

Jamul-Dulzura

Community Planning Group

Unincorporated County of San Diego

FINAL MINUTES

May 7, 2024

1. CALL TO ORDER 7:33 pm
2. ROLL CALL

Present: Kevin May, Preston Brown, Michael Casinelli, Thomas Gray, Lisa Hodgson, Ed Mollen, Steve Wragg, Paul Dombkowski, Darla Kamedo, Courtney Etnyre, Dan Neirinckx
Guests: Jill Terp, *Deputy Federal Wildlife Service* and Dwane Binns, *Refuge Manager*; Dennis Hines, John McClure
Excused: Janet Mulder, Eve Nasby,
Vacant Seats: 5, 13
3. APPROVAL OF MINUTES: Minutes for March 19, April 2 and 16 2024. Lisa Moved. 3-16 only. Motion passed unanimously.
4. OPEN FORUM No Comments.
5. SAN DIEGO NATIONAL WILDLIFE REFUGE: Sweetwater River Trail Repair Project

Jill Terp is the USFW Deputy Project Manager for this project and **Dwane Binns** is the new manager for the refuge. Jill Terp said that they are the land management from the site of the San Diego National Wildlife Refuge. **Jill** presented a list of issues to be remedied for the trails.

 - Erosion and tripping hazards
 - Trail too wet in some areas
 - Trail impacts to sensitive wetland habitat
 - Accessibility (Architectural Barriers Act)

In a short presentation, **Jill** showed the proposed solutions that include rerouting trails out of wetlands, remove rocks and gullies and regrade trail treads, and a new bridge over Steele Canyon Creek with the goal to make an accessible trail with a walk bridge. Jill presented a concept design for the elevated bridge. The goal is for the bridge to provide access for walkers, pedal bicycles, class 2 electric bicycles, 3 wheeled wheel chairs, and for equestrian use. Also, they want to have an all-weather usable parking lot. There is no funding for this at this time but they are seeking public comment about this idea.

Ed Mollen asked if the intent is to be ADA compliant. ANS: For some parts of the trail, yes but there are limits for what we can do with this terrain. **Lisa Hodgson** said it was a bad idea to mix the use with horses who spook very easily. It would be better to make a separate crossing for the horses. **Kevin May** said there is a legal liability is very high as there would be people without “horse sense”. **Paul Dombrowski** asked if you don’t get funding will the trail be in the stream bed. ANS: Currently they have to repair the existing wood bridge which is made with wood and gets damaged during the winter rains. It is not going to be easy to address the needs for all. **Michael Casinelli** asked if they considered making a trail that passes under the Campo 94 bridge. **Jill** said the County has been working on that but that it is tricky because the logistics are challenging and there are a lot of concerns. **Preston Brown** added that he agreed that horses were a dangerous mix with bicycles and hikers and a too complex variety of uses. **Michael** asked if there are any equestrian clubs we could contact for their input. **Jill** said to contact Parks and Recreation. **Michael** asked if the Trails Council was still in existence. **Kevin** asked **Lisa** to contact Parks and Recreation and to find out if the Jacob’s “Trail Advisory Council” still exists.

Jill Terp can be contacted: 619-719-8579, jill_terp@fws.gov. To review/download the draft Environmental Assessment (EA) for this project, go to: <http://www.fws.gov/refuge/san-diego> and on the main page click on the “Notice” link. The public comment period ended on May10, 2024. But if you do have comments, please attend and give them at our group meeting. This plan is still in the early stages.

6. PROPOSAL: Change the Jamul-Dulzura CPG meeting time from 7:30 pm to an earlier time.

Michael said this bought up over a year ago to have an earlier start time. **Paul** suggested a 7pm time. **Kevin** said that driving home from work was a big issue for some. **Kevin** suggested we make up a sheet of rank choices for time. **Lisa** volunteered to make up the sheet and we will vote next meeting.

7. ASSOCIATION OF PLANNING GROUPS(APG) Update

Paul Dombrowski said the next meeting of the APG is on June1 at the Lakeside Library. At the SANDAG board meeting **Mario Orso** was elected as the new CEO. **Robin Mason**, Chair of the APG, said he is an experienced Caltrans executive. There is 26 billion dollars available for the University Areas. **Robin** asked that each Community group write a letter to Mario on what issues need to be addressed and how to allocate funding. **Paul** referenced the 2025 Plan and mentioned the SR-94 highway needs and the Otay Lakes/Honey Springs intersection plan for a roundabout to solve the limited sight distance problems. **Robin** will share this with the Board. We need to send a letter.

