

Jamul Indian Village Casino Project Impacts to State Route 94

Frequently Asked Questions

The California Department of Transportation (Caltrans) received numerous inquiries regarding the Jamul Indian Village (JIV) casino project, related impacts to State Route 94 (SR-94), and Caltrans role in the project development process. The following are Caltrans responses to the questions most frequently asked.



1. What is the Jamul Indian Village's casino project?

The Indian Gaming Regulatory Act allows Class III, casino style gaming activities, on the lands of federally recognized Indian tribes subject to operating in conformity with a gaming compact. The Jamul Indian Village (JIV) and the State of California entered into such a compact which establishes the rules and regulations for the operation and management of the tribal gaming operation. Upon entering into the compact, the JIV was authorized to construct and operate a gaming facility.

The JIV casino project is located on Indian land held in trust by the United States Government for the benefit of the tribe. The project location lies within the community of Jamul, adjacent to State Route 94, in the County of San Diego. The approximately 200,000 square foot facility, currently under construction, will consist of areas for gaming, food and beverage service, storage, facility operations, and administration offices.

Information on JIV's project can be found on its website at:

<http://www.jamulindianvillage.com>

Details of the Gaming Compact are available at:

http://www.cgcc.ca.gov/documents/compacts/original_compacts/Jamul_Compact.pdf



2. What are the potential impacts to State Route 94?

During the development process, the JIV prepared a Tribal Environmental Evaluation (TEE). The TEE includes a Traffic Impact Study that provides a forecast of the number of trips the casino will generate and assessed impacts to the adjacent road network, including State Route 94. The study estimates that the casino will generate, on average, 9,000 trips each day.

The initial review of the TEE identified traffic impacts to State Route 94. Improvements under consideration to mitigate these impacts include: new traffic signals, adding lanes, intersection modifications, and traffic signal optimization.

The TEE document for the casino project was accepted and certified by the Jamul Executive Committee of the JIV in January 2013. The document outlines plans for the casino development and a summary of environmental impacts and mitigation measures. The TEE is available on the JIV website.



3. What is Caltrans role in the JIV project?

Caltrans is the owner/operator of the State Highway System, which includes State Route 94. Caltrans is responsible for ensuring significant impacts to the State Highway System from land use decision-making actions are addressed in order to sustain operational integrity of the State Highway System.

Caltrans is authorized by the California Streets and Highways Code Section 94 to enter into agreements for Tribal Government funded mitigation projects on the State Highway System. Information on California Streets and Highways Code Section 94 is available at:

www.leginfo.ca.gov/cgi-bin/displaycode?section=shc&group=00001-01000&file=90-155.6



4. What is Caltrans review process for projects impacting the State Highway System?

The California Environmental Quality Act (CEQA) requires that public agencies review proposed land use development projects to determine if the project may have significant environmental impacts. The Act also requires that all environmental impacts are either avoided or reduced through mitigation measures. The CEQA review process includes the development and analysis of potential mitigation measures for the identified impacts and public involvement.

In compliance with CEQA, Caltrans, as the owner/operator of State Highway System, must review and assess the environmental impacts of potential highway improvements. Caltrans works with land use authority agencies, such as the County of San Diego and the JIV, and project proponents to develop mitigation strategies for highway project impacts.

If a mitigation measure requires traffic calming measures or improvements within the State owned right-of-way, an encroachment permit is required, subject to the California Environmental Quality Act (CEQA).

Information on the CEQA process can be found at the Caltrans Standard Environmental Reference website:

<http://www.dot.ca.gov/ser>



5. What is the current status of the CEQA process for permanent improvements to State Route 94 ?

The Tribal Environmental Evaluation prepared by the JIV identified the need for permanent improvements to the State Highway System. Therefore, subject to Caltrans' oversight and independent review, the JIV is responsible for the development of a CEQA Environmental Impact Report for the improvements within the State right of way and the necessary mitigation for any impacts to traffic on State Route 94.

