

3.9 Land Use

The Project Site is located on the Pauma Indian Reservation. Land use decisions are made by the Tribal General Council on a case-by-case basis. The Project Site is currently used for the existing casino and citrus groves. The Tribe has determined that it is in the Tribe's best interest to expand the portion of the Reservation dedicated to casino use through the reduction of agricultural use. The Pala Band of Mission Indians recently purchased 1,800 acres of land that abuts the Pauma Reservation. The stated purpose of this land purchase was for use as mitigation land for biological resources and as such the land is to be preserved in its current natural condition.

Non-Tribal off-Reservation lands are subject to the land use authority of the County of San Diego and are designated for rural residential uses, which include agricultural uses. Limited commercial uses are found along SR-76. Figure 13 provides the existing County of San Diego General Plan land use map and Figure 14 provided the proposed land use map from the County of San Diego 2020 General Plan Update.

The Project Site is located within the Pala-Pauma Planning Area. The Pala-Pauma Planning Group serves in an advisory role to the County Planning Commission and Board of Supervisors regarding land use matters. The Pala-Pauma Planning Group has stated that they wish to retain the rural, agricultural character of the area. They have also stated that they support the designation of SR-76 as a scenic highway from I-15 to SR-79 and are concerned that any widening of the highway from two lanes to four lanes could jeopardize the listing. A scenic highway would allow new turn out lanes, a middle turn lane, and scenic turnout lanes, effectively resulting in a three-lane highway.

The Tribe follows an approach to land use planning based on their culture and a history of thousands of years of living in the area now comprising northern San Diego County. Decisions about the use of land by the Tribe or any individual Tribal member are made by the General Council, which consists of all adult Tribal members.

The Tribe, like most Indian tribes, has not zoned its lands in the customary manner. The concept that individual land use must be segregated and separated from one another to protect the integrity of zones or compatibility of land use runs contrary to traditional Tribal values. Tribal lands are not parceled out into individual tracts for personal ownership. The decision to locate a municipal building, softball field, grazing land, single family home, commercial, or industrial use is made by the General Council. The Tribe does not regard individual land uses as mutually exclusive. As a sovereign nation, the Pauma Indian Reservation is not subject to the land use policies of other jurisdictions. That being said, the Tribe has determined that the area currently developed with the existing casino is to continue to be used by the Tribe exclusively for casino-related development. The remainder of the Reservation is either used for Tribal government buildings and functions, residential development, and citrus groves.