Michael said that several years ago SANDAG allocated \$250 million for bike lanes but only for urban areas, as SANDAG wants to get people to bike instead of drive. However, none of the allocation was for recreational biking areas like ours where they are needed for safety. **Ed** said that widening of SR-94 comes first before bike lanes. IF they install bike lanes they will never widen the highway. **Kevin** said we have opposed this in the past. **Ed** emphasized the traffic congestion from idling cars on the highway contribute to GHG. **Paul** said the APG has 2 meetings a month with SANDAG. This is our chance to report. Paul also said the investigation on the toll road 125 is under way. A couple of billion dollars were lost over 2 years through general lack of accountability and gross mismanagement. There is no talk of firing anyone. They want to end the toll road.

8. JAMUL CASINO HOTEL AND ENTERTAINMENT EXPANSION PROJECT

Kevin May reported that the signs warning of trucks to slow traffic is still held up with permits. They were approved but need revision. Where to put them and the use of electronic signs are a problem.

9. “JAMUL INDIAN LAND TRANSFER ACT” H.R. 6443, Bill sponsored by Rep. Darrel E. Issa (R-CA-48), and associated Senate Bill S 3857, sponsored by California Senator Alex Padilla

Kevin contacted Senator Padilla’s office and left a message with no response at this time. I will walk to the office and try to contact the staff. **Dennis Hines** and **John McClure** are residence in Jamul and attended our meeting to learn what was going on with this. They spoke about the lack of awareness in the community of this issue and wanted to be involved and help if they could. The group discussed the idea of putting a notice in the Jamul Shopper alongside our usual notice to attract new members to fill our vacant seats. **Darla Kasmedo** moved that that we write a summary of points for this and would work with **Preston**. **Kevin** asked **Dennis Hines** and **John McClure** to be on our subcommittee.

Michael Casinelli moved that the group approve the letters to **Senator Alex Padilla** and the Senate Indian Affairs Committee requesting a meeting for discussion of this issue.
Motion passed unanimously.

SEE ATTACHMENT I & II

10. PUBLIC SAFETY SUBCOMMITTEE: Emergency Evacuation, Traffic and Crime
No Updates.

11. FACEBOOK PAGE
No Updates.

12. OFF-HIGHWAY VEHICLE PARK (OHV)

Lisa Hodgson contacted **Emmet Aquino** who said they are updated the website and trying to get information out. The Deerhorn Antler was incorrect in stating that they are trying to only acquire private property. Park and Recreation are still looking and have not identified a location. It is a long process. **Lisa** asked if we even needed one maintained by the County. **Dan Neirinckx** said that there is an OHV park on tribal land. This is a feasibility study for a County run park if they have the money and get approval.

Parks and Recreation (P&R) did not disclose the GIS layers they used to make decisions. There are a lot of inaccuracies in the public information. If anyone is concerned, they should write letters to P&R and to **Supervisor Joel Andersen** who wrote the letter for the grant the Board of Supervisors (BOS) approved.

For more information go to the link below:

<https://www.sdparcs.org/content/sdparcs/en/park-pages/OffHghwayVehicles.html>

13. JDCPG Officer’s Announcements and Reports:

14. ADJOURNMENT 9:16

ATTACHMENT I

May 13, 2024

The Honorable Alejandro “Alex” Padilla
US Senator from California
331 Hart Senate Building, Washington, DC 20515

RE: Bill H.R. 6443 and Bill S. 3857 “Jamul Indian Village Land Transfer Act”, introduced to the Senate and referred to the Committee on Indian Affairs on 4/10/24 and 2/29/24, respectively.

Dear Senator Padilla,

To introduce ourselves, we are the Jamul-Dulzura Community Planning Group in the Unincorporated County of San Diego. We are publicly elected to serve in the best interest of the community regarding land matters. We only recently became aware of your Bill S. 3857. We are reaching out to you as you have taken a lead position on trying to gain trust land for the Jamul Indian Village (JIV). This community has intimate knowledge of the long history of the JIV and its efforts to gain a casino and now expand for various purposes and we believe we could offer some valuable insights into the conflicts surrounding the goals of the JIV and the potential impacts on the environment and on the rural community itself. We would like to offer our perspective. This is a very different situation than the Pala Indian Bill H.R. 534 that you sponsored in 2023. We hope you will be interested in helping coordinate a way forward to bring a resolution to the numerous difficulties and challenges of the future growth and changes to our community and region.

