

**COUNTY OF SANTA BARBARA AD-HOC SUBCOMMITTEE
& SANTA YNEZ BAND OF THE CHUMASH INDIANS**

AGENDA

Date: Thursday, September 24, 2015
Time: **10AM to 1PM**
Place: Jockey Club Room Buellton Marriott
555 McMurray Rd, Buellton, CA 93427

Hotel Phone: (805) 688-1000

Participants

Doreen Farr, Third District Supervisor
Peter Adam, Fourth District Supervisor
Vincent Armenta, Chairman Santa Ynez Band of Chumash
Indians
Kenneth Kahn, Vice Chairman Santa Ynez Band of Chumash
Indians

Public Comment (15 minutes)

Persons desiring to address the meeting participants must complete and deliver to the staff the form which is available at the room entrance prior to the commencement of this comment period. This is an opportunity for members of the public to speak on items that are not on the agenda for today's meeting. Public Comment will also be taken during each agenda item.

Agenda Items:

1. Discussions Items
 - A. Review of Brown Act – County Counsel
 - B. Statement of Goals - Each Committee Member
 - C. Discussion - Framework for Meetings and Ground Rules – Attachment A
2. Presentations by Tribe and Discussions
 - A. Review of Goals for Fee to Trust
 - B. Review of Chumash Land Holdings Including:
 1. Camp 4
 2. Mooney and Escobar (Attachment B)
 3. 350 Acre property
 4. Other
 - C. Overview by Tribe of Draft 2011 Cooperative Agreement provided by Tribe to County (Attachment C)
3. Preparation and Agenda Setting for Meeting #2
 - A. Adoption of Meeting Calendar Through 2015
 - B. Discussion of Information Needs
 - C. Action Items – Review
 - D. Topics for Discussion-Meeting #2
To Be Discussed

Writings that are a public record under Government Code § 54957.5(a) and that relate to an agenda item for a meeting of the Ad-Hoc Subcommittee Committee and all writings that are distributed to the members of the County of Santa Barbara Ad-Hoc Subcommittee less than 72 hours prior to that meeting shall be available for public inspection at Santa Barbara County Clerk of the Board at 105 E. Anapamu Street, 4th Floor in Santa Barbara, and also on the County's website at <http://www.countyofsb.org/tribal-matters.sbc>.

Further Information Regarding Meetings:

Meeting Procedures

The Board of Supervisors Ad-hoc Subcommittee is advisory to the full Santa Barbara County Board of Supervisors. Member of the public are encouraged to attend and testify before the meeting participants on any matter appearing on the agenda.

Correspondence to the Ad-hoc Subcommittee regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101.

The schedule of the Ad-hoc Subcommittee, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: <http://www.countyofsb.org/tribal-matters.sbc>

The schedule of the Ad-hoc Subcommittee with Tribal Representatives, meeting agendas, supplemental hearing materials and action minutes of the meetings are available on the Internet at: <http://www.countyofsb.org/tribal-matters.sbc>

Ad-hoc Subcommittee Meetings will be filmed and available on the website at <http://www.countyofsb.org/tribal-matters.sbc>

Disability Access

The location for the first meeting is the Buellton Marriott Jockey Club Room at 555 Murray Road Buellton. The meeting room is wheelchair accessible. Accessible public parking is available behind the main facility.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Tuesday before a meeting. For information about these services please contact the Clerk of the Board at (805) 568 2240.

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Brown Act Presentation Slides

County of Santa Barbara Ad Hoc Subcommittee
& Santa Ynez Band of Chumash Indians

Review of the Brown Act

Rachel Van Mullem, Chief Assistant County Counsel

Thursday, September 24, 2015

Ad Hoc Subcommittee

- The ad hoc advisory subcommittee is not a legislative body subject to the Brown Act. (Gov. Code § 54952 (b)).
- However, by direction of the Board of Supervisors, all meetings with the Tribe will be conducted consistent with the Brown Act.
- The Board of Supervisors acts through majority vote, and the Ad hoc subcommittee cannot bind the Board but is advisory to the Board. (Gov. Code § 25005.)

Proposed Ground Rules for Meetings County of Santa Barbara & Santa Ynez Band of the Chumash Indians

The purpose of the meetings between the Santa Barbara County Board of Supervisors Ad-hoc Subcommittee and Representatives of the Santa Ynez Band of the Chumash Indians is to discuss fee to trust land use requests and other related matters of mutual concern. The County and the Tribe enter these discussions in good faith and seek to find mutually beneficial solutions to the issues to be discussed. These grounds rules provide protocols which address the structure of the meeting, provide a common set of expectations and set the framework for positive and productive meetings.