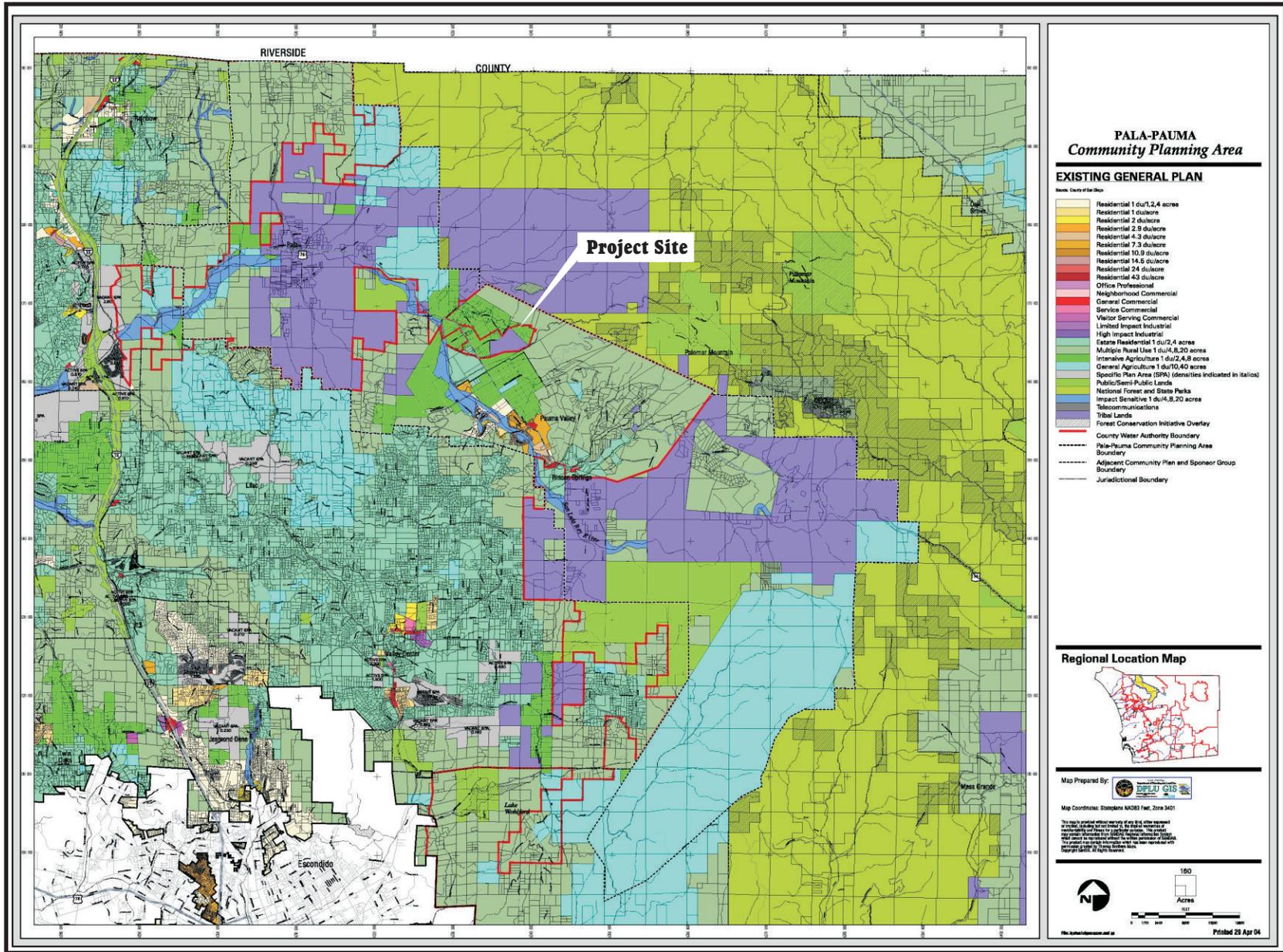


Figure 13
Existing Pala-Pauma Planning Area Land Use Map



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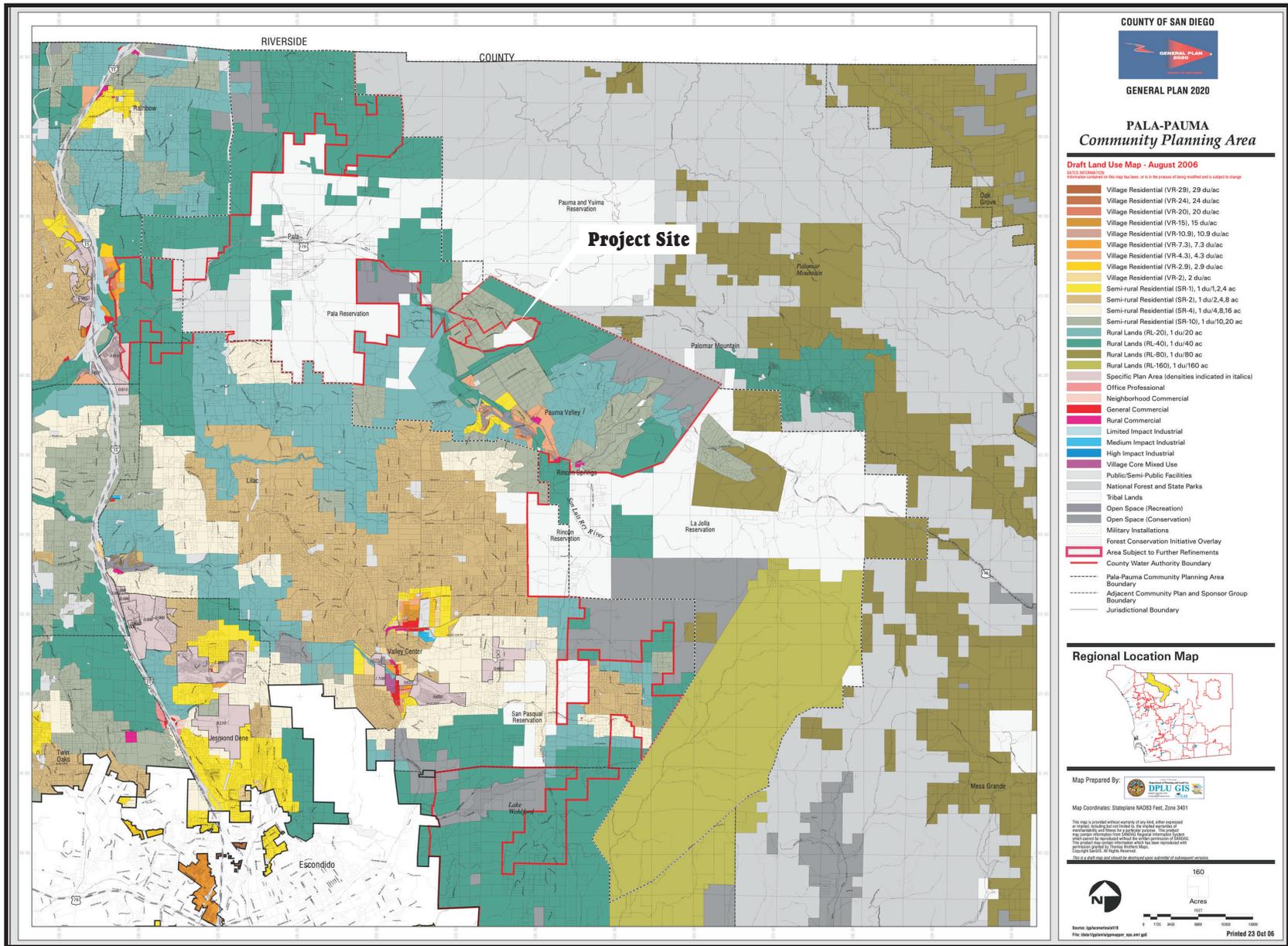


Figure 14
 Proposed General Plan 2020 - Pala-Pauma Planning Area Land Use Map



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The Pauma Reservation is located in the Pala/Pauma community planning area, which is generally a rural area with pockets of development. The Pala Casino to the west and the Harrah's Rincon Casino to the east are the two largest developments in the project area, both of which are on Indian Reservations. Very small commercial centers can be found in Pala, Pauma, and Rincon. Fallbrook, Oceanside, Temecula, and Escondido provide the closest cities or larger towns where most goods and services can be obtained. The Pauma Reservation is at least 15 miles distant from each of these areas of more-urban development.

The Pala/Pauma community planning area covers 115 square miles, extending northward to the Riverside County line. Land use decisions are made by the County of San Diego through the Planning Commission and the Board of Supervisors, with community input from the Pala-Pauma Sponsor Group. Most of the land surrounding the Reservation is designated for Intensive Agriculture with lot sizes of 1 dwelling unit (du)/2, 4, 8 acres. Land to the north, which is on the slopes of Palomar Mountain, is designated Multiple Rural Use 1 du/4, 8, 20 acres. Land south of SR-76 and Pauma Reservation Road is designated Estate Residential 1 du/2, 4 acres. The County of San Diego has been working on an update of the General Plan. The process is called General Plan 20/20 and several alternative land use plans have been circulated for public review. None have been adopted by the County to date.

The Pala/Pauma Community Plan states that "it is the goal of the County to provide for orderly, planned growth as needs arise and essential services such as water, sewer, fire protection, and schools are made available." While the Tribe and the Reservation are not subject to county land use polices and regulations, the Tribe does consider their off-Reservation neighbors when making land use decisions on the Reservation.

The Pala/Pauma Community Plan acknowledges SANDAG population forecasts indicate the need for additional development within the subregion. That growth could be accommodated within the Country Town boundaries through 2005. Future expansion of Country Town boundaries is stated to be contingent upon a demonstrated need, availability of essential services such as water, sewer, and schools, and avoidance or minimization of impacts to sensitive environmental resources such as oak woodland, extremely steep chaparral and woodland covered slopes, riparian areas along the San Luis Rey River, and small areas of coniferous woodlands on the slopes of Palomar Mountain. The Pala/Pauma Subarea contains eight Resource Conservation Areas for the protection of the most important sensitive resources. In addition to sensitive habitats, agricultural use of the land is considered to be vitally important to the economy and the environment within the community and premature development is to be discouraged.

The Pala/Pauma Community Plan states that "it is the goal of the County to provide for adequate amounts of commercially designated land without affecting the scenic, rural character of the community. Commercial development is encouraged to be perpendicular to, rather than parallel to, SR-76 where there is a demonstrated need for additionally commercially-designated land."

3.10 Mineral Resources

San Diego County has a wide variety of mineral resources. Some of these, such as sand, gravel, are essential to the construction industry and the region's economy. Sand and crushed rock are used as aggregate in Portland cement concrete and asphaltic concrete for construction. Of the rock products utilized in San Diego County, concrete quality sand is in the shortest supply. The major river valleys are by far the most important source of sand in this area. Roughly two-thirds of available sand is in the San Luis Rey River. The San Luis Rey River, which flows from east to west to the south of the site, is designated as a Mineral Resource Zone-2 (MRZ-2) by the California Department of Conservation, Division of Mines and Geology. The riverbed contains deposits of sand and gravel, as does the Pauma Creek riverbed to the immediate south of the Pauma Reservation. The MRZ-2 zone is intended to preserve valuable mineral resources. However, it does not permit extraction of these resources without a major use permit. The MRZ-2 designation, which is an area containing potentially significant mineral resources, is confined to the riverbed.

The Pauma Reservation, situated on an alluvial fan, essentially contains large amounts of sand and aggregate. However, these soils currently support Tribal housing, government offices, orchards, and the existing casino. These land uses could not be supported if the soils were to be mined as mineral resources, and the use of on-Reservation soils for sand and aggregate would not be desirable since they could not be replenished as if they were located within a riverbed.

