From: LGF msn
To: Valencia Sherratt, Lisa; Tittle, Jeremy; Friedman, Eric; Farr, Doreen; Wolf, Janet; Adam, Peter; Lavagnino, Steve; sbcob; CAO email; devin_rhinerson@feinstein.senate.gov; rachel.kondor@mail.house.gov; info@polosyv.org; info@syvconcernedcitizens.com
Subject: OPPOSITION TO CHUMASH ANNEXATION & TCA | ON LIFE SUPPORT: TRUTH, JUSTICE AND THE AMERICAN WAY
Date: Thursday, October 10, 2013 10:02:49 PM
Importance: High

---

10 October 2013

Honorable Supervisors, Staff, Congresswoman and Senator:

Beyond myself – thousands of family, neighbors, friends and business associates are vehemently opposed to the BIA's approval of the Chumash Band of Indians' Annexation and TCA-DPA plans – or more succinctly: **the concerted Taking of County Assets and Devaluing of Private Assets**.

- The BIA is wrong on the history of the Tribe's relationship to this land
- The BIA is wrong on the law that is referenced to justify this TCA
- The BIA was and is negligent in failing to scrutinize the Tribes' multiple, non documented and erroneous assertions
- The BIA approval was given improperly in violation of the National Environment Policy Act
- The BIA failed to give notice to the County, local government agencies and hundreds affected private property owners – its actions have been by design wholly opaque and surreptitious

Camp 4 land is presently in protective contract through the California Department of Food & Agriculture - resulting in the California Land Conservation Act, more popularly known as the Williamson Act and subsequent Super Williamson Act. By State law this land has protected the Public Trust from untold boom and bust developers. Beyond, this legal protection is put into automatic extension every 10 years. Over the past decade, the State of California has worked dutifully on behalf of its taxpaying citizenry to strengthen this law as countless real estate developers (including Fess Parker) and now the deep pocketed Santa Ynez Band of Chumash Indians exert tireless, voracious and unprecedented political and financial pressure upon local governments and their leaders to alter the law and transform it into Fee To Trust - making it not simply tax exempt from the public tax base but exempt from restriction of any kind. Under such no-holes barred Fee-To-Trust conditions:

- no building construct is too high
- no quantity of development too much
- no parking lot, hotel, golf course, bar, gambling casino or dance establishment too big
- no neon light too bright
- no cost too great
- no public plunder too extreme
- no monopolistic control over water rights too deep
- no displacement and devaluing of private properties too extreme

One need look no further than Foxwoods CT and the Mashantucket Pequot Indian Reservation to

see such grossly disproportionate establishments. The Santa Ynez Band of Chumash Indians indeed openly espouse their desire to not simply consolidate the Santa Ynez Valley but annex 7000 square miles of "tribal" California land from Malibu to Morro Bay - though the 1934 Indian Reorganization Act requires them to have been recognized prior to this date. The Santa Ynez Band of Chumash were not recognized by the US Government until the mid-1970's.

With this so-called TCA -precedence would be set for all 470+ (and growing) Indian Tribes across the U.S.A. to buy any rural or urban real estate desired (regardless of its physical relationship to an existing reservation), pay no County taxes, build any structure of any sort desired without restrictive County building codes and in so doing create a Tsunami checker-boarded patchwork of Indian Nation and devalued American real estate - which such Tribes would then scoop-up at mere pennies on the dollar as their fleeced, non-Indian victims flee such growing spheres of Native land-grabbing, leaving their once valued homes, estates and life legacy behind. These 21st Century Tribal Carpetbaggers and their Las Vegas investors would be the only groups to benefit from such reprehensible, outrageous, opportunistic, politically manipulative and surreptitious actions.

Unprotected, Camp 4's virgin 1400 acres would be subject to unrestricted development - transforming open virgin wilderness into California's newest San Fernando Valley - an urban sprawl without limitation. Only such Developers' and the Santa Ynez Band of Chumash Indians find this beneficial to the public good. What a travesty … and in the fictitious name of good stewardship of native land.

