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January 25, 2016

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Re: January 14, 2016, Ad Hoc Subcommittee Meeting with Santa Ynez Band of Chumash Indians and Tribe's Request to Cancel *Williamson Act* Contracts

Dear Supervisors Farr, Adam, Wolf, Carbajal, and Lavagnino:

My wife and I live in Santa Ynez, California, and we are neighbors of the Chumash Tribe with respect to Camp 4. I am an attorney of 35 years and I have a degree in Urban and Regional Planning from the University of Southern California. I am an Appellant in the matter currently pending before the U.S. Department of the Interior, Assistant Secretary-Indian Affairs, involving the Chumash Fee-to-Trust application. Santa Barbara County is also an appellant.

I monitored the Ad Hoc Subcommittee meeting with the Chumash Indians that took place on January 14, 2016. Again, it is admirable the parties are attempting to discuss issues with a goal towards a local resolution. I am writing you in connection with the Tribe's proposal that Santa Barbara County "work with the Tribe on cancellation of all or parts of the *Williamson Act* contracts on Camp 4." As you know, the *Williamson Act* contracts preclude development of Camp 4 until 2023. There is no benefit and only detriment to the local communities in cancelling the *Williamson Act* contracts. Cancellation of the *Williamson Act* contracts will only accelerate the attack and assault on the environment by the proposed development of Camp 4 that will have significant adverse impacts on the environment and adjoining communities. The Tribe's proposal should be rejected as not justified and not in the best interest of the community.

No development of Camp 4 should be allowed prior to 2023 in accordance with the *Williamson Act* contracts, Tribe Resolution No. 931, and the representations made by the Tribe in the Final Environmental Assessment (Final EA). Tribe Resolution No. 931 states: ". . . the Tribe further agrees to comply with the terms of such Williamson Act Contracts during the nine (9) year non-renewal period until the expiration of the Contracts." Moreover, the Final EA states the following with respect to construction beginning in 2023:

“ . . . For the purpose of evaluating potential impacts to resources in the Final EA, it is assumed that **construction of the project would begin after the grace period for the non-renewal of the Williamson Act contracts has ended** (pursuant to Tribal Resolution 931 dated July 1, 2013) and would be phased over approximately 4 to 9 years as new tribal homes are needed. . . . **It should be noted that construction of the selected project alternative would not begin until 2023**; however, for the purpose of evaluating impacts to other resources (e.g. land use), the construction date was assumed to be 2014 to apply conservative assumptions where appropriate.” (Emphasis added)

Section 3.8.3 of the Final EA, states the following concerning the application of the *Williamson Act* to the Camp 4 property:

“All of the parcels within the project site are under active Williamson Act contracts (Santa Barbara County, 2009a).”

Section 3.8.3 of the Final EA states the following with respect to the “*Nonrenewal Process*”:

“A notice of nonrenewal can be filed by either the local government or the private landowner. Once a notice of nonrenewal has been filed, a nine-year nonrenewal period is initiated. During the nonrenewal process, **land use restrictions of the contract remain in effect** and the annual tax assessments gradually increases. **At the end of the nine-year nonrenewal period, the contract is terminated.**” (Emphasis added).

Since development will not begin prior to 2023 and construction will be “phased over approximately 4 to 9 years,” there is sufficient time for the Tribe to perform an Environmental Impact Statement.

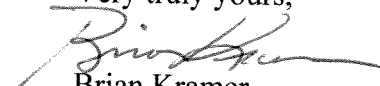
An Environmental Impact Statement (EIS) is needed as the Final EA is factually and legally erroneous and violates NEPA as Santa Barbara County correctly states in its Opening Brief in Support of Appeal of the Decision of the Pacific Regional Director (See County’s Opening Brief, Pages 11-15).

My wife and I, as neighbors of Camp 4, along with our neighbors, are concerned about the negative impact the development of Camp 4 will cause. Santa Barbara County asserted similar concerns in the County’s Notice of Appeal and Opening Brief.

The environment is not for sale to the highest bidder so it can be developed in violation of NEPA. It is respectfully requested Santa Barbara County not accelerate the development of Camp 4 by cancelling the *Williamson Act* contracts, in whole or in part, as requested by the Tribe. The Tribe purchased the property with full knowledge of the *Williamson Act* contracts and the Tribe reaped the tax benefits of those contracts. The Tribe knowingly entered into those contracts and agreed to be bound by their terms. The environment and the community deserve full compliance with the *Williamson Act* contracts entered into by the Tribe.

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If you have any questions concerning this matter, please do not hesitate to contact me at BrianKramerLaw@aol.com or my office at 1230 Rosecrans Avenue, Suite 300, Manhattan Beach, California 90266, Tel. (310) 536-9501.

Very truly yours,

Brian Kramer

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