The project site is located several miles east of the Pala pegmatite district, which is a widely known source of gems (e.g., tourmaline, beryl and spodumene) and lithium minerals. The district has an area of about 13 square miles and is underlain by granodiorite, tonalite, and gabbro of the Southern California batholith (Batholith is the name given to an intrusion or number of intrusions that has more than 40 square miles of exposure. The Southern California batholith extends from the Los Angeles area, through San Diego County, down the entire length of the Baja California Peninsula in Mexico. It was formed during the Mesozoic, in the period between 200 and 65 million years ago). The Pala pegmatite district does not extend onto the Pauma Reservation.

3.11 Noise

Noise is defined as unwanted or objectionable sound that is typically associated with human activity and that interferes with or disrupts normal activities. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance and, in the extreme, hearing impairment. The response of individuals to similar noise events is diverse and influenced by the type of noise, the perceived importance of the noise and its appropriateness in the setting, the time of day and the type of activity during which the noise occurs, and the sensitivity of the individual. The standard unit employed for noise measurements is the decibel (dB). Decibels are measured on a logarithmic scale, which quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. Thus, a doubling of the energy of a noise source, such as doubling traffic volume, would increase the noise level of 3 dB; a halving of the energy would result in a 3 dB decrease. The human ear is not equally sensitive to all frequencies within the sound spectrum. Therefore, the "A-weighted" noise scale, which

weights the frequencies to which humans are sensitive, is used for measurements. Noise levels using A-weighted measurements are sometimes written dB(A) or dBA.

Average noise levels over a period of minutes or hours are usually expressed as dB Leq, or the equivalent noise level for that period of time. The period of time average may be specified; Leq₍₃₎ would be a three hour average. When no period is specified, a one-hour average is assumed and the symbol Leq(h) is used. A noise level averaged over a period of 24 hours may be used to evaluate noise-land use compatibility; commonly used averages are the Community Noise Equivalent Level (CNEL) and the Day-Night level (DNL or Ldn). Title 24 of the California Code of Regulations requires the use of the CNEL for planning purposes, and CNEL is used by the County of San Diego for 24-hour noise level assessment. In the CNEL, the values for the period from 7 p.m. to 10 p.m. are increased by 5 dBA, and the values from 10 p.m. to 7 a.m. are increased by 10 dBA to account for greater human sensitivity to noise in the evening and nighttime hours.

Human perception of noise has no simple correlation with acoustical energy. The perception of noise is not linear in terms of dBA or in terms of acoustical energy. Two noise sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, increase or decrease; that a change of 5 dBA is readily perceptible, and that an increase (decrease) of 10 dBA sounds twice (half) as loud¹ (Caltrans 1998).

Sensitive Receptors

Human noise-sensitive receptors are generally considered to be persons who occupy areas where noise is an important attribute of the environment. These areas typically include residential housing, mobile homes, hotels, hospitals, nursing homes, education facilities, and libraries. These sensitive receptors can include outdoor areas (e.g., residential side and backyards, parkland) and/or interior activity areas that can be adversely affected by significant noise levels. Specific wildlife species can also be affected by noise and are considered to be sensitive receptors.

The closest off-Reservation sensitive receptors to the Project Site are two residences on Adams Drive, approximately 450 feet and 550 feet from northeast of the intersection of Adams Drive and Pauma Reservation Road. These homes are approximately 1,150 feet from the northernmost location of planned construction, and 1,400 feet from the location of the principal hotel and casino construction.

On SR-76, north of Pauma Reservation Road, between Pauma Reservation Road and Adams Drive, there are approximately five homes located 200 to 500 feet from SR-76, and perhaps another 5 homes at further distances. Many of these homes are surrounded by trees and several are owned by the Tribe. Continuing west on SR-76, between Adams Drive and Pala Mission Road, there are no sensitive receptors adjacent to SR-76. West of the Pala Reservation there are

² The “trained” as opposed to “average” ear can detect changes of 2 dBA in normal environmental noise.

scattered homes adjacent to SR-76, between the Pala Mission Road and Couser Canyon Road; these homes are 75 to 100 feet from the roadway. Some of these homes are below or above grade and/or behind heavy foliage. Few of these homes appear occupied, having been closed along with associated businesses.

East of Pauma Reservation Road, between Pauma Reservation Road and Cole Grade Road, there are one or two homes within 200 feet of SR-76. There are no federally-listed threatened or endangered noise-sensitive biological species within 500 feet of the Project Site.

Existing Conditions

Noise Sources and Noise Levels

The principal off-Reservation noise source is vehicle traffic on SR-76. Existing peak hour traffic volumes are provided in the project traffic report (VRPA 2007). Existing noise levels at and near the project site were measured on December 14, 2007. Noise measurements of approximately 20 minutes duration were sufficient to represent the average hourly noise level. The results of the noise measurements are shown in Table 8.

Table 8. Measured Existing Noise Levels

Location	Noise Level, dBA			Notes
	Lmin	Leq	Lmax	
West side of Adams Drive, 120 feet from intersection with Pauma Reservation Road, at entrance to closest sensitive receptor, edge of pavement. No access to front yard available. 20 minute average from 3:30 p.m. to 3:50 p.m.	41	57	85	Winds calm (0-3 mph). Crows calling. Birds chirping. Voices from Pauma Reservation Security Checkpoint audible. 2 single-engine airplanes over valley in distance. Background noise of traffic on SR-76, visible in distance or approximately 1 mile. 1 pickup pulling large trailer and 1 pickup passed on Adams Drive. Truck/trailer at distance of 3 feet caused Lmax. 16 cars and light trucks passed on Pauma Reservation Road.
Southeast corner of Casino Pauma parking lot. 4:00 p.m. to 4:20 p.m.	41	49	74	Sport bike accelerating through gears on SR-76. Back-up beeper going off in distance. Steady traffic noise from SR-76. Occasional noise of car doors and engines in parking lot. Casino PA system audible in background. Crows calling.
North side of SR 76, at east edge of Pala Reservation, approximately 1 mile east of Pala Casino. p.m. 50 feet from edge of pavement. 4:40 p.m. - 5:00	45	67	80	Steady traffic flow. Several busses, trucks, and motorcycles. Traffic flow looked about the same as at Pauma Reservation Road. Single-engine plane flew over valley in distance.
NE side of SR-76, just west of Pauma Reservation Road, about 5 feet from edge of pavement. 20 minute average from 3:00 p.m. to 3:20 p.m.	43	70	89	Nearly a steady flow of traffic. Several motorcycles. Several busses and trucks. Level terrain. Winds calm (0-2mph).

For normal suburban traffic, CNEL is assumed to be equal to the peak hour noise level. For the segments between I-15 and the Proposed Project, the CNEL is assumed to be one dBA greater than the peak hour noise level because of nighttime traffic associated with the Pauma and Pala casinos.

