

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



ITEM
3.26
(ID # 8115)

MEETING DATE:

Tuesday, September 25, 2018

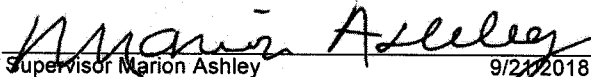
FROM : SUPERVISOR MARION ASHLEY

SUBJECT: SUPERVISOR MARION ASHLEY: CONSIDER AND CONCUR in the attached letter to State of California regarding the Morongo Band of Mission Indian's request for input relating to the proposed renovation and expansion of the Morongo Casino Resort Spa and temporary reactivation of Casino Morongo as a gaming facility - Fifth Supervisorial District [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. CONSIDER and CONCUR IN the letter to the State of California regarding the Morongo Band of Mission Indians' request for input, attached hereto and incorporated herein by reference.


ACTION:


Supervisor Marion Ashley 9/25/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: September 25, 2018
xc: Supvr. Ashley, EO

Kecia Harper-Ihem
Clerk of the Board
By 
Deputy

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STATE OF CALIFORNIA**

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|-----------------------------|-----------------------------|--------------------------|---------------------------|---------------------|
| COST | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| NET COUNTY COST | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| SOURCE OF FUNDS: N/A | | | Budget Adjustment: | N/A |
| | | | For Fiscal Year: | N/A |

BACKGROUND:

Summary

The Morongo Band of Mission Indians ("Morongo Band") proposes to renovate and expand its existing Morongo Casino Resort Spa ("MCRS") and to temporarily reactivate the original Casino Morongo as a gaming facility while the work on the MCRS is being undertaken (together, "MCRS Expansion"). More specifically, according to the Initial Study prepared by the Morongo Band and its consultants for the MCRS Expansion, the Morongo Band proposes to expand the existing casino by approximately 47,000 square feet of new gaming space, which will accommodate up to 1,000 additional Class III gaming machines and table games as part of an approximately 65,000-square-foot buildout that will also include a bar/kitchen, and a promotions stage. Other new construction associated with the proposed MCRS Expansion includes a three-story, 754-space valet parking garage, and a new access and driveways. The proposal also includes remodels of the existing center bar, the existing Café Serrano restaurant, the existing Natural 9 Noodle and Tacos and Tequila restaurants, and conversion of the existing VIBE Nightclub into an upscale dining facility. All portions of the MCRS Expansion will take place on the Morongo Indian Reservation at Cabazon, CA. The County has no land use jurisdiction in this area, as the Morongo Band is a sovereign nation. It is our understanding that with the proposed expansion, MCRS will still be within the total number of slot machines approved under the state compact and studied in the original environmental document prepared in 2003, and close to the number of total slot machines that were in operation when the facility first opened in 2004.

Under its operative compact with the state, the 2017 Tribal-State Gaming Compact Between the State of California and the Morongo Band of Mission Indians ("2017 Compact"), the Morongo Band is recognized as having a unique reservation, consisting of more than 36,000 mostly contiguous acres, a relatively isolated location, and other unusual features of the adjacent off-Reservation environment. For these reasons, the 2017 Compact features an alternative, unique process of identifying and providing for mitigation of impacts on the off-Reservation environment. Under Section 11.9 of the 2017 Compact, rather than requiring a full Tribal Environmental Impact Report ("TEIR"), the State may request that the Morongo Band provide public notice describing the Project and proposed mitigation measures or otherwise seek input from those in the affected jurisdictions regarding off-Reservation environmental impacts. Pursuant to Section 11.9, the Morongo Band has provided the County with an Initial Study and supporting documentation analyzing the MCRS Expansion. I and key County staff members have met with the Morongo Band to discuss the MCRS Expansion. In addition, the Initial Study and supporting documents were subsequently sent to relevant County staff and departments

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and agencies for review. The District Attorney's Office and the Transportation and Land Management Agency ("TLMA"), while having no objections to the MCRS Expansion, provided comments on the proposal related to topics for continuing discussion. All other departments and agencies had no concerns with the MCRS Expansion, the associated environmental review, any off-Reservation impacts, or any proposed mitigation.

The County has no authority and no obligations in relation to the MCRS Expansion. I have drafted a letter to the State acknowledging that the Morongo Band has sought input from the County, as required under Section 11.9, relating to potential off-Reservation impacts and mitigation, and expressing support for the MCRS Expansion. This action seeks the Board's consideration of and concurrence with the letter.