Caltrans, as the CEQA lead agency, is responsible for ensuring that the Environmental Impact Report is prepared according to CEQA requirements. The Environmental Impact Report must include an analysis of the alternatives identified in the Tribal Environmental Evaluation that are within the State owned right-of-way. The Environmental Impact Report will also include an alternative of "No Project". The "No Project" alternative applies only to the roadway and access improvements, not the separate and independently approved casino project.

An updated Traffic Impact Study, developed as part of the CEQA process, is documented in the Environmental Impact Report. Detailed information on Caltrans Guidelines for the Preparation of a Traffic Impact Study can be found at:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf

The Notice of Preparation for an Environmental Impact Report was prepared by the JIV and submitted by Caltrans to the State Clearinghouse on August 23, 2013. The notice initiated the environmental review process to address proposed roadway improvements to State Route 94, including access road improvements.

The public was provided an opportunity to provide input on the proposed highway improvements during the September 17, 2013 scoping meeting. All comments received at this meeting are summarized in the Environmental Impact Report.

Caltrans released the Environmental Impact Report to the public on July 13, 2015. The report is available on the Caltrans District 11 website:

<http://www.dot.ca.gov/dist11/envir.htm>

A public hearing is scheduled for August 5, 2015 at the Cottonwood Golf Club located at 3121 Willow Glen Drive in El Cajon from 5:00 PM to 8:00 PM. This hearing will allow the public an additional opportunity to provide input regarding the report. The public may comment on the report for a period of 45 days, ending August 27, 2015.



6. What are the next steps in Caltrans approval process?

At the end of the public comment period, the comments and recommendations received will be evaluated. The Final Environmental Impact Report will include any new or revised information, substantive comments and recommendations will be individually addressed, the preferred alternatives will be identified with the rationale, and all impact avoidance, minimization, and mitigation measures will be described.

Caltrans will then Certify the Final Environmental Impact Report and issue its findings in writing. Only after considering the Final Environmental Impact Report in conjunction with the findings, may Caltrans decide whether or how to approve or carry out the highway improvement project.

Upon final approval of the Environmental Impact Report, the JIV's application for an Encroachment Permit for any permanent improvements to State Route 94 will be reviewed by Caltrans. Caltrans may have up to 60 days from the submission of a completed application to render a decision on whether to approve or deny a Permit. However, as Caltrans previously completed a full evaluation of the Environmental Impact Report, the time required to review the JIV application could be reduced significantly if the highway improvements are consistent with the Environmental Impact Report findings.

Detailed information on Caltrans Guidelines for the Encroachment Permit process is available on Caltrans website:

<http://www.dot.ca.gov/hq/traffops/developserv/permits>



7. What is being done to mitigate the traffic impacts during Casino Construction?

A Transportation Management Plan (TMP) is a plan that mitigates traffic impacts on a segment of highway due to an event, local development project, highway maintenance, or a highway construction project. The JIV prepared a TMP for the construction of the casino. Caltrans concurred with the TMP and issued an encroachment permit to allow JIV to place signs and flaggers within the State owned right-of-way. If needed, the encroachment permit and the TMP can be amended for future construction impacts. More information on Caltrans TMPs is available in the Caltrans 2009 Transportation Management Plan Guidelines:

http://www.dot.ca.gov/hq/traffops/systemops/tmp_lcs/files/TMP_Guidelines.pdf



8. How will SR-94 be impacted during Casino Construction?

The construction of the JIV casino requires excavating and hauling away excess soil and rock and delivery of concrete and building materials. According to the Transportation Management Plan, construction access on State Route 94 will be limited. The JIV expects that the access activity on State Route 94 will continue until the casino opening targeted for Summer 2016.



9. What safety and traffic controls will be implemented as part of the Traffic Management Plan?

Standard flagging operations will be in place at the construction site where construction vehicles enter and exit SR-94 . The California Highway Patrol (CHP), funded by the JIV, will be present at the site during hauling activities. In addition, temporary traffic control signs and changeable message signs will alert travelers to slow and prepare to stop for construction and/or flagging ahead. More information on standard construction signage is available in the California Manual of Uniform Traffic Control Devices:

<http://www.dot.ca.gov/hq/traffops/engineering/mutcd/>



10. Did the Traffic Management Plan authorize the commencement of construction activities for the casino on the JIV Tribal Land?