Meeting participants

Santa Barbara County Third District Supervisor Doreen Farr

Santa Barbara County Fourth District Supervisor Peter Adam

Santa Ynez Band of the Chumash Indians Chairman Vince Armenta

Santa Ynez Band of the Chumash Indians Vice Chairman Kenneth Kahn

Meeting Logistics

Meetings will be held in a neutral location easily accessible to public and comply with ADA requirements.

Meetings must be conducted in accordance with the Ralph M Brown Act and open to the public

- All materials will be posted 72 hours or more before the date and time of the meeting at the County of Santa Barbara Administration buildings in Santa Maria and Santa Barbara and on the <http://www.countyofsb.org/tribal-matters.sbcwebsite>.
- County will be responsible for posting all meeting materials

The County and the Tribe shall discuss the next meeting agenda prior to the adjournment of each meeting. Agenda items which arise following the adjournment of meetings must be discussed at the next meeting in order to be agenzized for future meeting.

Meetings shall begin and 9am and end at 12pm unless mutually agreed otherwise

Meetings will be held monthly

Meetings will be filmed and posted on County of Santa Barbara website within 2 days at

<http://www.countyofsb.org/tribal-matters>.

The Chairperson of the committee shall rotate each meeting among County and Tribe

The designated Chairperson shall facilitate each meeting

Proposed Ground Rules for Meetings

County of Santa Barbara & Santa Ynez Band of the Chumash Indians

Both the Tribe and the County will take minutes of the meetings. Meetings will also be filmed. Staff of the Tribe and County may consult in the preparation of action minutes. Action minutes will be adopted at the following meeting and, once approved, posted to the <http://www.countyofsb.org/tribal-matters> website.

Request for materials and information not made by meeting participants at meetings shall be made in writing and sent electronically to the other party and posted on the website <http://www.countyofsb.org/tribal-matters>.

Interactions at Meetings

The Chairperson shall oversee the meeting proceedings and preside over public comment and ensure that there are no inappropriate statements or personal attacks.

Participants and the public must focus on issues and furthering the discussions.

One person speaks at a time as recognized by the Chairperson

Turn cell phones to mute in meetings

Treat the input of others with respect

The website address <http://www.countyofsb.org/tribal-matters> shall be the primary source of information regarding meetings

Each party shall have the ability to call for a break.

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SANTA YNEZ BAND OF CHUMASH INDIANS

P.O. BOX 517 · SANTA YNEZ, CA 93460

Tel: 805-688-7997 · Fax: 805-686-9578

www.santaynezchumash.org



BUSINESS COMMITTEE

VINCENT ARMENTA, CHAIRMAN
KENNETH KAHN, VICE CHAIRMAN
GARY PACE, SECRETARY-TREASURER
MAXINE LITTLEJOHN, COMMITTEE MEMBER
MIKE LOPEZ, COMMITTEE MEMBER

August 5, 2015

Janet Wolf, Chair
Board of Supervisors
Santa Barbara County
105 E. Anapamu Street
Santa Barbara, CA 93101

RECEIVED
AUG 10 2015
1ST DISTRICT OFFICE

RE: New Fee to Trust Applications for "Mooney" and "Escobar"
Mooney: APN 143-242-001/2
Escobar: APN 143-252-001/2
Request for Government-To-Government Consultations

Dear Chair Wolf and the Board of Supervisors:

The Santa Ynez Band of Chumash Indians desire to annex the above described Mooney and Escobar properties into federal trust and therefore make this request for government-to-government consultations with the County of Santa Barbara.

Mooney is primarily ornamental landscaping and the southern shoulder of State Highway 246.

Escobar is also ornamental landscaping and also contains the bridge on Sanja Cota Road and parts of such Road.

Both parcels are the subject of property tax requests for changed assessments (copies attached).

Both parcels have also been recently approved by the Central Coast Regional Water Quality Control Board for the use of recycled water from the Chumash Casino wastewater treatment plant consistent with Title 22 requirements and as regulated by: US EPA NPDES Permit No. CA0050008; and SWRCB General Waste Discharge Requirements for Recycled Water Use, Order WQ 2014-0090-DWQ (copies attached).