3.12 Population and Housing

With the exception of improvements to Pauma Reservation Road and the intersection with SR-76, the Proposed Project is to be constructed entirely on the Pauma Reservation. No housing would be displaced on or off the Reservation. The Proposed Project would increase the number of employees needed at the existing casino by approximately 1,675 persons. Fifty-one percent of the employees at the Tribe's existing casino reside within the inland North San Diego County area. The remaining employees reside outside the area in a variety of locations. Official unemployment figures for the area, adjusted for "frictional unemployment" (i.e., the percentage of permanent unemployment due to people moving and/or in between jobs, usually between 2 and 4 percent of the local population) show that there are at least 3,600 unemployed individuals in the region. Given inaccuracies in government-reported unemployment data, there are likely an additional 8,600 "underemployed" individuals residing in the area (Rea & Parker Research, 2007). The closest off-Reservation communities are Pala, Pauma, Rincon, Valley Center, and Fallbrook.

The Proposed Project site is located within the 300-square-mile Valley Center-Pauma Unified School District, which serves kindergarten through twelfth grade students with ten schools. The mean number of dependent children per employee currently employed at the Pauma Casino is 1.2 per employee. Schools closest to the Project site include Pauma School and Valley Center High School.

3.13 Public Services

Fire/Emergency Medical Services

The Pauma Tribe maintains fire protection services as a government service. The Pauma Fire Department, located on the northeastern portion of the Reservation less than one-half mile from the Proposed Project via Pauma Reservation Road, is a mixed career/volunteer organization and currently staffs a Type III engine with a minimum of four personnel, 24 hours a day, seven days per week. Although Type III engines are ideal for fighting wildland fires, these engines are often assigned to structure fires in the Pauma Valley. Firefighters assigned to Type III engines are also capable of fighting high rise fire emergencies by utilizing those facilities' built-in fire protection features.

Structural fire protection for the Pauma Reservation is also currently provided by the Pala Reservation Fire Department through a Fire Services Agreement. The Pala Fire Department is a full-time professional fire department operating 24 hours a day, seven days a week. The Pala Fire Department has 30 full-time fire suppression personnel (Chief, Assistant Chief, Battalion Chief, six Captains, six Engineers, and 15 firefighters). The Pala Fire Department has a 100-foot

Ladder Truck, Type One Structure Engine, and a Type Three Brush Engine, two Water Tenders, the Chief vehicles, and one utility pickup truck). The Pala Fire Department maintains California State Fire Marshall certification status from the firefighters to the Chief Officer. The Pala Fire Department covers an area of 20.5 square miles, consisting of 13,315 acres and a population of 650 people. The average call volume is approximately 600-700 calls per year.

Pauma's existing Fire Services Agreement with Pala will be in effect until the opening of the Proposed Project. At that time, a new Fire Services Agreement executed in January 2008 will take effect and replace the existing Agreement. The new Agreement specifically takes into account the new casino and high-rise hotel to be operated under the Proposed Project.

Pauma also entered into new Fire Services Agreements in January 2008 with the Rincon Reservation Fire Department and the San Pasqual Reservation, which will take effect upon opening of the Proposed Project. In addition, Pauma has received a commitment by the Yuima Municipal Water District to allow the Pauma Fire Department to utilize the Type III engine located at the Rincon CDF Station, and to enter into a mutual aid agreement for mutual use of one another's Type III engines. The Pauma Fire Department has also signed an agreement with Monte Vista Dispatch for services, and will participate in the San Diego County Master Mutual Aid Plan.

The Pauma Fire Department is currently constructing a new fire station facility to house a Type I engine and other response units. The Fire Department is committed to obtain the Type I engine at least six months prior to opening of the Proposed Project to allow its personnel ample time for on-Reservation training with this equipment. It should be noted that once Pauma obtains its Type I engine, both Pala and San Pasqual, pursuant to their Fire Services Agreements, are bound to negotiate Automatic Aid Agreements for their parties' Type I engines. In December 2007, the Tribe hired a Fire Chief to manage the station and its development. The expected completion date of construction is August 2008, well before opening of the Proposed Project.

The Pauma Fire Department is committed to participating in regional fire service training. The Fire Department currently hosts classes for Palomar Community College's Fire Science program, and will continue to do so. Firefighters with the newly formed Fire Department, as well as with the other nearby departments who have Fire Service Agreements with Pauma, meet State standards for firefighters. In addition, classes in the area on specialized truck and high rise operations train these firefighters for the special practice of high rise firefighting. The Pauma Fire Department is preparing to host quarterly inter-agency training and drills at the new facility to advance firefighters's skills with high rise firefighting practices.

The existing Pauma Casino provides Emergency Medical Technicians 24 hours a day to respond to, evaluate, and intercede as necessary during medical emergencies. Receiving hospitals in the vicinity of the Proposed Project include the Palomar Community Hospital in Escondido and Fallbrook Community Hospital in Fallbrook.

Law Enforcement

The Pauma Tribe maintains a Tribal security force that stops all vehicles traveling on Pauma Reservation Road at a security checkpoint located past the entrance to the existing casino. Visitors are not allowed to enter the Reservation past the check-point unless approved by Tribal residents or Tribal government officials.

(a) Tribe's Security Force

The Tribe also maintains a security force dedicated exclusively to the casino. This security force patrols both the interior of the casino and exterior of the casino including the surface parking lot. The security force consists of one Security Director, two Security Shift Managers, three Security Supervisors, one Security Manager, seven Security Officers trained as Emergency Medical Technicians (EMTs), and 34 regular Security Officers, for a total security force of 48.

(b) County Sheriff and CHP Services

Additional law enforcement for the casino and for the Reservation itself is provided by the San Diego County Sheriff's Department (Sheriff). While not directly providing services to the existing Casino or Reservation, the California Highway Patrol (CHP) provides law enforcement services on SR-76 and I-15. The Sheriff and CHP have entered into an agreement in which they allocate each department's responsibility for incidents. For example, the CHP primarily handles vehicle and traffic code violations, while penal code violations are handled by the Sheriff.

The closest Sheriff's substation is the Pauma-Valley Center Substation (VCS) located in Valley Center at 28205 North Lake Wolford Road, approximately ten miles from the Project Site via SR-76 and Valley Center Road. The VCS covers an area of 333 square miles and, in 2005, had an estimated population of 21,975. The Pauma Reservation is within "reporting area" or "beat" 805, which is relatively small compared to other beats covered by the Valley Center Substation. The response time from the VCS to the Reservation is approximately 19 minutes for a priority call and 40 minutes for a routine call (Lt. Sean Gerrity, Personal Communication, 2007). There were 107 calls for service at the existing casino in 2006, which results in an average of approximately 9 calls per month. In addition to the Pauma Reservation, four other Reservations are within the VCS service area: San Pasqual Reservation, La Jolla Reservation, Rincon Reservation, and Pala Reservation.

(c) County Sheriff Staffing

According to Lieutenant Sean P. Gerrity, who has served as commander of VCS since 2005, VCS has 27 officers including one Lieutenant, three Sergeants, fourteen Patrol Deputies, two Detectives, five Special Purpose Deputies (two at Pala and three at Rincon). The VCS provides 24-hour service with a minimum of two officers on duty during the day, three during the evening, and two during the graveyard shift. The Special Purpose Deputies are exclusively dedicated to the Pala and Rincon Reservations, and only respond to emergencies off-Reservation or at the casinos as "cover" units in support of the station's baseline patrol and investigative

staff. Although these deputies are not ordinarily responsible for crime, arrest, or investigative reports associated with casinos and hotels, they have positively relieved gaming impacts on VCS's baseline staffing workload. The Sheriff has also contracted with the San Pasqual and La Jolla for special event and security needs (Lt. Sean Gerrity, 2006).

