

Tule River Tribe Casino Relocation Project

Tulare County Administrative Office

January 7, 2020

Presentation Overview

- Project Description
- Project Timeline
- Summary of Memorandum of Understanding
- Payments and Mitigation Measures
- General Mitigation/Payments-in-lieu-of-Taxes
- Roadway Improvements
- Thank you!
- Requested Action

Project Description

- Tule River Tribe has successfully operated Eagle Mountain Casino since 1996
- Tribe desires to relocate the casino into the City of Porterville on land it has owned since 1988
- Project located on 40-acre site, within the Porterville City limits
- Development of approximately 100,000-square foot (sf) casino, 175-room multi-story hotel, 30,000 sf of food and beverage facilities, 25,000 sf multipurpose events center with an entertainment venue
- The project will connect to City of Porterville water and wastewater systems
- Tribe intends to construct a water reclamation facility
- Project includes construction of a 200 acre-foot regional stormwater retention basin in vicinity of project site
- Projected completion year estimated in 2021

Project Timeline

- September 2016 - Tribe submitted application to transfer project land from fee status into federal trust for gaming purposes
- September 2018 - Tribe submitted application requesting that the Bureau of Indian Affairs “BIA” issue a Secretarial Determination on whether the project land is eligible for gaming
- May 2019 - BIA issued Final Environmental Impact Statement (FEIS)
- September 2019 - BIA issued its Record of Decision (ROD)
- October 2019 - BIA requested the Governor concur with the BIA’s determination that the Tribe’s proposed gaming establishment is in the best interest of the Tribe and its members and that it would not be detrimental to the surrounding community

Project Timeline

- As a result of FEIS, terms of the ROD, and anticipated terms of the New Compact, the Tribe has agreed to implement mitigation measures designed to eliminate or reduce project impacts resulting from the relocation of the Casino
- Tribal officials, consultants, and County staff worked concurrently to negotiate the terms of a Memorandum of Understanding (MOU) and Intergovernmental Agreement
- The MOU is intended to provide financial and programmatic mitigation for the offsite impacts of the project
- Tribal Officials and County staff have reached an agreement on terms that meets both entities' needs

Summary of MOU

- a) Agreement is effective upon adoption and coincides with Tribe's new Gaming Compact with the State
- b) County and Tribe agreed to:
 - a) Public Safety Payments
 - b) General Mitigation/Payments-in-lieu-of-Taxes (PILT)
 - c) Road, Transportation, and Construction Improvements
- c) Tule River Tribal Council adopted this MOU at their December 30, 2019 meeting

Payments and Mitigation Measures

▶ Law Enforcement

- i. Tribe agrees to pay \$3.5 million for Sheriff's law enforcement services
- ii. Tribal security/law enforcement will work in conjunction with the Sheriff's Office and Porterville PD to implement proactive crime reducing policies and practices

▶ Fire & Emergency Medical Services

- i. Tribe intends to establish an on-site fire department and fire station
- ii. Tribe and County will enter into a mutual aid and dispatching agreement
- iii. Tribe agrees to a one-time payment of \$196,000 towards a Type 1 fire engine and related equipment to be housed at Station 19 in Porterville
- iv. The Tribe intends to construct and staff a fire station near the proposed project within two years after opening day. If Tribe does not establish a fire department as intended, the Tribe agrees to make annual payments of \$48,667 to the County for fire services.

General Mitigation/Payments-in-lieu-of-Taxes (PILT)

- i. Tribe agrees to pay the County \$550,000 annually with payments beginning one year after opening of Casino
- ii. This payment is intended for:
 - i. Public safety equipment and maintenance
 - ii. Road maintenance and traffic control costs
 - iii. Mental health services and justice services such as the District Attorney, Public Defender, and Probation Departments
 - iv. Other projects or purposes that benefit the new casino site or surrounding community
- iii. Establish a Joint Committee, which serves in an advisory capacity, to serve as a mechanism for discussions on matters of common interests and importance to both governments

Roadway Improvements

Required Mitigations (ROD, FEIS, etc.):

- Various traffic impact related contributions
- To Caltrans, City of Porterville, County of Tulare
- Includes Intersection improvements, traffic signals, roundabouts
- Generally 2040 year of completion date
- Required mitigation for County of Tulare facilities includes:
 - Contribution to Ave 256 and Spruce Signalization (Tribes ProRata share 7%)
 - Contribution to Teapot Dome rehabilitation (Tribes ProRata share 59.5%)

Roadway Improvements

Additional Improvements (MOU) :

- Various roadway condition related improvements
- To be constructed prior to Casino opening day
- Some work by Tribal Parties, some by County (contract)
- Improvements to County roads include:
 - Rehabilitation of West Street (by County)
 - Rehabilitation of Westwood Street (by Tribal Parties)
 - Rehabilitation of Teapot Dome (by County)

Roadway Improvements

Estimated Cost Obligations for Roadway Rehabs:

- Teapot Dome between Westwood and City Limits
 - Est. \$2.2m total; **County share \$891k / Tribal Share \$1.3m**
- Teapot Dome between West and .25 mi west of West
 - Est. \$640k total; **County share \$640k / Tribal Share \$0**
- West Street between Teapot Dome and City Limits
 - Est. \$326k total; **County share \$326k / Tribal Share \$0**
- Westwood Street between SR 190 and City Limits
 - Est. \$790k total; **County share \$0 / Tribal Share \$790k**
- Total Obligations per MOU
 - **County Share: \$1,857,000 / Tribal Share \$2,090,000**

Thank you!

- Board of Supervisors
- Tule River Tribal Council & Gaming Commission
- Sheriff, DA, PD, HHSA, Probation, & Fire Chief
- County Counsel
- Resource Management Agency
- County Administrative Office

Requested Action

1. Approve a Memorandum of Understanding and Intergovernmental Agreement (“MOU”) with the Tule River Indian Tribe and Tule River Tribe Gaming Authority for the relocation and expansion of the Eagle Mountain Casino to Porterville;
2. Authorize the Chairman to sign the Agreement;
3. Find that approval of the MOU does not constitute the approval of a “project” for California Environmental Quality Act purposes under Title 14 of the California Code of Regulations, Section 15378, because it involves the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment;
4. Direct the Clerk of the Board to provide copies of the executed MOU to the Tule River Indian Tribe and Tribe Gaming Authority, the Governor’s Office, U.S. Department of the Interior, and state and federal legislators; and
5. Authorize the County Administrative Officer and designees to take such actions as may be necessary to implement the terms of the MOU.

Comments or Questions?