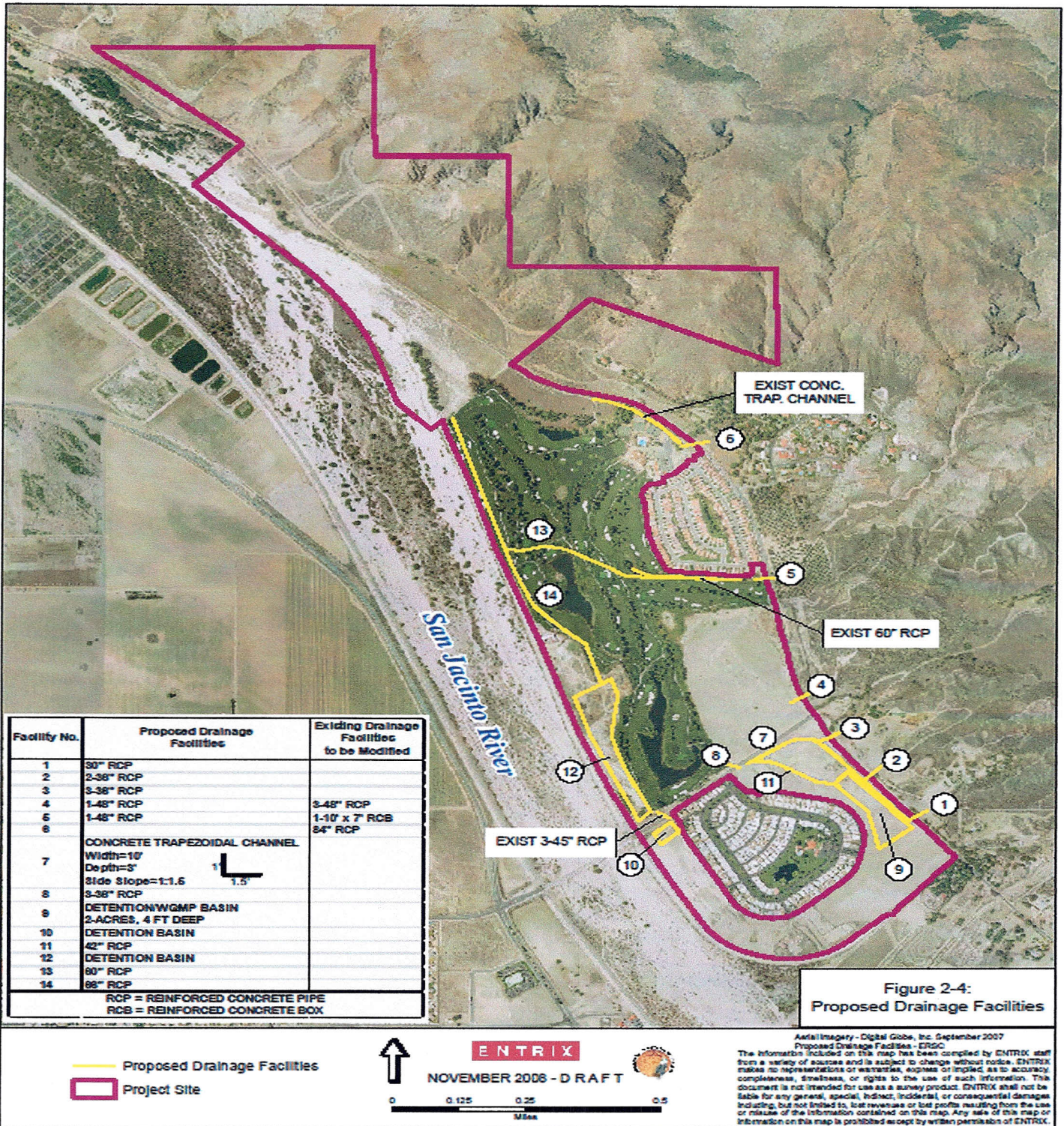
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Mission Statement

Save Our Communities is opposed to the conversion of Horseshoe Grande land from fee-to-trust; and subsequent annexation to the Soboba Band of Luiseño Indian Reservation.