That such a virulent and virus inducing scheme could be given even the remotest moment of credibility on any scale by any public official - is beyond common sense at best and anti-American at worst. With such an inane, misguided and wholly skewed socio-political mindset, American townships, cities and urban centers will quickly spiral into bankruptcy and default as billions of dollars of former American private properties and tax-based ownerships are removed from county tax roles and into the Teflon Nation of Tribal Sovereignty, while concurrently eviscerating all future city and county long range development plans. What remains will be one (1) Employer and one (1) Gamer in every American town … endorsed by the rubber-stamp of the BIA and run by the COO of each Tribe. The likes of Vince Armenta and his Native American clones will dictate the existence, structure and American order of a new **United Indian States of America**. This is the devastating, ire provoking war dance and test battle currently being waged by the Santa Ynez Chumash Band of Indians, as a bell weather for all 500 Indian Nations coast-to-coast.

By public voice and decades of input the future development of Camp 4 has been unambiguously settled in the Santa Ynez Valley Community Plan, the one and ONLY official county government-sanctioned blueprint for development in the Santa Ynez Valley. It is the ONLY document which reflects the inputs, objectives and desires of all Santa Ynez Valley residents, businesses, government ... including Taxpayers.

The Chumash Band of Indians are a private landowner as it relates to Camp 4. There is no tribal government status or element of sovereignty on this property. This so-called TCA and Fee-to-Trust Annexation of the Camp 4 property would create an incalculable loss of local control and adverse economic and environmental impacts. Good governance relies upon local government and elected

officials, adopted policy and comprehensive planning, to balance the needs of the community and plan for the future. The needs of the Many - outweigh the needs of the Few. Thousands of taxpayers and residents in the Santa Ynez Valley oppose the Camp 4 Annexation and Tribal Consolidation and Annexation Area including but not limited to every major land organization representing thousands of taxpaying citizens: Happy Canyon Home Owners, Meadowlark Home Owners Association, Rancho Estates Home Owners, Rancho Ynecita Home Owners, Neighborhood Defense League, Preservation of Los Olivos, Preservation of Santa Ynez, Santa Ynez Valley Alliance, Santa Ynez Valley Alliance, Santa Ynez Valley Association of Realtors, Santa Ynez Valley Concerned Citizens, No More Slots and Women's Environmental Watch. This is NOT a handful of Indian racists as Mr. Armenta so desperately espouses - this is the ethnically broad vast majority of Taxpayer Citizens living and working hard each and every day in the Santa Ynez Valley. Furthermore:

1. On page 2-3, the Chumash plan to provide their own waste water treatment plan. Camp 4 sits atop of the aquafer that supports a significant portion of Santa Barbara County. Who would represent the whole population that relies on that water in terms of oversight of the proposed Chumash waste water treatment?
2. On page 2-4, the following representation is made: No gaming would occur on the subject property. The Chumash obtained 2 gaming permits....they have used only one to date. It would be negligent for your analysis of the EA to ignore the potential construction of a casino on Camp 4/TCA land.
3. On pages 2-6/7, the following is stated: The County, Solvang/Santa Ynez Sheriff Substation provides general public safety and law enforcement service for the project area. The Sheriff Substation is located in Solvang, approximately three miles from the project site. It provides 24-hour service to the Santa Ynez Valley and Solvang area.The County Fire Department (Fire Department) provides structural fire protection services to the project area. The Fire Department protects primarily residential areas, and responds to calls for structural fires as well as medical emergencies.