Schools

The Project Site is within the 300-square mile Valley Center-Pauma Unified School District, which serves kindergarten through twelfth grade students with ten schools. Schools closest to the Project Site include Pauma School and Valley Center High School.

Solid Waste Disposal

Solid waste disposal for the Pauma Reservation is provided by the Tribe. Trash pick-up on the Reservation is weekly. Waste is transported to either the Miramar or Santee landfill.

3.14 Recreation

There are many opportunities for recreation in the project area, both on public lands and on Indian Reservations. Wilderness Gardens County Park, which is a natural open space park located along the banks of the San Luis Rey River several miles west of the Pauma Reservation, and just east of the Pala Reservation, is the closest park to the Project Site. In addition to the existing casino, the Pala Casino, Harrah's Rincon Casino, and the Valley View Casino all provide opportunities for recreation in the project area. The Proposed Project is located at the base of Palomar Mountain, which includes Palomar Mountain State Park. Lands surrounding Palomar Mountain State Park are included as part of the Cleveland National Forest. Palomar Mountain is also home to the world-famous Palomar Observatory. Hellhole Canyon County Open Space Preserve is located to the south, just east of the Rincon Reservation, and Lake Henshaw is located to the east of the Cleveland National Forest. The Valley Center Parks and Recreation District operates Adams Community Park at 28751 Cole Grade Road. It features picnic areas, barbeques, horseshoe pits, volley ball, and a playground.

With the exception of the opportunities for indoor recreation provided by the existing casino and casinos on neighboring Indian Reservations, public lands provide many opportunities for outdoor recreation such as hiking, camping, fishing, boating, bicycling, equestrian use, nature study, photography, and astronomy. The South Grade and East Grade Roads up Palomar Mountain are popular with bicyclists, motorcyclists, and sports car enthusiasts. The La Jolla Indian Reservation features a campground along the San Luis Rey River, a go-cart track and a moto-cross track. A seasonal water park on the La Jolla Reservation has been closed permanently. The Los Coyotes Indian Reservation, east of Lake Henshaw, was open to camping and off-road use, but several years ago prohibited the off-road use and reopened the campground for equestrian use only.

3.15 Socioeconomic Conditions and Environmental Justice

Executive Order 12898 and accompanying Presidential Memorandum require that all federal agencies address environmental justice concerns to ensure fair treatment of all members of a community. Environmental justice concerns may arise from impacts on the natural or physical environment, such as human health or ecological impacts on low-income populations, minority populations, and Indian tribes, and from interrelated social, cultural and economic impacts. These concerns must be addressed through the NEPA process by identifying and addressing disproportionately high and adverse human health or environmental effects of the responsible agency's programs, policies, and activities on low-income populations, minority populations, and Indian tribes, particularly with respect to multiple and cumulative exposure to environmental hazards. The construction of Indian casinos has not historically raised environmental justice concerns as the projects are proposed by Tribes to improve the economic status of the Tribe and improve life on the Reservations.

According to the Labor Force Report for 2003 prepared by the BIA for tribes under Southern California Agency jurisdiction, the Pauma Tribe has an enrollment of 176 members, and a population of 128 live on the Reservation (State of California Department of Housing and Community Development, 2004). According to the same report, the Tribe has an unemployment rate of 65 percent, which is significantly higher than the overall unemployment rates of San Diego County and the State, at 4.2 percent and 4.8 percent, respectively, during the same time period.

Problem and Pathological Gaming

Based on a recent study conducted by the University of Chicago for the California Department of Alcohol and Drug Programs (Office of Problem and Pathological Gambling), the number of problem and pathological gamblers is estimated to be in the range of 2.8 to 4.6 percent of the California adult population (Rea & Parker Research, 2008:20; Appendix I). Problem and pathological gamblers have several outlets to conduct gambling in the State including Internet gambling, horse racetracks, bingo, card rooms, the State's lottery, and the nearly 61 existing Indian casinos in the State, including ten in San Diego County.

The Pauma Tribe is extensively involved in efforts to prevent problem gambling. The Tribe belongs to the California Tribal Business Alliance, which actively advocates and promotes responsible gambling programs. The Tribe currently maintains a self-exclusion policy whereby patrons may request a halt to casino promotional mailings, check cashing privileges, and player club privileges. A patron may also request to be physically excluded from the Pauma Casino. The Tribe contributes to the funding base of the California State Office of Problem Gambling.

The Tribe trains its employees to identify patrons who may have a gambling problem or pathological gambling characteristics, and consults with them about the importance of responsible gambling. Informational brochures are available throughout the Pauma Casino that discuss how a person knows that he or she has a gambling problem and the ramifications of such a problem in terms of family, friends, and social obligations. The brochures provide a hotline

number (1-800-426-GAMBLER) that is available to call 24 hours each day. The hotline is confidential, and trained staff provide referral information for those seeking help.

3.16 Transportation/Traffic

Existing Street System and Traffic Volumes

The key roadways located in the vicinity of the Project Site are SR-76 and Pauma Reservation Road. The existing street system and traffic volumes in the vicinity of the Project Site are shown in Figure 15. These volumes include 13,700 average daily traffic (ADT) along SR-76 between I-15 and Pala Mission Road, 11,200 ADT from Pala Mission Road to Pauma Reservation Road, and 7,400 ADT east of Pauma Reservation Road. Existing evening (PM) peak hour traffic volumes are shown in Figure 16. The intersections of SR-76 and Old Highway 395, the northbound and southbound I-15 ramps, and Pala Mission Road are currently signalized. Other study area intersections are currently unsignalized. The key characteristics of these roadways may be summarized as follows.

I-15 is an eight-lane north-south freeway with full diamond interchange at SR-76, located about five miles west of the site. The current 24-hour two-way volume of traffic (ADT) on I-15 is 137,100 north of SR-76 and 132,000 south of SR-76.