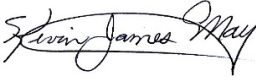
We have written lengthy and detailed letters on the recent JIV issues and copied you on them.

- Letter of November 14, 2022, to Jamul Indian Village (JIV) concerning the Jamul Casino Expansion Project
- Letter of January 7, 2024, to the Indian Affairs and Insular Committee concerning the Darrel E. Issa Bill H.R. 6443 (ATTACHED Again)
- And now we are copying you on our letter to Chairman Schatz and Vice Chair Murkowski of the US Senate Committee on Indian Affairs concerning both Bill H.R. 6443 and your Bill S. 3857 (ATTACHED)

Using the **Land Transfer Act** as the vehicle will evade the democratic established process for resolving these complex issues. As we stated in our letter to the Senate Indian Affairs Committee, there is a way forward and we would like to be a part of that process and hopefully with your involvement. Jamul-Dulzura is unique among the planning areas. We are the most biologically diverse region in the continental United States. It is the expressed goal of the County’s approved Subregional Plan for Jamul to “*protect and preserve resources for future generations.*” Other California tribes have successfully negotiated with conservation groups to protect fragile habits to clear the way for land to trust approvals. Unchecked commercialization of this protected rural area will degrade conservation efforts and will also put enormous stress on existing transportation infrastructure and the communities that rely on it. Decisions on long-term land use planning matters should not be made in isolation. They need to consider all the variables that affect the surrounding environment and community.

Members of our group would like to meet with you and or your staff to start a dialogue. We have appreciated the responses from your staff in the past and hope you will be receptive to our request.

Respectfully,



Kevin James May
Chair, Jamul-Dulzura Community Planning Group
Email: kjmaycpg@gmail.com; Cell: 619-987-2586

ATTACHMENTS:

1. JDCPG Letter of January 7, 2024 to Chair Harriet Hageman; Indian Affairs and Insular Committee concerning the Darrel E. Issa Bill H.R. 6443
2. JDCPG Letter to Chairman Schatz and Vice Chair Murkowski; US Senate Committee on Indian Affairs concerning both Bill H.R. 6443 and your Bill S. 3857

ATTACHMENT II

May 13, 2024

The Honorable Brian Schatz
Chairman of the US Senate Committee on Indian Affairs
838 Hart Senate Building, Washington, DC 20515

RE: Bill H.R. 6443 and Bill S. 3857 “Jamul Indian Village Land Transfer Act”, introduced to the Senate and referred to the Committee on Indian Affairs on 4/10/24 and 2/29/24, respectively.

Dear Chairman Schatz,

To introduce ourselves, we are the Jamul-Dulzura Community Planning Group in the Unincorporated County of San Diego. We are publicly elected to serve in the best interest of the community regarding land matters. We are grateful to have another opportunity to participate in the democratic process and share our perspective on the very unique circumstances and context of the Jamul Indian Village (JIV) and Jamul Casino in our planning area.

Since learning of the “Jamul Indian Land Transfer Act” Bill H.R. 6443 on December 5, 2023, we have written to our Congressman, Darrell E. Issa, and to Chair Harriet Hageman of the Indian Affairs and Insular Committee and cc’d a lengthy list including Senator Alex Padilla and US President Joseph Biden. This letter sent on January 9, 2024, is attached. We make the case against the “Land Transfer Act” as the means to accomplish this land to trust acquisition. There exists a Federally recognized process through the Bureau of Indian Affairs (BIA) and the Department of the Interior (DOI) for handling land to trust applications which will engage the local community and the County Board of Supervisors in resolving land use issues, jurisdictional conflicts and provide the planning and resources to ensure public safety as our community expands with commercial entertainment venues by the Jamul Casino.

In contrast, the Pala Mission Band of Indians Land Transfer Act Bill H.R. 423, approved by the Senate on July 27, 2023, which saved the 721-acre Gregory Canyon from a landfill operation proposal in North San Diego County, was opposed by everyone; local governments, conservation groups and the Pala Tribe itself. This was a great outcome. The tribe in effect saved the day by purchasing it. This Bill presented by Representative Darrel E. Issa and sponsored by Senator Alex Padilla was a grand win-win success story,

although we have no doubt the DOI would have streamlined this through the process. However, our situation is very different, and this one method cannot be arbitrarily applied to all cases.