   The Chumash have said they would be willing to pay $10 Million to compensate the County for the loss of tax revenue from Camp 4. The $10 Million in no way provides adequate compensation for the in perpetuity loss of tax revenues if the 1,400 acres is taken in Trust, let alone addresses the significant new demands the existing County law enforcement and fire services that would result from the proposed development of this now virtually undeveloped pristine land.
4. On page 2-7, the following is stated:To meet increased demands, the Tribe would develop an on-site water supply system using groundwater. There is no information as to how the potential increased demand, let alone the stated increased demand will impact all of the existing and future needs of all of the populations who are dependent upon the aquifer.
5. On page 2-8, the following is stated: Existing access roads would be improved and new roads constructed to provide access to the proposed residences and existing agricultural operations. The EA does not speak to the impact of the additional traffic that would result from the stated proposed development of Camp 4, let alone the potential development that is NOT addressed but reasonably anticipated to fulfill the economic opportunities the Chumash have stated will be provided to allow "the Tribe to continue to build economic self sufficiency through diversified tribally-governed commercial enterprises." (Page 1-7)
6. On page 2-10, the following is stated: "All identified wetland areas and California Live Oak

would be avoided to the maximum extent feasible." The term "feasible" is subjective. Although not bound by State and local laws on Trust lands, the Chumash have voted on State and local measures on their ballots. State and local laws have been enacted specifically to protect wetland areas and California Live Oak for the enjoyment of OUR future generations. "We the people" - including the Chumash - have elevated the future value of these environmental protection objectives over all other potential uses of the land on which they are located.

7. On page 2-12, the following is stated: "The tribal facilities would include development of a banquet/exhibition hall designed with an agriculture/equestrian theme, associated administrative spaces, a tribal office complex, and a tribal community space including ceremony room and gymnasium....Approximately 400 parking spaces would be provided for the facilities."

   Nowhere in the 930 page EA does the Tribe address the environmental impact, let alone the broader community impact, of the use of a facility on Camp 4 that necessitates 400 parking spaces. The proposed "community event facilities are stated to encompass nearly 80,000 square feet!. (page 2-14). Santa Ynez Valley residents already are gravely concerned about and pursuing laws to regulate and restrict the number of special events that may be hosted at wineries and other privately owned facilities due to the traffic, light and sound pollution, and other negative impacts caused by these events.

8. On page 2-16 the following is stated: "Impacts to biological resources would be greater under Alternative A due to the size of the assignments. Under Alternative A, approximately 330.11 acres of critical habitat for a protected species would be removed from designation. Under Alternative B, approximately 65.28 acres of the critical habitat would be removed from designation. Both alternatives would adversely impact water of the U.S., special-status species, protected oak trees, and migratory birds without the implementation of mitigation."

   The Chumash concede that their proposed developments for Camp 4 adversely impact biological resources, protected species, protected trees and migratory birds. It is your obligation to determine, as a matter of fact, that the proposed development of Camp 4 by the Chumash warrant these adverse consequences.

9. On page 2-16, the following is stated: "No adverse impacts to socioeconomic conditions or environmental justice would result from the implementation of either project alternative..."

   This is a broad conclusion...not a statement of fact. Mr. Broussard, please fulfill your duty to exercise your own due diligence so that you may come to your own conclusions as to what adverse impacts would result from the pursuit of either Alternative A or Alternative B. Please review Alternative A and Alternative B against the background of the Santa Ynez Valley Community Plan.

10. On page 4-69, the following is stated: "A project that would induce disorderly growth (i.e., would conflict with local land use plans) could indirectly cause adverse environmental or public service impacts."

    The County has spoken to what is deemed to be "orderly growth". This statement is incorporated in the Santa Ynez Valley Community Plan. Neither Alternative A nor Alternative B are incorporated in the county's vision of orderly growth.

11. On the same page (4-69) the following is stated: "No significant, unmitigated impacts have been identified that would result from the implementation of Alternative A or Alternative B." Please exercise your own due diligence and do not merely adopt these conclusions. The term

"significant" is highly subjective, and it is extremely significant to non-Chumash majority members of this community that any development of Camp 4 have minimal detrimental impacts on our use and enjoyment of our home.

The community in its entirety relies upon tax revenues and impact fees to provide essential services and infrastructure and there presently exist a myriad of fiscal shortfalls. Unfunded tax subsidies and exemptions threaten the County's ability to further balance its budget and serve all its residents. Good governance demands that future development of the Camp 4 property be subject to County government elected for and by ALL the citizens of Santa Barbara County.

Louis Friedman
Santa Barbara County Taxpayer