Please contact me or Sam Cohen, Government and Legal Specialist (cell: 805-245-9083), if you desire to meet and discuss this fee-to-trust application on a government-to-government basis.

Sincerely,

Vincent P. Armenta
Tribal Chairman

COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS
2015 AUG 10 PM 4:36



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Coast Regional Water Quality Control Board

August 6, 2015

Vincent Armenta, Tribal Chairman
Santa Ynez Band of Chumash Indians
Chumash Casino
P.O. Box 517
Santa Ynez, CA 93460

Dear Mr. Armenta:

NOTICE OF APPLICABILITY FOR GENERAL WASTE DISCHARGE REQUIREMENTS, ORDER WQ 2014-0090-DWQ, SANTA YNEZ BAND OF CHUMASH INDIANS, CHUMASH CASINO RESORT, SANTA YNEZ, SANTA BARBARA COUNTY

Water Board staff has reviewed the Notice of Intent to comply with the terms of the General Waste Discharge Requirements for Recycled Water Use, State Water Resources Control Board, Order WQ 2014-0090-DWQ (General WDRs) for the Santa Ynez Band of Chumash Indians, Chumash Casino Resort in Santa Ynez, Santa Barbara County. We also received your first annual fee. We understand the following:

- The Santa Ynez Band of Chumash Indians (Tribe) reservation is located south of State Route 246 and west of Edison Street in Santa Ynez, Santa Barbara County. Refer to Figure 1, Vicinity Map.
- Adjacent to the reservation, the Tribe owns three properties (known as Mooney, Escobar, and Daniels) that are outside of the reservation boundaries. Refer to Figure 2, Identified Properties.
- The Wallace Group, on behalf of the Tribe, prepared the January 2015 (revised June 15, 2015) Title 22 Engineering Report for the use of recycled water on the three properties (Mooney, Escobar, and Daniels). The State Water Resources Control Board Division of Drinking Water (DDW) reviewed and tentatively approved the Engineering Report on June 23, 2015. DDW's tentative approval included the following requirements for the Mooney and Escobar properties:
 - Disconnection of the potable water connection and verification of the disconnection. There is one potable water connection to the irrigation system on the Mooney and Escobar properties that feeds both properties. This connection has been physically disconnected and the disconnection has been verified with a cross-connection test by the Wallace Group (verified July 18, 2015, by the Wallace Group).
 - Adequate signs that warn the public of recycled water use. Each site has adequate signs that warn the public of recycled water use on the site (verified July 18, 2015, by the Wallace Group).

DH. JEAN-PIERRE WOLFF, CHAIR | KENNETH A. HARRIS JR., EXECUTIVE OFFICER

895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401 | www.waterboards.ca.gov/centralcoast

- A signed use site agreement for each use site. Both sites (Mooney and Escobar properties) have use site agreements signed by the site supervisor (verified July 18, 2015, by the Wallace Group).
 - A minimum chlorine concentration of 2 mg/L be maintained at the reservoir outlet. The revised monitoring and reporting program includes residual chlorine monitoring at the reservoir outlet.
-
- For the third site, the Daniels property, DDW has not received an irrigation plan, a designated use site supervisor, a signed user agreement or the results of a cross connection test. DDW must review and approve these items prior to recycled water delivery to the Daniels property. Use of recycled water on the Daniels property is not allowed under this Order at this time.
 - This Order allows recycled water use on the Mooney and Escobar properties. Any use of recycled water on properties not specifically identified in this Notice of Applicability requires written approval by DDW and written notification to the Water Board (DDW's signed approval shall be included in the notification to the Water Board).
 - DDW approved landscape irrigation on the Mooney and Escobar properties on August 4, 2015. Written notification to the Water Board was received on August 4, 2015.
 - All proposed irrigation is by drip and bubbler and all proposed irrigation will be kept to a minimum.
 - The irrigation schedule for the Mooney and Escobar properties is 7 a.m. to 7 p.m., any day.
 - The Tribe will ensure that all entities involved in treatment, distribution, and use of its recycled water perform their activities consistent with Title 22 requirements and as regulated by its US EPA NPDES Permit No. CAOOS0008 and SWRCB General Waste Discharge Requirements for Recycled Water Use, Order WQ 2014-0090-DWQ.
 - The Tribe will be responsible for managing, inspecting, and reporting irrigation practices on both reuse sites. Irrigation water to both sites will be metered and tracked. Tribe staff will inspect the reuse sites on days that irrigation takes place and will look for visual signs of unusual conditions that may indicate over-watering or conditions such as broken or leaky irrigation pipes. Any such conditions will be immediately corrected and repaired.
 - The Tribe will assign a user site supervisor and designated backup person. New employees involved with irrigation on both reuse sites will be given orientation on the program and regulatory requirements. Employee training will consist of initial training and orientation and annual refreshers as described in Section 4.9 of the approved Title 22 Engineering Report.
 - The Tribe owns the Water Recycling Facility (WRF) and operates the WRF and wastewater collection system through a contract with the Santa Ynez Community Services District (SYCSD). The Tribe's primary responsible individual who is charged with operation and oversight of the water recycling program is Mr. Greg Lowe, Chumash Casino Facility Director, 3400 East Highway 246, Santa Ynez, CA 93460, telephone