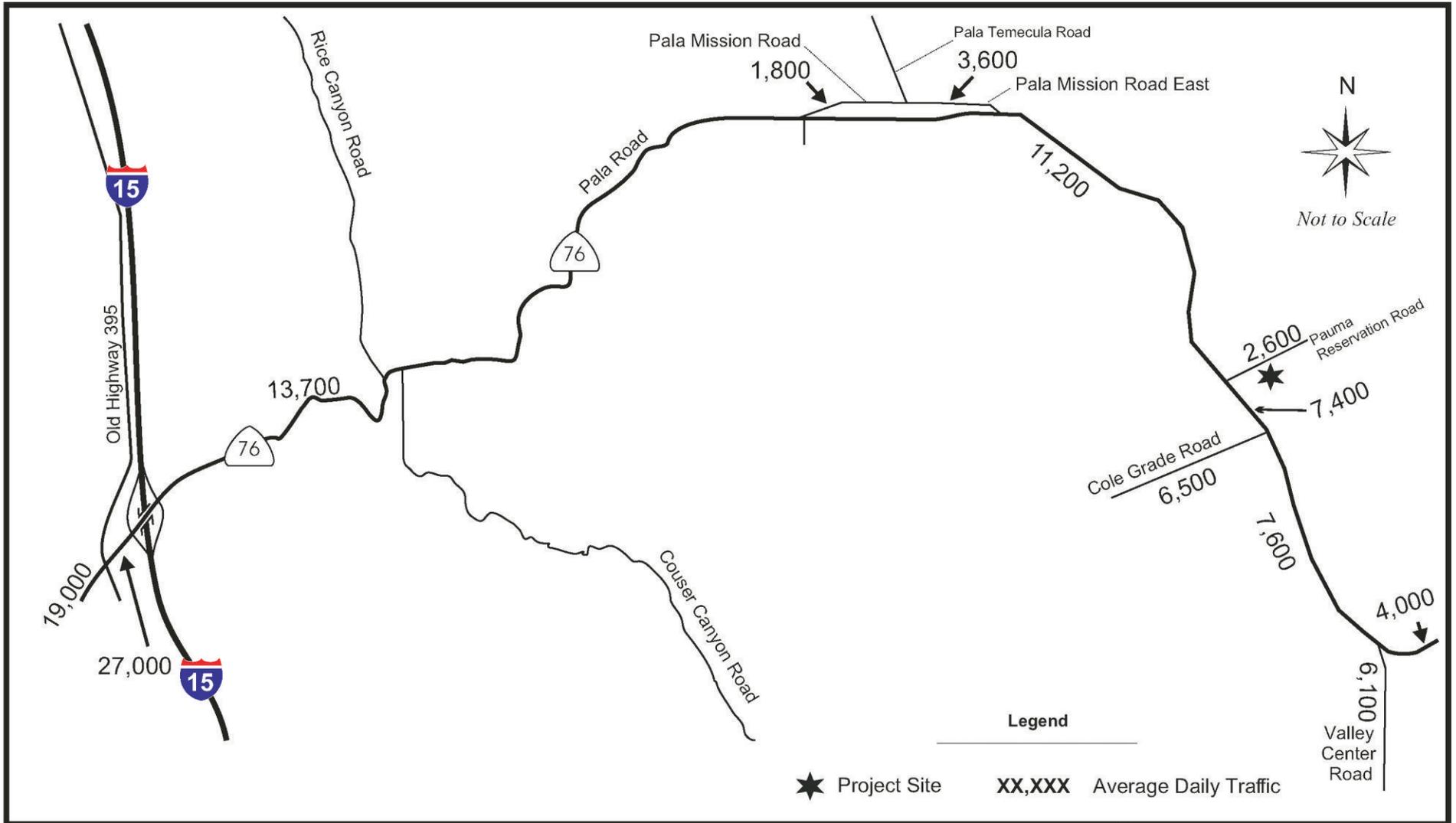
SR-76 (Pala Road) is a winding road with several sharp curves, generally with one lane in each direction, between I-15 and the Pala Reservation. It is approximately 24 feet wide, except through the Pala Reservation, where it has been widened to two lanes in either direction. SR-76 is straighter for the approximately 4 miles between the Pala Reservation and the Pauma Reservation, but there are several grades and turns along the way. The speed limit is posted at 45 miles per hour (mph). SR-76 is classified as a Major Road on the County Circulation Element east of I-15 to SR-79 at Lake Henshaw. According to County standards, Major Roads should be 78 feet wide in 98 feet of right of way, providing four through lanes.

Pauma Reservation Road is a two-lane roadway located on the west side of the Project Site. The roadway width is approximately 24 feet and unpaved shoulders are provided on both sides of the roadway.

The study area for the traffic impact analysis included the following street segments and intersections:

Street Segments:

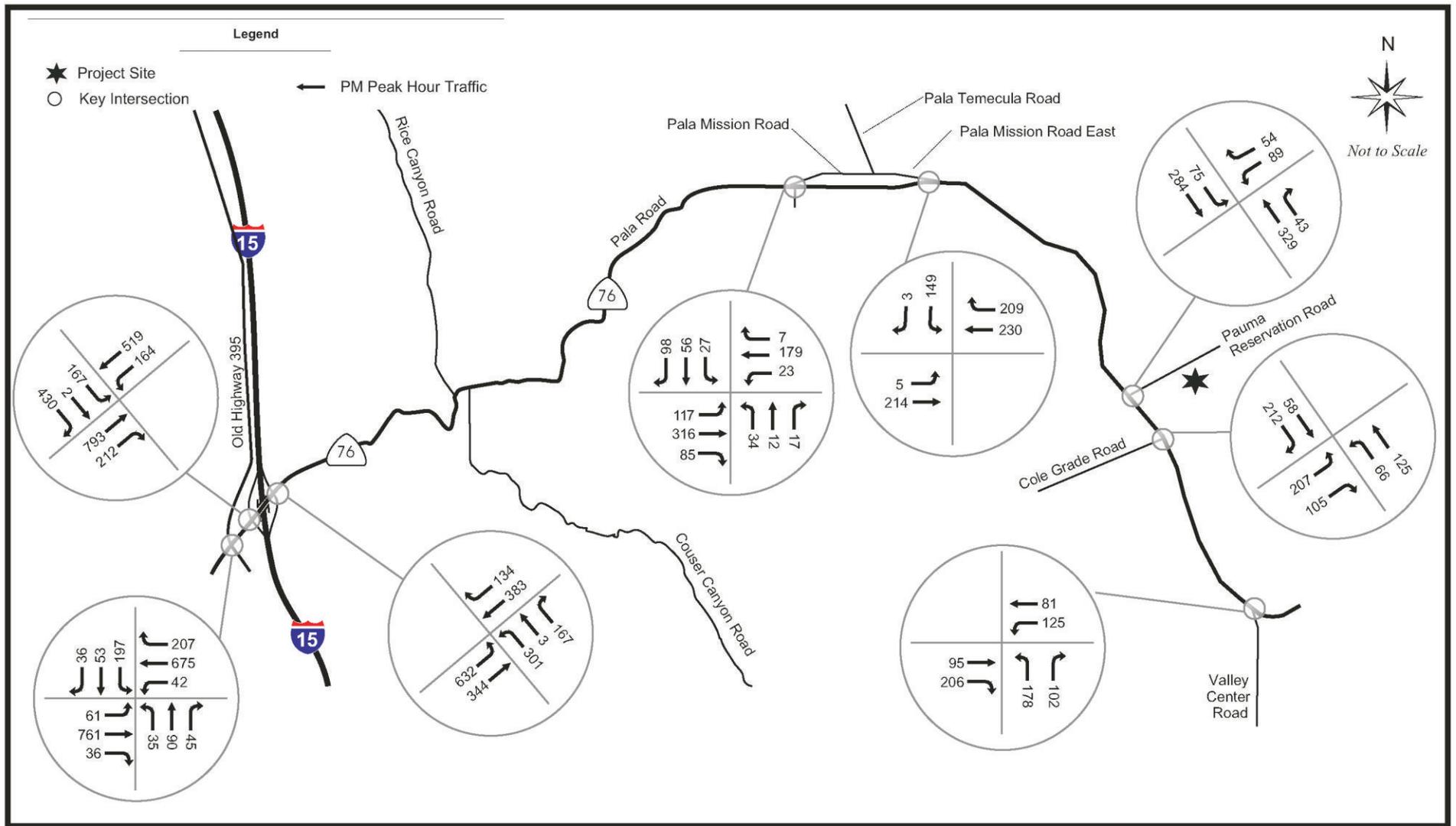
- SR-76, west of Old Highway 395
- SR-76, west of I-15
- SR-76, I-15 to Pala Mission Road
- SR-76, Pala Mission Road to Cole Grade Road