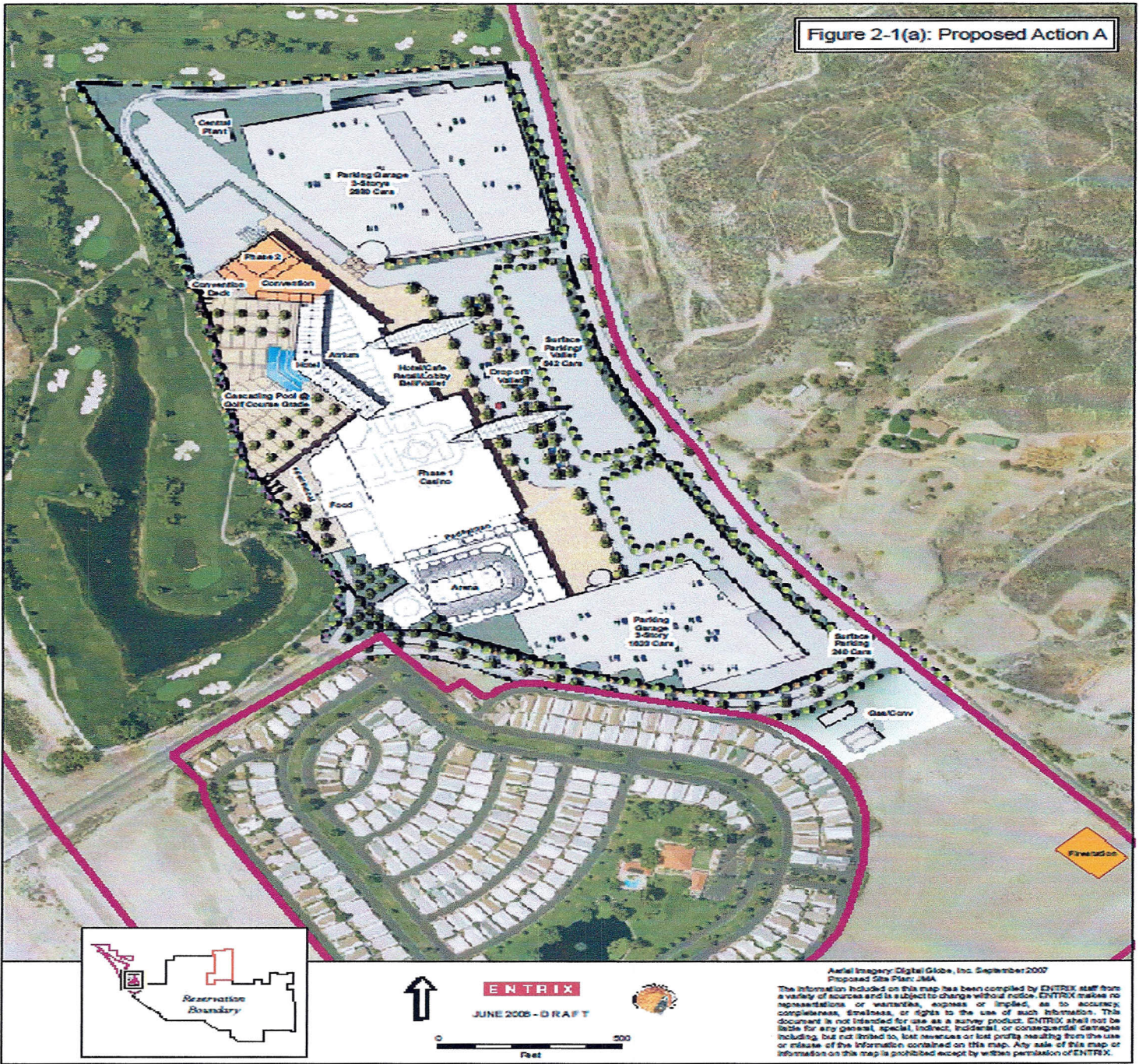
We desire this land to remain with its current boundaries, jurisdictions and zoning.

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From the DEIS: Figure 2-4 is intended to show the drainage facilities, it is also the best representation of the complete scope of the land subject to the fee-to-trust ownership transfer. You can see how the residential communities will be engulfed by reservation lands. The land straddles Soboba Road, the only access to the communities located (where the numbers are placed) at #5, #6, and above and to the left of the #6; as well as the ranches at #1, #3. Likewise, the land straddles the only road access to the mobile home community located at #11.


Figure 2-1(a): Proposed Action A



From the DEIS: Figure 2-1(a) shows the project with the realignment of Lake Park Ave, the only access to the mobile home community. At the top, center is the closest point the development will come to the golf course homes (not shown); approximately 340 feet. The new view from those homes will be the back side of the 4 story parking structure. The depicted structure, approximately in the middle-center of the figure, will be only 170 feet from the closest senior home. The light and glare from the project is described as being visible from the mountain communities and having a “cumulatively considerable effect on visual resources” despite mitigation.