5

(805) 686-0855. The SYCSD operations staff chief plant operator is Mr. Kevin McKennon, a California Grade III operator.

- The WRF meets the requirements of Title 22, California Code of Regulations for tertiary recycled water of the highest degree, meeting a 2.2 most probable number (MPN) coliform disinfection requirement. Detailed effluent limitations and monitoring data are contained in the submitted Title 22 Engineering Report Chumash Casino Resort – January 2015 (revised 6/16/2015) Recycled Water Engineering Report.
- On July 9, 2015, User Site Supervisor Jeff Hodge performed a cross-connection verification test. The test confirmed the disconnection of all potable water connections on both properties (Mooney and Escobar).
- As documented in the July 18, 2015 letter submitted to the Water Board by the Wallace Group on behalf of the Tribe, the Wallace Group verified the disconnection of all potable water connections on both properties (Mooney and Escobar) and that the system is ready to supply recycled water to the reuse sites. This same letter includes documentation of “reuse warning signs” and the signed user site agreement document.
- Prior to any additional uses of the reclaimed water beyond the Mooney and Escobar properties, the discharger will notify the Water Board and get approval prior to discharging.

The Santa Ynez Band of Chumash Indians, Chumash Casino Resort discharge is hereby enrolled under the General WDRs. You are required to comply with the General WDRs and the attached monitoring and reporting program. A copy of the General WDRs can be obtained at the following website:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo2014_0090_dwq_revised.pdf

Water Board staff will notify the Central Coast Water Board of your enrollment in the General WDRs at its next regularly scheduled meeting in Watsonville on September 24-25, 2015. If you have any questions, please contact **Howard Kolb at 805/549-3332 or howard.kolb@waterboards.ca.gov**

Sincerely,


cn=Kenneth A. Harris Jr.,
o=Executive Officer, ou,
email=Ken.Harris@water
boards.ca.gov, c=US
2015:08:06 14:43:09

Water Boards

Kenneth A. Harris Jr.
Executive Officer

cc:

Mr. Sam Cohen
Santa Ynez Band of Chumash Indians
P.O. Box 517
Santa Ynez, CA 93460

Mr. Greg Lowe, Chumash Casino Facility Director
3400 East Highway 246,
Santa Ynez, California 93460

Steven Tanaka
Wallace Group
612 Clarion Court
San Luis Obispo, CA 93401

Norman Fujimoto
Santa Barbara County Environmental Health
2125 Centerpointe Pkwy # 333
Santa Maria, CA 93455

Jeff Densmore, P.E.
Santa Barbara District Engineer
SWRCB – Division of Drinking Water

Attachments: Individual Monitoring Program

HEK
816193
\\ca.epa.local\RB3\Shared\WDR\WDR Facilities\Santa Barbara Co\Chumash Casino\Notice of Enrollment Chumash Casino
7_22_2015.docx

Original

APPLICATION FOR CHANGED ASSESSMENT

This form contains all the requests for information that are required for filing an application for changed assessment. Failure to complete this application may result in rejection of the application and/or denial of the appeal. Applicants should be prepared to submit additional information if requested by the assessor or at the time of the hearing. Failure to provide information the appeals board considers necessary may result in the continuance of the hearing. PLEASE TYPE OR PRINT IN INK—SEE INSTRUCTIONS FOR FURTHER INFORMATION.

