

October 30, 2017

Lansing Duncan
635 Aqueduct Way
Solvang, CA 93463

Santa Barbara County Board of Supervisors
105 East Anapamu Street
Santa Barbara, CA 93101

Re: Camp 4 Memorandum of Agreement w/ Santa Ynez Band of Chumash Indians

Chairperson Hartmann and Honorable Supervisors,

I urge you to approve the Memorandum of Agreement (MOA) with the Santa Ynez Band of Chumash Indians regarding Camp 4 negotiated by Supervisors Hartmann and Williams.

For years I have opposed Tribal efforts to annex Camp 4 into the reservation but given the pending passage of H.R. 1491, without the mitigation and enforcement mechanisms incorporated within the MOA, the agreement represents a far superior achievable outcome for the County.

As a former County Planning Commissioner for the Third District I am acutely aware of the issues surrounding the annexation of Camp 4 into the reservation whether by the Fee-to-trust administrative process or by legislative action. As a former member and chairman of the Santa Ynez Valley General Plan Advisory Committee that worked on the first draft of the Santa Ynez Community Plan, I understand how important the future of Camp 4 is to the citizens of our community.

Although the Community Plan discourages the abdication of County jurisdiction over Camp 4, it implicitly acknowledges that changing circumstances may require the pursuit of legally enforceable agreements that seek to mitigate the County's loss of jurisdiction.

Policy LUG-SYV-5:

The County shall oppose the loss of jurisdictional authority over land within the Plan area where the intended use is inconsistent with the goals, policies and development standards of the Plan or in the absence of a satisfactory legally enforceable agreement.

Action LUG-SYV-6.1:

The County shall pursue legally enforceable government-to-government agreements with entities seeking to obtain jurisdiction over land within the Plan Area to encourage compatibility with the surrounding area and mitigate environmental and financial impacts to the County.

The Memorandum of Agreement is legally enforceable and encourages development compatible with the surrounding area while providing Tribal housing. It is not perfect, but it represents a prudent response by County officials to a very difficult situation where decisions in Washington D.C. may preclude any County control of the future development of Camp 4.

The MOA provides a degree of certainty, albeit in the near term, that is entirely absent should H.R. 1491 go forward without County negotiated constraints. The MOA appears to be the most “satisfactory legally enforceable agreement” that can be achieved while there is still the opportunity to reach one. It has taken years to reach the draft agreement and the window for negotiations is clearly closing.

When I was the chairman of the General Plan Advisory Committee, the citizen committee working on the plan, a large ranch owner hired an attorney who sought to halt our work on the plan. The attorney threatened to sue all of us individually. The same attorney is being used now by another large ranch owner who is threatening to sue the County, claiming the MOA is inconsistent with the Community Plan.

I find that rather ironic, but I understand why some of my neighbors continue to have a “Just say no!” approach. Unfortunately, that perspective ignores the specific direction to negotiate given to the County by legislators in Washington, D.C.

Supervisors Hartmann and Williams, and their predecessors Supervisors Farr and Adam, should be commended for their persistent efforts to achieve the best possible outcome of those negotiations given the difficult circumstances. The community must also acknowledge that the Santa Ynez Band of Chumash Indians has also been willing to compromise by reaching this milestone agreement with the community.

Please endorse this cooperative vision of the future by approving the Memorandum of Agreement for Camp 4.

Thank you for your consideration.

Sincerely,

Lansing Duncan