

SANTA YNEZ VALLEY CONCERNED CITIZENS

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

GOV. SCHWARZENEGGER OPPOSES CHUMASH TRIBE'S APPLICATION TO ANNEX MORE LAND IN SANTA BARBARA COUNTY

Exempting off-reservation land from taxation and land-use laws would have "significant...adverse" impacts

SANTA YNEZ, Calif. (Sept. 12, 2005)—Governor Arnold Schwarzenegger opposes the latest attempt by the Santa Ynez Band of Chumash Indians to annex land off its reservation in Santa Barbara County and exempt the land from state and county taxes, land-use laws and environmental regulations.

Allowing the Chumash tribe to annex nearly 6 acres of land in Santa Ynez and shelter it in federal trust "would have a significant individual and cumulative adverse impact on the State" and local governments, according to an Aug. 26 letter from the Governor's Legal Affairs Secretary, Peter Siggins, to James J. Fletcher, Southern California superintendent of the U.S. Department of the Interior's Bureau of Indian Affairs (BIA).

Operating a highly successful casino and hotel, the Santa Ynez Chumash tribe is economically and politically self-sufficient, and has not demonstrated it needs to place the land in federal trust, the Schwarzenegger administration's letter says. In its application, the Tribe suggests it plans to use the 13 parcels it owns near its casino for commercial development, but provides no specifics—further reason to deny the application, Siggins wrote.

Furthermore, in the State's view, the Santa Ynez Band of Chumash Indians appears to have no historical claim to this particular land. If the federal government were to agree with the Tribe's assertion, all tribes in California could make similar claims and remove off-reservation land from the jurisdiction of the State and local governments.

"Allowing up to 108 federally recognized tribes in California to place into trust land for which they have an aboriginal claim could involve more than 75 million acres," the letter says, and would unconstitutionally interfere with the power of the State to tax and govern the land.

With Siggins's letter, the State of California has now joined the County of Santa Barbara in urging the BIA to deny the Chumash tribe's application to annex these 5.8 acres and develop the land for commercial use. In the County's own letter to the BIA, the County estimated that if the land were placed in federal trust, the lost tax revenue for the County over 50 years would exceed \$42 million. Tax-free tribal businesses would have an unfair advantage over neighboring local businesses, which would remain subject to sales and other taxes.

The State agrees. "Freed from the requirement to pay State and local property, sales and income taxes, tribal businesses could plainly undercut non-tribal businesses," the Schwarzenegger administration's letter to the BIA reads.

Santa Barbara County citizens groups have also opposed the annexation of the 5.8 acres in comments sent recently to the BIA. Santa Ynez Valley Concerned Citizens (SYVCC), Women's Environmental Watch of the Santa Ynez Valley (WEWatch), Preservation of Los Olivos (POLO) and Preservation of Santa Ynez (POSY) all oppose the Tribe's latest application.

"Santa Barbara County's government, the citizens and now the State are speaking clearly to the federal government with one voice," said Charles "C.J." Jackson, Executive Director of SYVCC. "Allowing the Chumash tribe to annex this land at this time would have tremendous negative impacts, and the BIA should deny the Tribe's application. As the Governor clearly realizes, what's going on now in the Santa Ynez Valley has implications for the entire state of California and the nation."

Santa Ynez Valley Concerned Citizens, p. 2/2

Near the 5.8 acres currently under review, the BIA has tentatively approved another annexation by the Tribe, for 6.9 acres across from the Chumash Casino & Hotel. The citizens groups are appealing that annexation with the County of Santa Barbara's support.

In its letter to the BIA, the Schwarzenegger administration agreed with the citizens and County that the federal government must consider the cumulative environmental impacts of all tribal annexation requests, not just their individual impacts.

#

A copy of the Schwarzenegger administration's letter is available from SYVCC upon request.