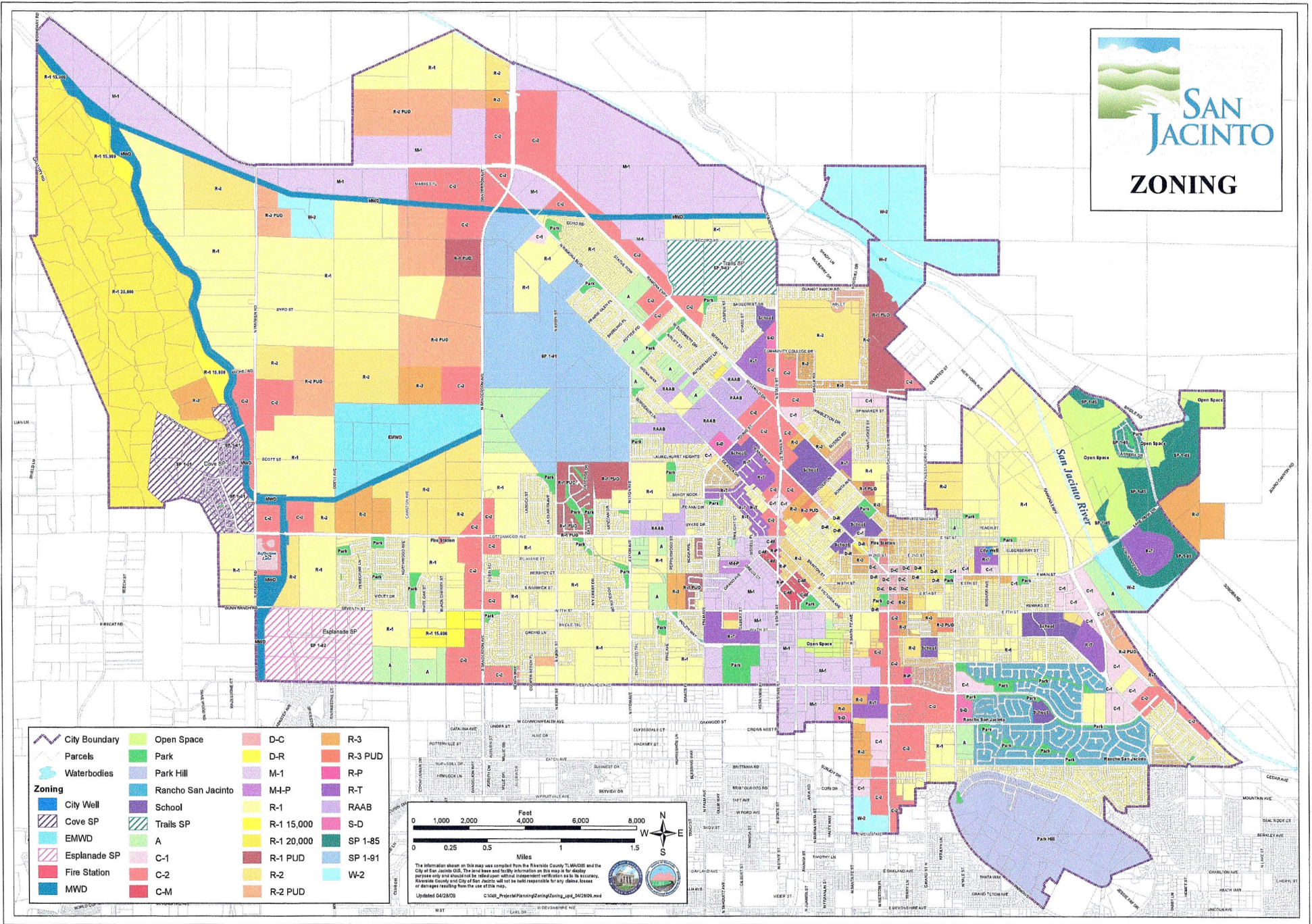


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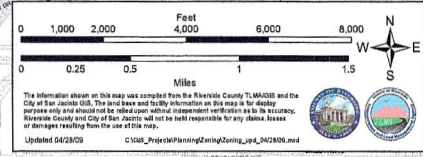


SAN JACINTO

ZONING



	City Boundary		Open Space		D-C		R-3
	Parcels		Park		D-R		R-3 PUD
	Waterbodies		Park Hill		M-1		R-P
	City Well		Rancho San Jacinto		M-H-P		R-T
	Cove SP		School		R-1		RAAB
	EMWD		Trails SP		R-1 15,000		S-D
	Esplanade SP		A		R-1 20,000		SP 1-85
	Fire Station		C-1		R-1 PUD		SP 1-91
	MWD		C-2		R-2		W-2
			C-M		R-2 PUD		



The information shown on this map was compiled from the Riverside County TLMADIS and the City of San Jacinto GIS. The base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of San Jacinto will not be held responsible for any claims, losses or damages resulting from the use of this map.