MAIL OR DELIVER ORIGINAL + SEVEN (7) COPIES TO: SANTA BARBARA COUNTY CLERK OF THE BOARD 105 E. ANAPAMU ST., RM 407 SANTA BARBARA, CA 93101

\$65 NON-REFUNDABLE PROCESSING FEE for parcels/appraisal units with an assessed value of less than \$30,000,000 must be paid at time of filing, payable by check or money order to "County of Santa Barbara". A \$1,000 fee must be paid at time of filing for parcels/appraisal units with an assessed value of greater than \$30,000,000.

1. APPLICANT'S NAME (last, first, middle initial)

Santa Ynez Band of Mission Indians
P.O. Box 517
Santa Ynez CA 93460
805 688-7997 805 245-9083 805 686-9578
scohen@submi.org

2. AGENT OR ATTORNEY FOR APPLICANT

Sam Cohen
P.O. Box 517
Santa Ynez CA 93260
805 688-7997 805 245-9083 805 686-9578
scohen@submi.org

If the applicant is a corporation, the agent's authorization must be signed by an officer or authorized employee of the business entity. If the agent is not an attorney licensed in California or a spouse, child, or parent of the person affected, the following must be completed (or attached to this application—see instructions).

Sam Cohen, Government & Local Specialist
Chairman

3. PROPERTY IDENTIFICATION INFORMATION

SECURED: ASSESSOR'S PARCEL NUMBER APN 143-242-001 & 002
UNSECURED: ACCOUNT/TAX BILL NUMBER
3416 Mission Drive
Santa Ynez, CA 93460

PROPERTY TYPE:

- Single-Family Residence/Condo/Townhouse
Apartments (Number of Units)
Commercial/Industrial
Agricultural
Business Personal Property/Fixtures

Table with 4 columns: VALUE, A. VALUE ON ROLL, B. APPLICANT'S OPINION OF VALUE, C. APPEALS BOARD USE ONLY. Rows include LAND, MINERAL RIGHTS, IMPROVEMENTS, TREES & VINES, FIXTURES, PERSONAL, TOTAL, PENALTIES.

5. TYPE OF ASSESSMENT BEING APPEALED (check one)

- Regular Assessment — Value as of January 1 of the current year
Supplemental Assessment
Roll Change/Escape Assessment/Calamity Reassessment

6. THE FACTS THAT I RELY UPON TO SUPPORT REQUESTED CHANGES IN VALUE ARE AS FOLLOWS: You may check all that apply. If you are uncertain of which item to check, please check "OTHER" and attach two copies of a brief explanation of your reason(s) for filing this application.

- Decline in Value: The assessor's roll value exceeds the market value as of January 1 of the current year.
Change in Ownership:
New Construction:
Calamity Reassessment:
Personal Property/Fixtures:
Penalty Assessment:
Classification:
Appeal after an Audit:
Other:

7. WRITTEN FINDINGS OF FACTS (\$ 150 per Appraisal Unit) Are requested Are not requested

Yes No Do you want to designate this application as a claim for refund? Please refer to instructions first.

CERTIFICATION

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing and all information hereon, including any accompanying statements or documents, is true, correct, and complete to the best of my knowledge and belief and that I am (1) the owner of the property or the person affected (i.e., a person having a direct economic interest in the payment of the taxes on that property—"The Applicant"), (2) an agent authorized by the applicant under Item 2 of this application, or (3) an attorney licensed to practice law in the State of California, State Bar No. , who has been retained by the applicant and has been authorized by that person to file this application.

SIGNATURE: Tribal Chairman TITLE: Tribal Chairman

HARRY E. HAGEN, CPA
 TREASURER-TAX COLLECTOR
 COUNTY OF SANTA BARBARA
 FEDERAL TAX ID# 95-6002833

P.O. BOX 579
 SANTA BARBARA, CA 93102-0579
 (805) 568-2920 SANTA BARBARA
 (805) 346-8330 SANTA MARIA

2013-2014
SECURED TAX STATEMENT
 FOR FISCAL YEAR JULY 1, 2013 TO JUNE 30, 2014

PARCEL NUMBER 143-242-01-00 6 **ASSESSEE ON JANUARY 1, 2013** SANTA YNEZ BAND OF MISSION INDIANS **CORTAC-SUBSCRIBER**

ADDRESS OF PROPERTY
 EHWWY 246
 SANTA YNEZ CA 93460

CST0924J Pg 8 of 23
 2000002593 46/9 143-242-01-00

SANTA YNEZ BAND OF MISSION INDIANS
 PO BOX 517
 SANTA YNEZ CA 93460

ASSESSED VALUE	
LAND/MINERAL RIGHTS	223,462
IMPROVEMENTS	
PERSONAL PROPERTY	
GROSS TOTAL	223,462
HOMEOWNER'S EXEMPTION	
OTHER EXEMPTIONS	
NET TOTAL	223,462
TAX AMOUNTS	
BASIC PROPERTY TAX	2,362.70
SPECIAL DISTRICTS	
FIXED CHARGES	1.02
TOTAL TAX	2,363.72

