

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Supervisor Jeff Stone

**SUBMITTAL DATE:**  
December 10, 2012

**SUBJECT:** Approve a Memorandum of Understanding with the Ramona Band of Cahuilla

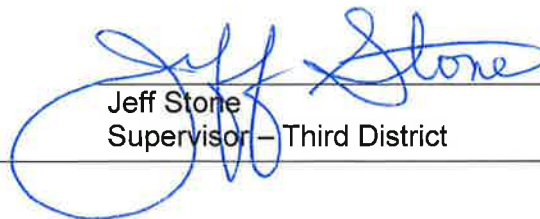
**RECOMMENDED MOTION:** That the Board of Supervisors approve the attached Memorandum of Understanding with the Ramona Band of Cahuilla to support the tribe's right to develop and operate gaming activities on tribal land.

**BACKGROUND:** In 1988, Congress passed the Indian Gaming Regulatory Act (IGRA) to: promote tribal self-sufficiency, ensure tribes remain the primary beneficiaries of gaming revenues from reservation gaming activities, establish procedures for fair/honest gambling and set standards for the National Indian Gaming Commission. In March 2000, California voters approved Proposition IA which legalized Class III gaming activities by federally-recognized Indian tribes on tribal land, subject to approved compacts with the State.

The Ramona Band of Cahuilla is currently negotiating with the State for a Tribal-State Gaming Compact and preparing a gaming development plan to conduct Class III gaming activities on tribal land eligible for this purpose under IGRA and approved by the Secretary of the Interior.

The purpose of the Memorandum of Understanding is to provide support for the tribe's project, insofar as any significant effect on the off-reservation environment as a result of gaming activities is mitigated by the tribe, pursuant to enforceable local agreement(s) between the governments. In addition, the Memorandum of Understanding defines and commits both governments to a process for arriving at an enforceable written agreement(s).

Departmental Concurrence

  
Jeff Stone  
Supervisor - Third District

**MEMORANDUM OF UNDERSTANDING  
RAMONA BAND OF CAHUILLA AND  
THE COUNTY OF RIVERSIDE  
REGARDING MITIGATION OF SIGNIFICANT EFFECTS ON THE OFF-RESERVATION ENVIRONMENT  
FROM CLASS III GAMING ON IGRA ELIGIBLE LANDS**

WHEREAS, the Ramona Band of Cahuilla ("RBC") is a sovereign nation and is presently in government to government negotiations with the State of California for a Class III tribal-state gaming compact as a prerequisite to its intention to develop and operate Class III gaming activities on lands eligible for such activities under the Indian Gaming Regulatory Act ("IGRA"); and

WHEREAS, the County of Riverside ("County"), a political subdivision of the State of California, acknowledges the RBC's rights under IGRA to develop and operate Class III gaming activities on RBC lands eligible for such purposes under IGRA, provided a Class III tribal-state gaming compact is entered into and approved by the Secretary of the Interior; and

WHEREAS, the County of Riverside supports RBC's development and operation of gaming activities on those lands insofar as any significant effect on the off-Reservation environment as a result of RBC's gaming activities are mitigated by RBC pursuant to enforceable local agreement(s) between the governments; and

WHEREAS, the RBC and the County acknowledge that RBC's plans for Class III gaming activities on lands eligible for such purposes under IGRA are conceptual at this time and that meaningful dialogue between the governments regarding mitigation cannot begin until RBC obtains an approved tribal-state Class III gaming compact and RBC prepares a gaming development plan; and

WHEREAS, the RBC and the County agree in the interim that it would be in the interests of both governments to execute this Memorandum of Understanding ("MOU") which defines and commits them to a process for arriving at intergovernmental agreements for the purposes of mitigating significant effects on the off-reservation environment as a result of RBC gaming activities on lands eligible for such purposes under IGRA, provided a Class III tribal-state gaming compact is entered into and approved by the Secretary of the Interior; and;

THEREFORE, the RBC and the County agree that the governments will develop and consider executing enforceable written agreement(s) which will contain the following:

- (a) Provisions providing for the RBC's preparation and circulation of a Tribal Environmental Impact Report ("TEIR") which may identify significant effects on the off-reservation environment as a result of the gaming activities described in a gaming development plan that RBC anticipates preparing after execution of a Class III tribal-state gaming compact between RBC and the State of California and approval by the Secretary of the Interior;
- (b) Provisions providing for consultation with the County about mitigating the identified significant effects on the off-reservation environment and providing for timely mitigation of such effects, unless the parties agree that the particular mitigation is infeasible, taking into account economic, environmental, social, technological, or other considerations;

(c) Provisions to compensate for law enforcement, fire protection, emergency medical services, and any other public services to be provided by the County of Riverside to the Tribe as a consequence of the gaming activities;

(d) Provisions relating to the mitigation of any effect on public health (including, without limitation, gambling addiction) and public safety attributable to the gaming activities, including any compensation to the County as a consequence thereof;

(e) Provisions respecting RBC's funding of mitigation actions and a cooperative framework for the County and Tribe to reach agreement on selecting mitigation actions and administering RBC funds to pay for those actions;

(f) Provisions to resolve any disputes arising between the parties under the intergovernmental agreements; and

(g) Any other provisions agreed to by the parties.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

RAMONA BAND OF CAHUILLA

RIVERSIDE COUNTY

By   
Joseph Hamilton, Chairman

By \_\_\_\_\_  
Chairman of the Board of Supervisors

By   
Manuel Hamilton, Vice-Chairman