Source: VRPA Technologies

Figure 15
Existing Average Daily Traffic

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Source: VRPA Technologies

Figure 16
Existing PM Peak Hour Traffic Volumes

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SR-76, Cole Grade Road to Valley Center Road
SR-76, east of Valley Center Road
Pala Mission Road East, SR-76 to Pala Temecula Road
Pauma Reservation Road, east of SR-76
Cole Grade Road, west of SR-76
Valley Center Road, south of SR-76

Intersections:

SR-76/Old Highway 395
SR-76/I-15 Southbound Ramps
SR-76/I-15 Northbound Ramps
SR-76/Pala Mission Road
SR-76/Pala Mission Road East
SR-76/Pauma Reservation Road
SR-76/Cole Grade Road
SR-76/Valley Center Road

Existing Operations

The functioning of a road segment or an intersection can be expressed as a level of service (LOS). LOS refers to the operational conditions within a traffic stream and motorists' perceptions in terms of delay, freedom to maneuver, traffic interruptions, comfort, convenience, and safety. There are six LOS capacity conditions designated from "A" to "F." LOS A represents a light traffic with minimal delays and LOS F represents significant traffic congestion. In general, the region-wide goal for an acceptable level of service on all freeways, roadway segments, and intersections is LOS D (SANTEC/ITE, 2000). Therefore, roadways in the study area operating at levels of service A through D were considered to be operating adequately with no need for improvement.

Intersection operations were analyzed for the PM peak hour. The SR-76/Old Highway 395 and SR-76/I-15 NB ramps operate at LOS D, and the SR-76/I-15 SB ramps and SR-76 Pala Mission Road West intersections operate at LOS C. The unsignalized intersections of SR-76/Pala Mission Road East, SR-76/Pauma Reservation Road, SR-76/Cole Grade Road, and SR-76/Valley Center Road operate at LOS C.

3.17 Utilities and Service Systems

Water

The Pauma Reservation has access to multiple sources of water. A Water Supply Evaluation has been prepared by hydrogeologists Dr. Jay Jones of Environmental Navigation Services, Inc. (ENSI) and Mr. Eric Bikis of Bikis Water Consultants, LLC (BWC). The Water Supply Evaluation is attached to this EA/TEIR as Appendix H, and portions of it are summarized or referenced below and in Sections 3.8, 4.8, and 4.17. The primary water resources available to the Pauma Reservation are described in Section 3.8.

As described in the Water Supply Evaluation (Appendix H), groundwater is the current source of potable water supply used for the existing casino. The quality of water produced by the wells meets or exceeds both primary and secondary drinking water standards.

Additional groundwater supply will need to be developed for the Proposed Project. The additional groundwater demand for the Proposed Project is estimated to be 234-acre feet per year, with a large recharge. Therefore, the net increase in groundwater withdrawal for the Proposed Project is 90 acre-feet per year. For comparison, this net increase is equivalent to the irrigation demand from approximately 24 acres of citrus or avocado groves based on an annual irrigation water demand of 3.5 acre-feet per year.

Wastewater Treatment

The Tribe operates a wastewater treatment facility that handles all wastewater generated by the existing casino. Other sources of wastewater on the Reservation are treated by individual septic systems. The casino treatment process will be expanded by adding an extended aeration system called an Aero-Mod[®] process to treat the average day demand of 227,500 gpd or the peak day average month demand of 284,000 gpd. The incremental difference between the designed capacity and the estimated average day water demand of 249,000 gpd and peak day average month demand of 311,000 gpd will be handled in a 250,000 gallon emergency storage tank. The existing process described below will remain.

Wastewater from the restaurant facilities in the casino is discharged through a 6-inch sewer lateral to a 9,000 gallon grease interceptor with two chambers just north of the casino. Wastewater exiting from three other locations in the casino and the grease interceptor effluent enter a 56,000 gallon septic tank located just east of the grease interceptor near the casino. The detention time in the septic tank of approximately 1-2 days is adequate to provide intended stabilization of the wastewater. Septic tank effluent enters a pump station to be pumped by one of two 70 gpm rotary lobe pumps for further treatment through a 1,400 foot 4-inch force main to a Membrane Bioreactor (MBR) Plant located about 1,000 feet east of the casino.

The MBR plant includes a screen, a Fastpac[™] MBR package plant manufactured by Siemens (US Filter) and a chlorine contact tank. In the treatment process, polymer is added to enhance the growth of floc and aid filtration. Sodium hypochlorite is added in the chlorine contact tank for disinfection.

A Contra Sheer 2-millimeter rotary drum screen located on the MBR unit removes fine materials that could clog or damage the membranes. The Fastpac[™] MBR package plant includes a drum screen, a biological treatment process section, and a membrane tank. Upon entering the package plant after screening, flow enters an anoxic tank with activated sludge which is bacteria that consume the organic suspended solids and soluble biochemical oxygen demand (BOD) in the wastewater. The mixture of activated sludge and wastewater is called mixed liquor. The anoxic tank is a tank free of dissolved oxygen which aids in denitrification where nitrate nitrogen is converted biologically to gaseous nitrogen and released from the process. Mixed liquor then enters the aerobic tank where air is added to increase dissolved oxygen levels to aid in oxidation

of BOD. As the mixed liquor progresses through the tank, nitrifying bacteria convert ammonia in the wastewater to nitrates. A portion of the flow is recirculated back to the anoxic tank to complete the nitrogen reaction. The remaining mixed liquor enters the membrane tank where polymer is added and filtration takes place through filament-shaped membranes. The pore size of the membranes is approximately 1 micron. After the effluent passes through the membrane it enters the chlorine contact tank where a dosing pump adds the sodium hypochlorite. The contact tank is a serpentine tank which allows the filtered water to contact the chlorine to accomplish disinfection.

The existing treatment unit is rated for an average daily biological treatment flow of 50,000 gpd and 100,000 gpd of membrane treatment flow. The unit is capable of treating a peak hourly flow rate of up to 200,000 gpd.

Once treated, the effluent is discharged to a subsurface drain system that implements an Infiltrator system with an internal perforated pipe to evenly distribute the effluent throughout existing orange groves. The total length of piping in the Infiltrator system is 5,890 feet. Piping is spaced at 20 feet apart in the orange groves to evenly distribute the effluent. Since the groves are sloped, an extensive distribution system has been developed to provide an even distribution of effluent throughout the system to prevent all of the water from running to the lowest line. The Tribe contracts with a local water quality firm to perform maintenance, sampling and testing, operational adjustments, and emergency work.

