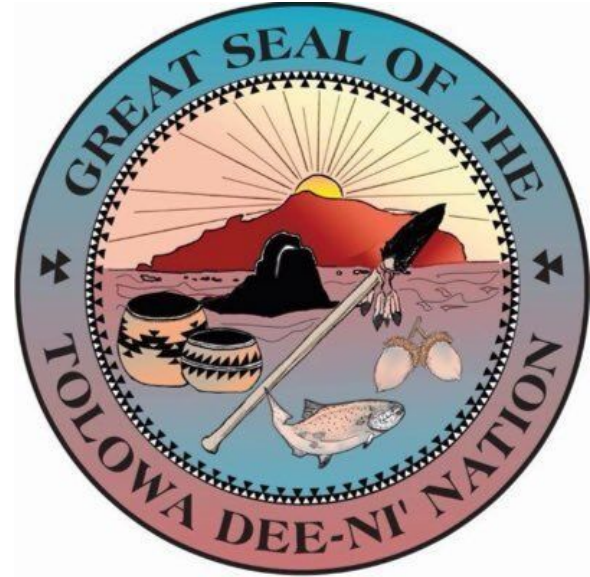


New state gaming compact with Tolowa-Dee-ni' includes provisions for workers rights

August 18, 2020



A new compact between the State of California and the Tolowa Dee-ni' Nation signed by Gov. Gavin Newsom earlier this month includes provisions for workers rights and details steps the tribe must take to consider off reservation impacts, including consultation with Del Norte County. It was among six tribal-state gaming compacts approved Aug. 4.

The tribe operates the Lucky 7 casino in Smith River.

On Aug. 6, Troy Ralstin, executive director of the Tolowa Dee-ni' Nation, wrote to the Del Norte County Board of Supervisors asking for support for state senate ratification of the compact via SB-869.

"This bill is to ratify the new Tribal-State Gaming Compact between the State of California and the Tolowa Dee-ni' Nation," Ralstin wrote. "The compact itself is fairly close to the current 1999 compact, but includes modernized terms related to enhanced employee protections, detailed environmental mitigation of off reservation impacts and other elements which have been included in many other compacts around the state."

Ralstin said passage of SB-169 is one of the last steps to achieve the tribe's goal of having a new compact for gaming at the Lucky 7 Casino. SB-869 was passed by the the state senate and sent to the state assembly this week.

Among differences between the two compacts are:

- Original compact was between the state and the Smith River Rancheria; the new agreement reflects the tribe's name change made in 2015.
- The new compact is for 25 years; the last one was for 20 years.
- The original compact was 62 pages; the new compact is 186 pages.

As noted by Ralstin, much of the additional language is part of a standardization of compacts between the state and the gaming tribes.

“Each of the individually-negotiated new compacts reflects the governor’s and the Tribes’ mutual commitment to a strong and respectful government-to-government relationship, and to promoting tribal economic development and self-sufficiency and strong tribal government,” the governor’s office said in a press release.

“The compacts’ terms respect the parties’ interest in improving the quality of life of tribal members through a framework that generates revenue for governmental programs, while also fairly regulating the gaming activities; affording meaningful patron and employee protections; and mitigating the off-reservation impacts of the gaming facility.”

The compacts are intended to support tribal government investment in expanded tribal government services, local jurisdictions and non-profit and civic organizations for improved fire and emergency medical services, law enforcement, low-income housing, public transit, education, environmental protection and other public service and infrastructure improvements, the governor's office said.

“The compacts reflect a commitment by the tribes to revenue sharing with non-gaming and limited gaming tribes through the Revenue Sharing Trust Fund and the Tribal Nation Grant Fund so that the economic benefits of gaming extend to all tribal governments in California,” the governor’s office said.

By videoconference during the Del Norte County Board of Supervisors meeting on Aug. 11, Ralstin followed up on his letter requesting support for passage of SB-869.

Chairperson Gerry Hemmingsen said he was mildly disappointed that the county didn't have an opportunity to have input into the compact. He said he wasn't opposed to the compact, but noted there had been no local government consultation.

Ralstin said that the tribe entered into discussion with the governor's office about three years ago because the 1999 compact ends this year.

Supervisor Chris Howard said he likes some of the provisions related to workers rights. He noted that it looks like a progressive stance that reflects well on the Tolowa Dee-ni' Nation.

Although there was no opportunity for the county's interests to be represented in the compact, County Administrative Officer Jay Sarina said Chapter 11 of the compact provides for off reservation impacts.

"There are provisions for us to be able to comment (on those)," Sarina said. "Those tend to be our biggest concern."

He said that the provisions in Chapter 11 would allow the county to sit down with the tribe and work out any issues over large developments, such as impacts to air quality or water resources.

By consensus the board directed Sarina to draft a letter of support for SB-869.

Copies of the 1999 compact and the new compact are provided with this article.