

BOARD OF SUPERVISORS LETTERHEAD

Arnold Schwarzenegger
Governor of California

The Board of Supervisors of Santa Barbara County held a public hearing on February 13, 2007 in response to significant community concern about the potential renegotiation of the compact between the State of California and the Santa Ynez Band of Chumash Indians which authorizes the Band's casino. In particular, concerns were raised about the possibility that through renegotiation with your Office, the Band might be seeking to acquire up to an additional 5,000 slot machines, which would require an expansion of the casino that poses significant environmental and other impacts on the largely rural Santa Ynez Valley. The purpose of this memorandum is to request that the County of Santa Barbara be allowed to participate in any such negotiations for an amended contract. If such participation is not possible, we request that your Office consult with the County and conduct a public hearing in our community to hear the concerns of residents.

The Chumash Casino, operated under the Tribe's 1999 compact, currently has a major impact on the agricultural and semi-rural residential Santa Ynez Valley, particularly the neighboring unincorporated communities of Santa Ynez, Los Olivos, and Los Alamos and the City of Solvang. We acknowledge that the Chumash Casino has in recent years helped to mitigate these impacts through allocations from the Special Distribution Fund and by providing employment to hundreds of Central Coast residents.

While we recognize your right under the compact to have discussions with tribes and consider proposals for compact amendments consistent with the Indian Regulatory Gaming Act (IGRA), we know that you have consistently supported maintaining State and local land use authority and mitigation of local impacts. We appreciate former Legal Affairs Secretary Peter Siggins' August 26, 2005 letter expressing opposition to the Chumash's fee to trust application for additional land as piecemeal and unnecessary. We support your comment to the Bureau of Indian Affairs on proposed federal land acquisition rules that exceptions to IGRA's Section 20 prohibition on gaming on after-acquired trust land must be narrowly construed and that there be mandatory notice and meaningful consultation with states and affected local governments for all subpart B exceptions. We remind you of Legal Affairs Secretary Andrea Hoch's promise that you will not negotiate compact amendments for gaming expansion except where the land has already been taken into trust.

As a result of the operation of the Chumash Casino, County government bears the burden of providing additional law enforcement, public safety, and social services to

the entire County, as well as responding to other off-reservation impacts. Counties and their residents also bear responsibility for developing and adopting land use plans for unincorporated communities, such as the Santa Ynez Valley. Community plans serve as a locally-developed blueprint for development appropriate to the character and infrastructure of the area. Such planning is made much more difficult if tribal casino projects are authorized by the State without any consultation with local government.

In light of these responsibilities, if a request is received to amend the 1999 compact between the State and the Santa Ynez Band of Chumash, the County of Santa Barbara requests participation in any negotiations for an amended compact. If full County participation is not feasible, we request that you consult with the County about the issues that arise in the negotiations, and possibly hold a public hearing in the community to hear our concerns before negotiations are concluded.

We trust you will give serious consideration to this most important matter.

Brooks Firestone

Chair, Board of Supervisors