The encroachment permit for the Traffic Management Plan authorizes the JIV to place notification signs and position flaggers within Caltrans' right-of-way. Since the JIV already had access from the tribal land to State Route 94, authorization from Caltrans was not required for vehicles to enter and exit the casino construction site using the existing access. Submittal of the application to place signs and flaggers within the Caltrans right-of-way for added safety measures is a voluntary mitigation measure in the JIV's Tribal Environmental Evaluation .



11. What happens if the JIV decides to opt out of the encroachment permit process for the Traffic Management Plan?

Since the Traffic Management Plan is a voluntary measure, the JIV can construct the casino facility without a Caltrans issued encroachment permit. However, Caltrans will strive to see that the JIV utilizes a Traffic Management Plan, as committed to in the Tribal Environmental Evaluation.



12. What are Caltrans traffic signal spacing design standards?

Traffic studies and analysis for traffic signals must consider the effects on any upstream or downstream intersections and be based on a reasonable speed and capacity for the impacted state highway. The design standard calls for a signal spacing of a 1/2 mile and right turn only access at 1/4 mile spacing. Along certain corridors where 1/2 mile spacing is not achievable, proposed signalized intersections may have spacing at 1/4 mile increments or greater with no additional access points.



13. Is Melody Road the preferred Caltrans access to SR-94 location?

Caltrans does not have a preferred access point for the casino project *as currently defined*. In a January 17, 2007 letter to the JIV, Caltrans did cite a preference for access via Melody Road based on the JIV's project plans at that time. Caltrans has asked that all reasonable alternatives be studied to compare differing impacts to SR-94. The Environmental Impact Report includes the following: Alternative #1 - Reservation Road, Alternative #2 Daisy Drive (including Options 1-3) and Alternative #3 Melody Road.



14. Will other work on SR-94 compound the traffic impacts?

San Diego Gas & Electric (SDG&E) will be making electrical service capacity expansion and upgrades along State Route 94 (SR-94) from approximately Via Mercado in La Mesa to Peaceful Valley Ranch Road in Jamul. The upgrades include the installation of a 12 KV power line to be placed underground within the San Diego County and Caltrans rights of way. Caltrans is required to allow SDG&E to perform these upgrades under California Streets and Highways Code – Division 1, Chapter 3, Article 2.5, 708.

Caltrans is currently working with SDG&E to develop a Traffic Management Plan in conjunction with the issuance of an encroachment permit. Proposed traffic management measures include lane and shoulder closures, signage, and flaggers during the construction.



15. Is an Environment Impact Report required for the SDG&E project?

Upon reviewing the initial environmental impact analysis submitted by SDG&E, Caltrans determined that in accordance with California Public Resources Code - Division 13, Chapter 2.6, Article 21080 (c), the SDG&E project is categorically exempt from the California Environmental Quality Act (CEQA). Therefore, an Environmental Impact Report is not required for the SDG&E project.

More detailed information on references cited can be found on the following websites:

U.S. Department of the Interior

<http://www.doi.gov/tribes/index.cfm>

Bureau of Indian Affairs

<http://www.bia.gov>

U.S. Environmental Protection Agency—EPA's Tribal General Assistance Program Fact Sheet

<http://www.epa.gov/evaluate/pdf/water/fs-eval-tribal-general-assistance-program.pdf>

Legislative Analyst's Office—California's Tribal Casinos Questions and Answers

http://www.lao.ca.gov/2007/tribal_casinos/tribal_casinos_020207.aspx

California Natural Resource Agency—CEQA

<http://resources.ca.gov/ceqa/guidelines/>

California Department of Transportation (Caltrans)

<http://www.dot.ca.gov>