Impact on Residents and Businesses

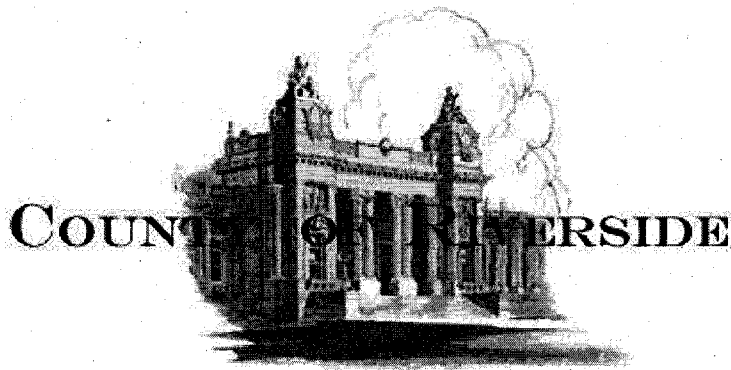
The County has no land use jurisdiction over the MCRS Expansion because it is located on trust land within the Morongo Indian Reservation. The action being proposed herein is the Board's consideration and concurrence with the attached letter, which recognizes that the Morongo Band has sought input from the County, and that the County and Morongo Band have identified areas for continuing discussion and collaboration.

Additional Fiscal Information

The District Attorney and Sheriff's Office have agreements in place with the Morongo Band that provide for a staffing and funding plan to serve the MRCRS. These agreements will be updated as this project advances to provide for the appropriate level of public safety services to support the expansion project. Further, the County and other local government agencies will be eligible to seek contributions from the Morongo Band's Local Community Benefit Fund to support collaborative programs and projects in the area.

ATTACHMENTS:

Attachment A. Letter from Supervisor Ashley to the State regarding the Morongo Band's proposed MCRS Expansion



Board of Supervisors

| | |
|-------------------|---|
| District 1 | Kevin Jeffries 951-955-1010 |
| District 2 | John F. Tavaglione 951-955-1020 |
| District 3 | Chuck Washington 951-955-1030 |
| District 4 | V. Manuel Perez 951-955-1040 |
| District 5 | Marion Ashley 951-955-1050 |

September 20, 2018

Joginder Dhillon
Office of the Governor
State Capitol Ste 1173
Sacramento, CA 95814

Re: Morongo Band of Mission Indian's proposed renovation and expansion of the Morongo Casino Resort Spa and temporary reactivation of Casino Morongo as a gaming facility

Dear Mr. Dhillon:

I am a member of the Riverside County Board of Supervisors, representing the Fifth District of the County of Riverside. My district includes the lands of the reservation of the Morongo Band of Mission Indians (Morongo Band), as well as portions of the respective reservations of the Agua Caliente Band of Cahuilla Indians and the Soboba Band of Luiseño Indians. I was first elected to the Board of Supervisors in 2002.

During my tenure on the Board of Supervisors, I have had the opportunity to get to know and work with the elected officials and staff of the Morongo Band. I have seen first-hand how their Tribal government has brought the Reservation community from poverty to prosperity, while simultaneously improving the quality of life in the communities adjacent to the Reservation and exercising responsible stewardship over the Reservation's lands. I recognize and appreciate that the Morongo Band now is the largest single employer in the San Geronio Pass region, having created thousands of jobs through its governmental and developmental activities. Along the way, the Morongo Band has forged a strong and positive working relationship with the County of Riverside and nearby cities. As the Morongo Band prospers through the expansion of its economic activities, so too do surrounding communities benefit through increased employment opportunities, local expenditures by Morongo's citizens, and the Morongo Band's support of neighboring governments' programs and services.

The Morongo Band is currently proposing the renovation and expansion of the Morongo Casino Resort Spa (MCRS) and the temporary reactivation of the original Casino Morongo as a gaming facility (MCRS Expansion). More specifically, according to information provided by the Morongo Band, the MCRS Expansion proposes to expand the existing casino by approximately 47,000 square feet of new gaming space, which will accommodate up to 1,000 additional Class III gaming

machines and table games as part of an approximately 65,000-square-foot buildout, that also will include, a bar/kitchen, and a promotions stage. Other new construction associated with the proposed MCRS Expansion includes a three-story, 754-space valet parking garage with a new access road and driveways. The proposal also includes remodels of the existing center bar, the existing Café Serrano restaurant, the existing Natural 9 Noodle and Tacos and Tequila restaurants, and conversion of the existing VIBE Nightclub into an upscale dining facility.

