

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**  
**Prepared on:** 4/29/02  
**Department Name:** County Administrator  
**Department No.:** 012  
**Agenda Date:** 5/7/02  
**Placement:** Departmental  
**Estimate Time:** 2 Hours  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Michael F. Brown  
County Administrator

**STAFF CONTACT:** Scott Ullery, Deputy County Administrator, 568-3400  
Dave Ward, Planning & Development, 568-2072  
Jennifer Klein, County Counsel, 568-2950

**SUBJECT:** Comment Letter to Santa Ynez Band of Chumash Indians on the  
Environmental Evaluation of the Chumash Casino Consolidation Project

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**Recommendation:**

That the Board of Supervisors:

- 1) Review a comment letter from the Board to the Santa Ynez Band of Chumash Indians regarding the Tribe's Environmental Evaluation of the Chumash Casino Consolidation Project.
- 2) Authorize the Chair to sign the comment letter and represent the Board at a public meeting held at the Chumash Pavilion in Santa Ynez on the Environmental Evaluation of the Chumash Casino Consolidation Project scheduled for May 10, 2002.
- 3) Authorize staff to request a meeting and meet with the Tribe to discuss mitigation of significant off-reservation environmental impacts pursuant to the Tribal Environmental Ordinance.

**Alignment with Board Strategic Plan:**

The recommendations are primarily aligned with Goal No. 2. A Safe and Healthy Community in Which to Live, Work, and Visit, and Goal No. 5. A High Quality of Life for All Residents.

**Executive Summary and Discussion:**

On April 9, 2002, the Santa Ynez Band of Chumash Indians released an Environmental Evaluation of the proposed Chumash Casino Consolidation Project. The proposal is to 1) demolish two existing Tribal office

buildings, three casino buildings and remove modular offices; 2) modify an existing metal building into a maintenance facility; 3) construct a 3-level parking structure to accommodate 660 parking spaces; 4) construct a 2-level, 190,000 square foot casino with additional below ground parking; and 5) construct a 3-story, 120-room, 75,000 square foot hotel facility on top of the proposed 2-level casino.

The County of Santa Barbara recognizes tribal sovereignty and supports the Tribe's efforts to ensure self-reliance and improve the living conditions of its members in ways that are both effective and sensitive to its neighbors and the environment. The comment letter is the result of a joint review of the Tribe's Environmental Evaluation by a variety of County departments and technical staff. The comment letter identifies technical inadequacies in the Tribe's analysis of environmental impacts in the Environmental Evaluation, and raises questions regarding the Tribe's conclusion that many of the impacts will be mitigated to a level of insignificance. The comment letter also suggests conformance of the Casino Consolidation Project with local standards, in the absence of equally or more stringent Tribal standards, to minimize off-reservation impacts.

The comment letter must be submitted to the Tribe by May 9, 2002. A public meeting at the Chumash Pavilion in Santa Ynez is scheduled for May 10, 2002, at 7:00 p.m. to receive additional public testimony.

#### **Mandates and Service Levels:**

Under the federal Indian Gaming Regulatory Act, for a tribe to legally conduct high-stakes casino style gaming it must enter into a 'Compact' with the governor. The Governor of the State of California entered into a Tribal-State Compact with the Santa Ynez Band of Chumash Indians on September 10, 1999. Under Section 10.8 of the Tribal-State Gaming Compact, the Tribe is required to (1) adopt an environmental ordinance, (2) prepare an environmental study prior to commencement of construction or expansion of the gaming facility (casino), and (3) consult with local jurisdictions and make a "good faith" effort to mitigate off-reservation impacts consistent with the Tribe's governmental interests. The Tribe has prepared, and is circulating for comments, an Environmental Evaluation pursuant to its Tribal Environmental Ordinance and the Tribal-State Compact. The proposed comment letter to the Tribe on the Environmental Evaluation is a discretionary action by your Board and not required by law.

The proposed Casino Consolidation Project is expected to result in off-reservation impacts on the surrounding Santa Ynez Valley communities and traffic along Highway 246. County service levels will be significantly impacted by the proposed Casino Consolidation Project.

#### **Fiscal and Facilities Impacts:**

No additional costs are associated with the hearing.

**Concurrence:** County Counsel

cc: Barbara Boxer, United States Senator  
Lois Capps, United States Congresswoman  
Jack O'Connell, California State Senator

Hannah-Beth Jackson, California State Assemblywoman  
Abel Maldonado, California State Assemblyman  
Virgil Townsend, Superintendent, Department of the Interior, Bureau of Indian Affairs – Southern California Agency  
Vincent Armenta, Tribal Chairman, Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation of California  
Greg Albright, Caltrans District 5 Director  
Steve Price, Caltrans District 5  
Solvang City Council  
Buellton City Council  
Christ Dalstrom, Santa Ynez River Water Conservation District, Improvement District No. 1  
Bonnie Ottoman, Santa Ynez Community Services District  
Airport Land Use Commission  
Diane Waterman, Waterman & Associates  
Scott Morgan, Governor's Office of Planning and Research  
Stephen Shane Stark, County Counsel  
John Patton, Planning and Development Director  
Phil Demery, Public Works Director  
John Scherrei, County Fire Chief  
Jim Thomas, County Sheriff  
Peggy Langle, Environmental Health Director  
Douglas Allard, Air Pollution Control District  
P&D Santa Ynez Planning Area – Chumash File (Dave Ward)