

# Rincon-county agreement could mean millions for services

A new tribal gaming agreement between the Rincon Band of Luiseño Indians and San Diego County could generate millions to supplement local firefighting, policing, transportation and problem-gambling treatment, officials said.

The Board of Supervisors this week unanimously endorsed the pact that would require tribal gaming revenue be set aside for county and local governments to mitigate the impacts of casino operations in North County.

The local agreement is part of a possible gambling expansion being negotiated by the Rincon band and Gov. Jerry Brown. If the state deal is approved, the county would establish an account into which the tribe would deposit a share of profits from Harrah's Rincon Casino & Resort near Valley Center.

It is not yet known how much the county would receive.

“Our money should not be going into the state treasury and being lost,” Rincon Chairman Bo Mazzetti said. “The funds we pay should be utilized in our county.”

Final terms of the agreement will depend on the deal with the state, but officials said the county's share would likely amount to a percentage of slot-machine revenue.

The Rincon band has spent years trying to expand its operations — from 1,600 to 2,500 slot machines. But it was stymied when former Gov. Arnold Schwarzenegger sought all but \$2 million per year the tribe was expected to receive in additional revenue.

Early projections had the Rincon band receiving an additional \$40 million per year. Rincon officials sued the state in federal court, essentially arguing that the demand amounted to an illegal tax. Ruling in favor of the tribe, the 9th Circuit Court of Appeals stated that Schwarzenegger, on behalf of the state, could not require Indian tribes to relinquish gaming revenue to the state general fund as a condition of expansion.

The tribe prevailed when the U.S. Supreme Court this summer upheld the ruling of the lower court.

“What our case did is open the door up for the other tribes in this county to keep their money down here, and for our surrounding neighbors in the county to see the benefits,” Mazzetti said. “Our kids and grandkids and family use these roads, they use the sheriff’s department, so we’re fortunate that we’re able to give this money to the county.”

Danny Tucker, chairman of the Sycuan Band of the Kumeyaay Nation, said it was good to see both sides willing to comport and find a new way forward.

“We hope this type of intergovernmental agreement will be repeated and will serve as an example how tribes can partner in addressing the county’s needs,” Tucker said. “And at the same time how the county will equally be willing to respect the jurisdiction and the rights of tribal governments.”

North County Supervisor Bill Horn noted that the Rincon band pursued its lawsuit to a successful end, unlike several others in the state that agreed to the tax in return for more slots.

“I applaud the tribe for their tenacity and stick-to-it-tiveness,” Horn said. “And I think everyone is going to benefit from this, especially in this locale.”

San Diego County is home to 19 Indian reservations and 18 tribal governments, more than any other in the U.S. Under the agreement with the county, the tribe agreed to contribute annual revenue into a trust to be established by the county treasurer.

A committee of county and tribal representatives would then distribute the funds to cities and other agencies whose project requests address gambling-related problems.

“This is a step forward. A huge step forward,” Supervisor Dianne Jacob said. “Having the funds kept locally is something we have wanted to do for years.”