The Morongo Casino Resort Spa currently operates approximately 3,100 slot machines. It is our understanding that with the proposed expansion, MCRS will still be within the total number of slot machines approved under the state compact and studied in the original environmental document prepared in 2003, and close to the number of total slot machines that were in operation when the facility first opened in 2004. The MCRS Expansion plans also include renovating a portion of the interior of the original Casino Morongo for use as a 300-slot gaming facility during the MCRS renovation project. All of the above will be located entirely on tribal trust land within the Morongo Indian Reservation's boundaries. The Morongo Band has informed the County that, after the MCRS Expansion is complete, it will decide whether to continue operating Casino Morongo as a Class III gaming facility, based upon an analysis of the economic viability of doing so, and if so, that it will conduct a further study of the potential off-Reservation environmental impacts of the combined operation of Casino Morongo and the MCRS at that time.

It is our understanding that Section 11.9 of the 2017 Tribal-State Gaming Compact between the State of California and the Morongo Band of Mission Indians sets forth a unique alternative process for identifying and providing for mitigation of impacts on the off-Reservation environment. That section provides that the State may request that the Tribe provide public notice describing the proposed project and proposed mitigation measures, or otherwise seek input from those in the affected jurisdictions regarding off-Reservation environmental impacts. Pursuant to Section 11.9, the Morongo Band has provided the County with public notice. The Morongo Band has provided the County with the Initial Study and supporting documentation prepared in connection with the proposed MCRS Expansion. County staff and relevant County departments and agencies have reviewed these documents, and we offer the following comments:

- The District Attorney's Office has an agreement in place with the Morongo Band that provides for a staffing and funding plan for the DA's Tribal Unit. As the expansion proceeds to construction and operation, we anticipate that the District Attorney's Office and Morongo Band will revisit and revise the staffing and funding plan to provide for the appropriate level of additional DA resources to serve the expansion.
- Similarly, the Riverside Sheriff's Office has an agreement in place with the Morongo Band that provides for a staffing and funding plan for focused resources from our Sheriff's Office. We likewise anticipate that the Sheriff's Office and Morongo Band will revisit and revise the staffing and funding plan to provide for the appropriate level of additional Sheriff resources to serve the expansion.
- Our Transportation and Land Management Agency (TLMA) has long partnered with the Morongo Band in the planning and delivery of major future transportation improvements in the Cabazon area that will serve the Morongo Casino Resort Spa, Desert Hills Factory outlets, and the unincorporated community of Cabazon. A number of years back, the Tribe fully funded and constructed the roundabout interchange project at Morongo Trail and I-10, which was a very significant operational improvement for the entire area. Additionally, County and Tribal staff have worked on jointly planning other major infrastructure

improvements for the Cabazon area including the I-10 Lifeline (Bypass), which provides for an alternate route to the I-10 freeway for local traffic, as well as for regional traffic in the event of a freeway emergency. Another important long-term transportation project is the enhancement of freeway interchange access through either a modification of the Main Street Interchange or a future new interchange between Morongo Trail and Main Street. Caltrans is a key partner as well in the future planning and construction of improvements that impact I-10. The Morongo Tribal staff representatives, County staff, and Caltrans have agreed to meet on a quarterly basis to advance and accelerate these planning efforts, which may include further traffic studies that the Tribe will prepare.

Given our long-term and continuing excellent government-to-government working relationship, I am pleased to provide this letter acknowledging the Tribes' public notice to the County and our support of the MRCS Expansion project. We expect that the measures described above, in conjunction with contributions to local government agencies that the Morongo Band will be making from its Local Community Benefit Fund and other revenues, and the mitigation measures prescribed in the Initial Study, will appropriately address impacts from this project on the unincorporated community of Cabazon.

I look forward to the prompt completion of the Morongo Band's MRCS Expansion for the benefit of the Morongo Band and its neighboring communities, and the additional jobs and economic development that it will bring to the Cabazon area.

Very truly yours,

Marion Ashley,
Supervisor, District 5

Cc: Morongo Band of Mission Indians