TAX RATE AREA NUMBER	TAX RATE PERCENT	PRIOR YEAR TAXES	FIRST INSTALLMENT	SECOND INSTALLMENT	TOTAL
62-001	1.05732	NONE	1,181.86	1,181.86	2,363.72
		DELINQUENT	DUE NOVEMBER 1, 2013 DELINQUENT DECEMBER 10, 2013	DUE FEBRUARY 1, 2014 DELINQUENT APRIL 10, 2014	TAXES DUE

TAX DISTRIBUTION BY AGENCY	AMOUNT	TAX DISTRIBUTION BY AGENCY	AMOUNT
[REDACTED]			

2 2013-2014
 WHEN PAYING 2ND INSTALLMENT,
 RETURN THIS STUB WITH YOUR PAYMENT.

SANTA YNEZ BAND OF MISSION INDIANS
 EHWWY 246
 SANTA YNEZ CA 93460

10% PENALTY PLUS \$30.00 CHARGE MUST BE INCLUDED IF NOT PAID
 BY 5:00 PM OR U.S. POSTMARKED BY APRIL 10, 2014

1,330.04

Check this box for address change on reverse.

BILL NUMBER
 143 242 01 00 6 2

DELINQUENT
 NONE

PRIOR YEAR TAXES
 CONTACT OUR OFFICE FOR
 CURRENT AMOUNT

1ST INSTALLMENT MUST BE PAID BEFORE
 2ND INSTALLMENT.

THIS AMOUNT DUE
 FEB. 1, 2014
 DELINQUENT AFTER
 APRIL 10, 2014 **1,181.86**

TO PAY TOTAL AMOUNTS OF 1ST & 2ND INSTALLMENTS,
 SEND BOTH STUBS.

PAY ONLINE: WWW.SBTAXES.ORG

MAKE PAYMENT TO:
HARRY E. HAGEN
TREASURER-TAX COLLECTOR
 COUNTY OF SANTA BARBARA
 P.O. BOX 579
 SANTA BARBARA, CA 93102-0579