The Tribe contracts with a local liquid hauler to haul the liquid from the grease interceptor and the septic tank. Sludge discharged from the MBR enters one of two sludge drying beds located next to the MBR.

The Proposed Project requires modification and expansion of the existing wastewater treatment system. The new wastewater system includes a wastewater pump station capable of pumping up to 420 gpm (605,000 gpd). The pump station will contain three pumps each capable of pumping the average daily flow. At peak flow conditions, estimated at 570,000 gpd, two pumps will operate and one pump will be on standby. The pump station will be connected to the emergency power system of the casino so that a backup power source will always be available. The pump station will be equipped with a grinder to grind inert solids to prevent the pumps from clogging with debris. Sewage will be discharged through a 6-inch, 1,700-foot force main and a flowmeter to the headworks of the new treatment plant. The headworks will consist of two redundant screens that are each self-cleaned with shaftless augers, and screenings are dewatered, compacted, and discharged into either a plastic bag or a dumpster. The flow will be split to discharge into either the existing MBR system or one of two Aero-Mod[®] treatment trains.

The Aero-Mod[®] process is an extended aeration treatment system that will treat the wastewater to oxidize the BOD and remove nitrogen. The final effluent requirements will be 5 mg per liter for ammonia, and 10 mg per liter for total inorganic nitrogen as nitrogen.

This process also includes an aerobic digester to further stabilize and settle sludge wasted from the process. The sludge will be disposed of in a dewatered form either by disposal off-Reservation at approved facilities or by utilizing for beneficial uses on the Reservation.

The process will aerate the mixed liquor and settle the sludge in the tanks. Effluent from the Aero-Mod® process will be discharged to a cloth filter, which will polish the effluent to achieve effluent quality such that turbidity will not exceed an average operating level of 2 Nephelometric Turbidity Units (NTU), and not exceed 5 NTU more than 5 percent of the time during any 24-hour period (this will require BOD⁵ and suspended solids to be less than 5 mg/l).

Two cloth filters which are approved for Title 22 treatment will be provided, each with the capacity to treat maximum flows through the Aero-Mod® processes. Backwash flows from the filters will be returned to the headworks.

The effluent from the cloth filters will be sent to one of two chlorine contact tanks (CCT) and chlorine will be added to the flow. The CCTs will be constructed in the same serpentine arrangement and will be constructed out of metal as the existing CCT that treats the MBR process effluent. The flow will then be in the tank for a minimum of 90 minutes to achieve a concentration and time of disinfection necessary to meet Title 22 requirements. After disinfection, the water quality is expected to be such that the median number of fecal coliform organisms shall not exceed 2.2 per 100 milliliters and the number of coliform organisms shall not exceed 23 per 100 milliliters in more than one sample within an 30-day period.

Throughout the plant, instrumentation and controls to track the process' performance will be utilized with the appropriate alarming conditions as necessary to meeting Title 22 requirements. Upon final treatment through the new process, the effluent will be combined with effluent from the MBR process and will be distributed for irrigation of the replanted groves and casino landscaping; excess water will be piped to percolation ponds or leach fields.

The design includes two options of leaching disposal of recycled water during periods of low irrigation use. A percolation pond system will be constructed to percolate the maximum daily flow assuming that 33% of the percolation pond area is available to percolate water. This allows for servicing other ponds and for the presence of rain in the ponds. The other option will be to percolate water through the leach field system which is located under the existing baseball field. The leach field, originally constructed for the existing casino, was designed with three cells to percolate nearly the maximum daily flow (279,000 gallons) through each cell. Percolation tests averaged in the range of between 5 and 40 minutes per inch based on County of San Diego procedures for percolation tests. The leach field will be accessible to the treatment process without pumping through the effluent pump station.

Electricity and Gas Services

Electricity is supplied to the Reservation by the San Diego Gas & Electric Company (SDG&E). There is no natural gas service to the Reservation or the surrounding area. A private propane

distribution company transports propane by truck to individual storage tanks at the casino, government offices, and individual residences on the Reservation.

Solid Waste

The Tribe contracts with Waste Management, Inc. for all solid waste hauling and disposal. The solid waste is hauled to the Sycamore Landfill in Santee. Waste is currently collected once a week and requires two trips to the landfill. Several commercial solid waste disposal companies operate in northern San Diego County and are available to provide service for the Proposed Project, should this be necessary.

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4.0 ENVIRONMENTAL CONSEQUENCES

4.1 Aesthetics

The Proposed Project would involve the construction of a 19-story hotel. The initial Proposed Project included a 23-story hotel. As a result of public comments regarding the aesthetic effect of the height of the hotel, the Tribe examined its ability to meet project goals by lowering the height of the hotel, and determined that it could still meet project goals with a 19-story alternative.

The 19-story hotel would be the third structure of its kind in the area, all on or near SR-76 and within a few miles of each other. The Rincon Harrah's 21-story hotel tower, with over 50% more rooms, is visible from a number of locations in the Pauma Valley to the southeast of the project site. A 12-story hotel at the Pala Casino Resort & Spa is located on SR-76 about 5 miles to the northwest of the project site. This complex comes into view for motorists on SR-76 within a mile from either direction. The Pala hotel also houses over 500 rooms, more than the Proposed Project at the Pauma Reservation. Photographs of the Rincon and Pala casino and hotel resorts are provided in Appendix M.

The Tribe is aware of the particular concerns of neighboring residents with a direct view of the Project Site. Therefore, in addition to lowering the height of the hotel, the Tribe evaluated the Proposed Project for visibility and compatibility with the surrounding lands and existing uses, and alternative tower heights were considered.

Architects designed the hotel tower to be as simple and elegant as possible in order to work well with the landscape and colors of the Pauma Valley. The hotel exterior would have one signature move to minimize angles. The room balconies would have a slight curve to give the building a slightly curved shape. Seventy percent of the exterior would be covered with slightly reflective glass to reflect the natural landscape and sky without glare. The remaining thirty percent for elevator shafts and other structural items would be made of a stucco material of tan and natural tones, taken from the predominant colors of the natural surroundings.

As a result of public comments received about the height of the hotel, the Tribe not only decided to lower the height from 23 to 19 stories, but carefully considered two other lower hotel alternatives. The lowest hotel tower that can feasibly accommodate 384 rooms and provide patrons with easy and convenient access to the proposed casino is 13 stories, and as the height decreases, the mass increases disproportionately to height. To reduce the hotel height to lower than 13 stories with reasonable corridor distances and convenient access to the casino would require two hotel towers, one that is 9 stories and another of 10 stories, with increasing mass and width of such buildings.

As set forth in the Impact Analysis below, the 19-story hotel of the Proposed Project will have an impact that is less than significant upon visual aesthetics. The aesthetic impacts of the other considered alternatives – the 13-story hotel alternative and the hotel alternative made up of a 10-story structure and a 9-story structure – would have substantially similar aesthetic consequences