

October 15, 2013

Amy Dutschke/ Carmen Fazio
ATTENTION: FEE-TO-TRUST COMMENTS
Pacific Regional Office- Bureau of Indian Affairs (BIA)
2800 Cottage Way
Sacramento, Ca. 95825

Re: PUBLIC COMMENT: 1,400 acre fee-to-trust application, Santa Ynez Band of Mission Chumash Indians

To Whom it May Concern,

The BIA is seeking public comment regarding the proposed land acquisition in order to obtain sufficient data that would enable an analysis of the potential impacts of the removal of the subject property from local jurisdiction. These comments do not include every impact, and they are not intended to limit comments on any future documents regarding the 1,400 acres ("Camp 4").

P.O.L.O. OPPOSES this FEE-to-TRUST application for reasons enumerated in the following documents, and all additional documents that can be found on the P.O.L.O. website (www.polosyv.org):

1. Preservation of Los Olivos' (P.O.L.O.) and Preservation of Santa Ynez's (POSY) litigation on the Santa Ynez Band of Mission Chumash Indian's 6.9 acre fee-to-trust application that includes, in their latest filings, comments on the 1,400 acres. Two of the many filings (dated 7/1/13 and 8/9/13) are attached. All other filings are available online and included in this comment.
2. Preservation of Los Olivos' (P.O.L.O.) and POSY's comments on the 5.68 fee-to-trust application. See attached.
3. The Nine Appeals, including the County of Santa Barbara, filed to Appeal the "TCA", "TLCA" (Tribal Land Consolidation and Acquisition Plan- Santa Ynez Band of Mission Chumash Indians). See attached comment on the Environmental Assessment.
4. The "TCA" states as its purpose the intent to facilitate future land into federal trust and provides the framework for less stringent standards for fee-to-trust. This 1,400 acre fee-to-trust application is thus the first of many. The Santa Ynez Band claims territory from Morro Bay to Malibu. This TCA could be expanded.
5. P.O.L.O.s Comments on the 1,400 acre Environmental Assessment, including (but not limited to) the 2005 letter by the Office of Governor Schwarzenegger. See attached comment on the Environmental assessment that includes the 2005 letter.
6. The Department of the Interior takes the position that development on land in trust is not restricted. See attached Environmental Assessment or go to:
7. http://www.polosyv.org/hotTopics/pdf/DOI_to_Congressman_Hunter-no_restrictions.pdf.
8. The Santa Ynez Band of Mission Chumash Indians is not entitled to additional land into federal trust. See attached P.O.L.O. filings dated 7/1/13 and 8/9/13. All other filings are online.

9. The Santa Ynez Band is claiming 1,300 lineal descendants as justification for expansion of their land base, suggesting that these 1,300 people can be “re-classified” by the Bureau of Indian Affairs.
10. There are no lineal descendants of the Santa Ynez Band. See attached comment on the Environmental Assessment or go to:
http://www.polosyv.org/images2/pages/index/2002_letter.pdf.
11. There is more crime on reservations. (See P.O.L.O.’s Comments on EA).
12. The Santa Ynez Valley and Santa Barbara water could be severely depleted. See attached comment on the Environmental Assessment or go to:
watersupplyhttp://www.polosyv.org/hotTopics/pdf/Research-LR-Santa-Ynez-Ground-Water-19%20HastingsWNWJEnLPoly_277.pdf
13. There is a difference between historic tribes and communities of adult Indians. See attached.
14. The Santa Ynez Valley has a comprehensive Community Plan designed to ensure protection of the environment and thoughtful development. The Community Plan, and Santa Barbara County planning process, cannot be ignored. If the Bureau of Indian Affairs approves this 1,400 acre fee-to-trust, that also includes the “TCA”, 11,500 acres, the BIA will be violating the rights of all other property owners who will no longer have any reasonable expectations for development and impacts on their property and well being. See the Santa Ynez Valley Community Plan at:
http://longrange.sbcountyplanning.org/planareas/santaynez/syv_cp.php
15. The Santa Ynez Band of Mission Indians is allowed 2 casinos per their Tribal-State Gaming Compact. The Environmental Assessment does not evaluate that possibility. See attached comment on the Environmental Assessment.

The Santa Ynez Band has every right to follow the rules for development that are required by the County of Santa Barbara. P.O.L.O. opposes fee-to-trust.

Sincerely,

The Board of Preservation of Los Olivos, P.O.L.O.
www.polosyv.org