000132001432420100614041000000011818630000001330048

HARRY E. HAGEN, CPA
 TREASURER-TAX COLLECTOR
 COUNTY OF SANTA BARBARA
 FEDERAL TAX ID# 95-6002833

P.O. BOX 579
 SANTA BARBARA, CA 93103-0579
 (805) 564-2920 SANTA BARBARA
 (805) 346-8330 SANTA MARIA

2013-2014
SECURED TAX STATEMENT
 FOR FISCAL YEAR JULY 1, 2013 TO JUNE 30, 2014

PARCEL NUMBER 143-242-02-00 4 **ASSEESSEE ON JANUARY 1, 2013**

CORTAC-SUBSCRIBER

143-242-02-00 4 SANTA YNEZ BAND OF MISSION INDIANS

ADDRESS OF PROPERTY

3416 MISSION DR
 SANTA YNEZ CA 93460

CST0924J Pg 9 of 23
 2000002594 46/10 143-242-02-00

SANTA YNEZ BAND OF MISSION INDIANS
 PO BOX 517
 SANTA YNEZ CA 93460

ASSESSED VALUE

LAND/MINERAL RIGHTS	1,305,520
IMPROVEMENTS	
PERSONAL PROPERTY	
GROSS TOTAL	1,305,520

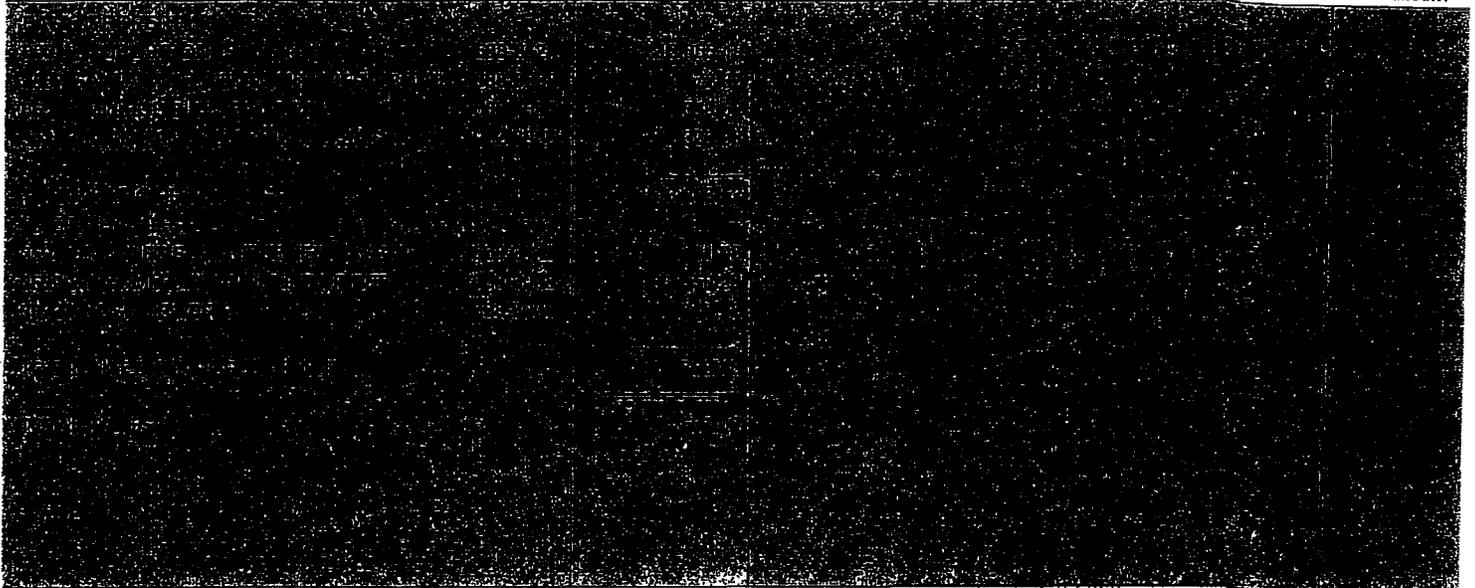
HOMEOWNER'S EXEMPTION	
OTHER EXEMPTIONS	
NET TOTAL	1,305,520

TAX AMOUNTS

BASIC PROPERTY TAX	13,803.52
SPECIAL DISTRICTS	
FIXED CHARGES	763.48
TOTAL TAX	14,567.00

TAX RATE AREA NUMBER	TAX RATE PERCENT	PRIOR YEAR TAXES	FIRST INSTALLMENT	SECOND INSTALLMENT	TOTAL
62-001	1.05732	NONE	7,283.50	7,283.50	14,567.00
		DELINQUENT	DUE NOVEMBER 1, 2013 DELINQUENT DECEMBER 10, 2013	DUE FEBRUARY 1, 2014 DELINQUENT APRIL 10, 2014	TAXES DUE

TAX DISTRIBUTION BY AGENCY AMOUNT TAX DISTRIBUTION BY AGENCY AMOUNT



2 **2013-2014**
 WHEN PAYING 2ND INSTALLMENT,
 RETURN THIS STUB WITH YOUR PAYMENT.

SANTA YNEZ BAND OF MISSION INDIANS
 3416 MISSION DR
 SANTA YNEZ CA 93460

10% PENALTY PLUS \$30.00 CHARGE MUST BE INCLUDED IF NOT PAID
 BY 5:00 PM OR U.S. POSTMARKED BY APRIL 10, 2014

8,041.85

Check this box for address change on reverse.

BILL NUMBER

143 242 02 00 4 2

DELINQUENT

NONE

PRIOR YEAR TAXES
 CONTACT OUR OFFICE FOR
 CURRENT AMOUNT

1ST INSTALLMENT MUST BE PAID BEFORE
 2ND INSTALLMENT.

THIS AMOUNT DUE
 FEB. 1, 2014
 DELINQUENT AFTER
 APRIL 10, 2014 **7,283.50**

TO PAY TOTAL AMOUNTS OF 1ST & 2ND INSTALLMENTS,
 SEND BOTH STUBS.