In the Report accompanying Bill H.R. 6443, Chair Westerman of the House on Natural Resources gives a very brief background on the tribal history with information qualified “as according to the Tribe” and concludes the need for this legislation as the right remedy. We could not disagree more. This Report is very incomplete. There is no mention of the possible reasons for the internal conflicts between the Jamul Indian Village (JIV) and the Bureau of Indian Affairs (BIA) alluded to in this Report that would impede land to trust applications. Our letter delineates numerous problems with the JIV’s choice of land parcels, but one source of great concern for the BIA might be found in the history of the casino developers. In 2018, the JIV defaulted on a 48-million-dollar loan and other financial obligations totaling close to 77 million dollars. Simultaneously, the developer Penn National Gaming was ousted as manager of the Hollywood Casino yet still holds a 101acre parcel of land that is contiguous to the 4-acre JIV. This should be a huge red flag for this Committee. Afterwards, the JIV started buying up noncontiguous parcels for land to trust acquisitions near the middle of the town center.

This Land Transfer Act is not an alternative of last resort as suggested in the Westerman Report. On May 5, 2021, the San Diego County Board of Supervisors voted to lift a County wide blanket opposition to “fee-to-trust” applications, in place since 1994, and they laid the framework for future “fee-to-trust” proposals. There is a path forward here in San Diego County.

Working through the Federal process approach lives up to the cooperative “*nation to nation ties*” ideal of the Proclamation of Indigenous People. Our Community Planning Group welcomes the opportunity to meet and discuss and answer any question you have. We look forward to hearing from you.

Respectfully,



Kevin James May
Chair, Jamul-Dulzura Community Planning Group
Email: kjmaycpg@gmail.com; Cell: 619-987-2586

ATTACHMENT:

1. JDCPG Letter of January 7, 2024, to Chair Harriet Hageman; Indian Affairs and Insular Committee concerning the Darrel E. Issa Bill H.R. 6443

CC: ***Senate Committee on Indian Affairs***

Lisa Murkowski, Vice Chair

House Committee on Natural Resources

Bruce Westerman, Chairman

The Indian Affairs and Insular Subcommittee

Harriet Hageman, Chair

Federal Elected Representatives

Alejandro “Alex” Padilla, US Senator for California, Sponsor Bill S. 3857

Laphonza Butler, Junior Senator for California, Co-Sponsor Bill S. 3857

Representative Darrell E. Issa, District 48, Sponsor Bill H.R. 6443

Representative Juan Vargas, District 52, Co-Sponsor, Bill H.R. 6443

San Diego County, Board of Supervisors

Nora Vargas, Chair (District 1); Denise Garcia, Chief of Staff

Joel Anderson (District 2); Maggie Sleeper, Chief of Staff

NOTICE OF NEXT REGULAR MEETING

Tuesday, May 21, 2024 @ 7:30 pm.

Jamul-Dulzura Union School District - Jamul Education Center

14581 Lyons Valley Road, Jamul, CA 91935

Hybrid Meeting: Both In-Person and Zoom Attendance

Meeting Minutes and Agendas can be accessed at

<http://www.sdcounty.ca.gov/pds/CommunityGroups.html>

We strive to protect personally identifiable information by collecting only information necessary to deliver our services. All information that may be collected becomes public record that may be subject to inspection and copying by the public, unless an exemption in law exists. In the event of a conflict between this Public Notice and any County ordinance or other law governing the County's disclosure of records, the County ordinance or other applicable law will control. Access and Correction of Personal Information. You can review any personal information collected about you. You may recommend changes to your personal information you believe is in error by submitting a written request that credibly shows the error. If you believe that your personal information is being used for a purpose other than what was intended when submitted, you may contact us. In all cases, we will take reasonable steps to verify your identity before granting access or making corrections.

**JAMUL DULZURA
COMMUNITY PLANNING GROUP**

MISSION STATEMENT

"The mission of the Jamul-Dulzura Community Planning Group is to represent the best interests of the communities of Jamul and Dulzura while adhering to County of San Diego, California Board of Supervisors Policy I-1."

PURPOSE STATEMENT

The purpose of the Jamul-Dulzura Community Planning Group is:

- *To provide a public forum where local citizens can learn about issues of importance to them and their community and provide input.*
- *To carefully consider all input when advising the county on such issues as planning, land use, discretionary projects, and community and sub-regional plans.*