

SANTA YNEZ VALLEY CONCERNED CITIZENS

Contact: Massie Ritsch
310-689-7538
massie@sugermangroup.com

Valley groups submit testimony to U.S. Senate Indian Affairs Committee *Citizens' critique of tribal land annexations follows D.C. appearance by David Crosby*

SANTA YNEZ, Calif. (June 1, 2005)—In testimony submitted today to the U.S. Senate Committee on Indian Affairs, a coalition of citizens' organizations suggested ways to fix the flawed federal process that allows wealthy Indian tribes to acquire land off their reservations and shield it from local and state laws. The testimony was submitted to assist the Committee as it considers reforms of the so-called trust land acquisition process, which is administered by the federal Bureau of Indian Affairs.

"It is clear that the trust land acquisition process is broken," the coalition wrote. "The situation that is now emerging in the Santa Ynez Valley is a perfect example of this problem."

Since the Santa Ynez Band of Chumash Indians announced in 2004 a plan to buy 745 acres of ranchland from former actor Fess Parker and partner with him to build hundreds of homes and a luxury golf resort, the Chumash tribe has aggressively sought to expand its land holdings in this rural area of California's Santa Barbara County. With profits from its casino in Santa Ynez, but without regard for the surrounding community, the tribe is seeking to place off-reservation land in federal trust, removing it from the local tax rolls and exempting it from land-use and environmental regulations. Tribes that have put land in trust for one stated purpose have gone on to put the land to other, less popular uses, the Bureau of Indian Affairs has acknowledged.

"Rather than reveal its overall plans, the (Chumash) Tribe appears to be following a pattern of simply adding one parcel to another, piece-by-piece, in a gradual effort to expand its trust lands without ever undergoing full disclosure or review," the coalition wrote.

Led by Santa Ynez Valley Concerned Citizens, the coalition filed its testimony today in Washington. Joining Concerned Citizens were the groups Preservation of Los Olivos (POLO) and Preservation of Santa Ynez (POSY).

"Let's remember that the current laws governing the trust land process predate the era of Indian gaming," Concerned Citizens Executive Director Charles "C.J." Jackson said. "Taking land into trust for tribes was intended to help economically struggling tribes become self-sufficient. Congress did not anticipate that wealthy tribes, enormously enriched by casinos, would seek to exploit the trust-land process to the detriment of their neighbors."

The submission of the citizens' testimony followed an appearance before the Senate Indian Affairs Committee by musician David Crosby, who lives in the Santa Ynez Valley. On May 18, Crosby testified in Washington that "we are now in a situation where the laws intended to give Indians a break are doing unfair and unjust harm to communities all over the country."

In their joint testimony to the Committee, the citizens' groups outlined several problems with the trust land process and suggested remedies. The coalition criticized the current regulations as "far too general and vague." The process fails to impose limitations on the use of land once it is taken into trust, making it easy for tribes to pursue unpopular uses once land is out of local control. The coalition advocated for improved public review of trust land requests, and suggested that many of the concerns about the process can be addressed through the development of intergovernmental agreements between tribes and local communities. The coalition is currently seeking such an agreement between the Chumash tribe and Santa Barbara County, related to undeveloped land that the U.S. Bureau of Indian Affairs (BIA) recently approved for trust status. Nearly four months ago, a handshake agreement was announced, but the public has not seen any agreement in writing.

"Successful use of intergovernmental agreements can help avoid trust land conflicts," the coalition testified, "and BIA should play a leading role in promoting their use."

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To read a model intergovernmental agreement, visit

http://www.syvconcernedcitizens.com/pdfs/draft_agreement.pdf

P.O. Box 244 ♦ SANTA YNEZ, CA 93460 ♦ WWW.SYVCONCERNEDCITIZENS.COM

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