

RESPONSE TO
CAMP 4
FEE TO TRUST
APPLICATION

COUNTY OF SANTA BARBARA
BOARD OF SUPERVISORS
OCTOBER 15, 2013



RECOMMENDED ACTIONS



- Receive and consider background on the attached *Application for Transfer of Title for Fee Lands Into Trust*
- Consider options for responding to the Application
- Provide direction on next steps, if any, to the County Executive Officer

BACKGROUND



- **July 2013** – Santa Ynez Band of Chumash Mission Indians submitted *Application for Transfer of Title for Fee Lands Into Trust* to the Bureau of Indian Affairs (BIA) for Camp 4
- **September 23, 2013** - County officially received BIA notice that the Application was submitted on Camp 4 and begins 30-day comment period
- BIA approved comment extension to **November 7, 2013**

KEY CONTEXT



- County recognizes the role and unique interests of tribes, states, counties and other local government to:
 - Protect all members of their communities and
 - Provide governmental services and infrastructure
- County recognizes and respects the tribal right to:
 - Self-governance, and
 - Provide for welfare of tribal members

FEE TO TRUST (FTT) PROCESS

(Fed. Reg. Sec. 151)



- Tribes request the federal government to take land into trust for exclusive use by a Tribe
- Converts land from private or individual title to federal title
- Land becomes exempt from local government taxes and land use regulations
- Often does not specify uses for the proposed site, and a tribe is not bound to those uses once the land is taken into trust
- Camp 4 proposed uses include both development of a portion for housing as well as land-banking and holding land for future development

NEED FOR ENVIRONMENT IMPACT STATEMENT (EIS)



- Need environmental document to be elevated from Environmental Assessment (EA) to Environmental Impact Statement (EIS)
- An EIS is necessary to:
 - Disclose all project components,
 - Accurately analyze potentially significant direct and cumulative impacts,
 - Evaluate a full range of alternatives, including County land development process, and
 - Identify required substantial measures to mitigate or avoid impacts

NEED FOR ENVIRONMENT IMPACT STATEMENT (EIS)



- At a minimum, impacts to consider should include:
 - Compatibility with the County's General Plan, Santa Ynez Community Plan, and County land use regulations;
 - Conversion of agricultural land and Agricultural Preserve (Williamson Act) contract requirements;
 - Provision of public safety services including law enforcement, fire protection, and emergency medical response;
 - Provision of other public services including schools, parks and recreation;
 - Avoidance of negative impacts to water supplies, storm water quality, wastewater and solid waste management, biology and air quality;
 - Traffic capacity and circulation for vehicles, bicycles, and pedestrians;
 - Loss of taxes and special assessments used to fund countywide services.

PROPERTY CHARACTERISTICS



- The proposed project encompasses over 1,411 acres - zoned AG-II-100 (Agriculture, minimum parcel size of 100 acres)
- Multi-year Agriculture Preserve (Williamson Act) contract
- Santa Ynez Valley Community Plan guidance
- Property is located approximately 1.75 miles from existing reservation
- BIA should utilize process for off-reservation discretionary trust acquisition
- Uses specified in the application by the Tribe may be achieved with the property remaining in fee
- Tribe may choose to change the uses on the site once in trust

TRIBAL CONSOLIDATION AREA



- County has appealed the BIA approval an 11,500 acre Tribal Consolidation Area (TCA)
- Prior to consideration of the Camp 4 FTT application:
 - Consideration of the County's appeal and
 - Final decision on the validity of the TCA should be made

FINANCIAL IMPACTS



- Approval of the FTT application will result in loss of local taxes and increased County service costs

<i>(dollars in millions)</i>				
Current	Year 5	Year 10	Year 20	Year 50

Tax Value (assumed at 1% of Assessed Value):

w/o Williamson Act - Cumulative * \$ 0.34 \$ 1.84 \$ 4.15 \$ 9.8 \$ 34.9

(Pro-forma)

Alternative #1 - 5 Acre Cumulative \$ 3.8 \$ 19.8 \$ 42.0 \$ 94.0 \$ 311.4

Alternative #2 - 1 Acre Cumulative \$ 3.1 \$ 16.2 \$ 34.5 \$ 78.2 \$ 273.8

* - Estimated taxes under Williamson Act = \$83,000

SUMMARY



- Consideration of the FTT application should include:
 - Extent of the impacts from the proposed project,
 - Any proposed mitigations measures,
 - Commitments to reimburse the County for lost tax revenue,
 - Willingness to enter into an agreement related to the future uses of the trust land

RECOMMENDED ACTIONS



- Receive and consider background on the attached *Application for Transfer of Title for Fee Lands Into Trust*
- Consider options for responding to the Application
- Provide direction on next steps, if any, to the County Executive Officer
- Determine pursuant to CEQA Guidelines Section 15378(b)(5) that the above actions involving potential providing responses to the Application are not a project subject to CEQA review