PAY ONLINE: WWW.SBTAXES.ORG

MAKE PAYMENT TO:
HARRY E. HAGEN
TREASURER-TAX COLLECTOR
 COUNTY OF SANTA BARBARA
 P.O. BOX 579
 SANTA BARBARA, CA 93103-0579

000132001432420200414041000000072835020000008041853

Phase I Environmental Site Assessment

Parcel 1: APN 143-242-001 & 002
Santa Ynez, California

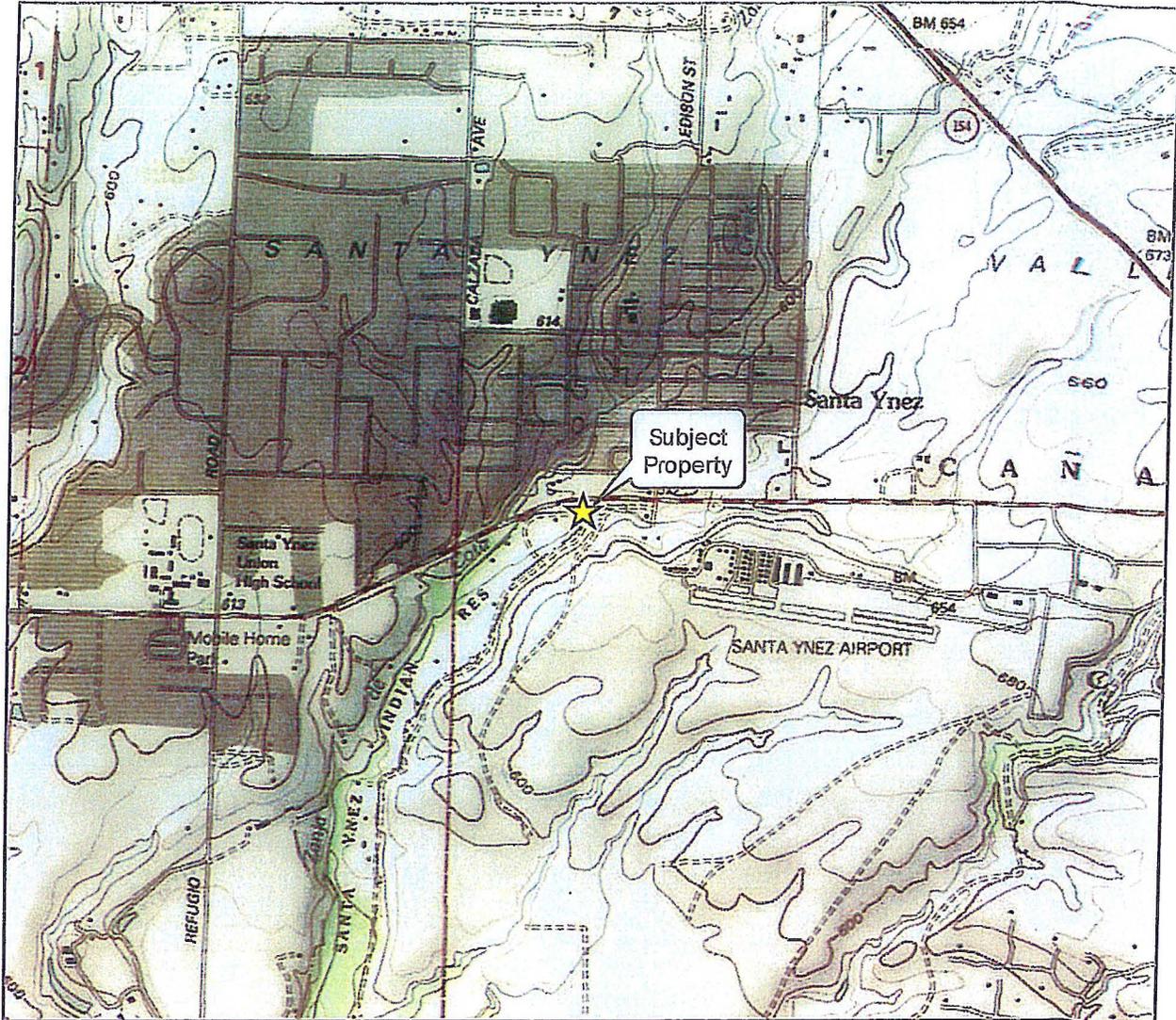
Prepared for:

Santa Ynez Band of Chumash Indians

Prepared by:

Rincon Consultants, Inc.
September 15, 2014





Imagery provided by National Geographic Society, ESRI and its licensors © 2014. The topographic representation depicted in this map may not portray all of the features currently found in the vicinity today and/or features depicted in this map may have changed since the original topographic map was assembled.

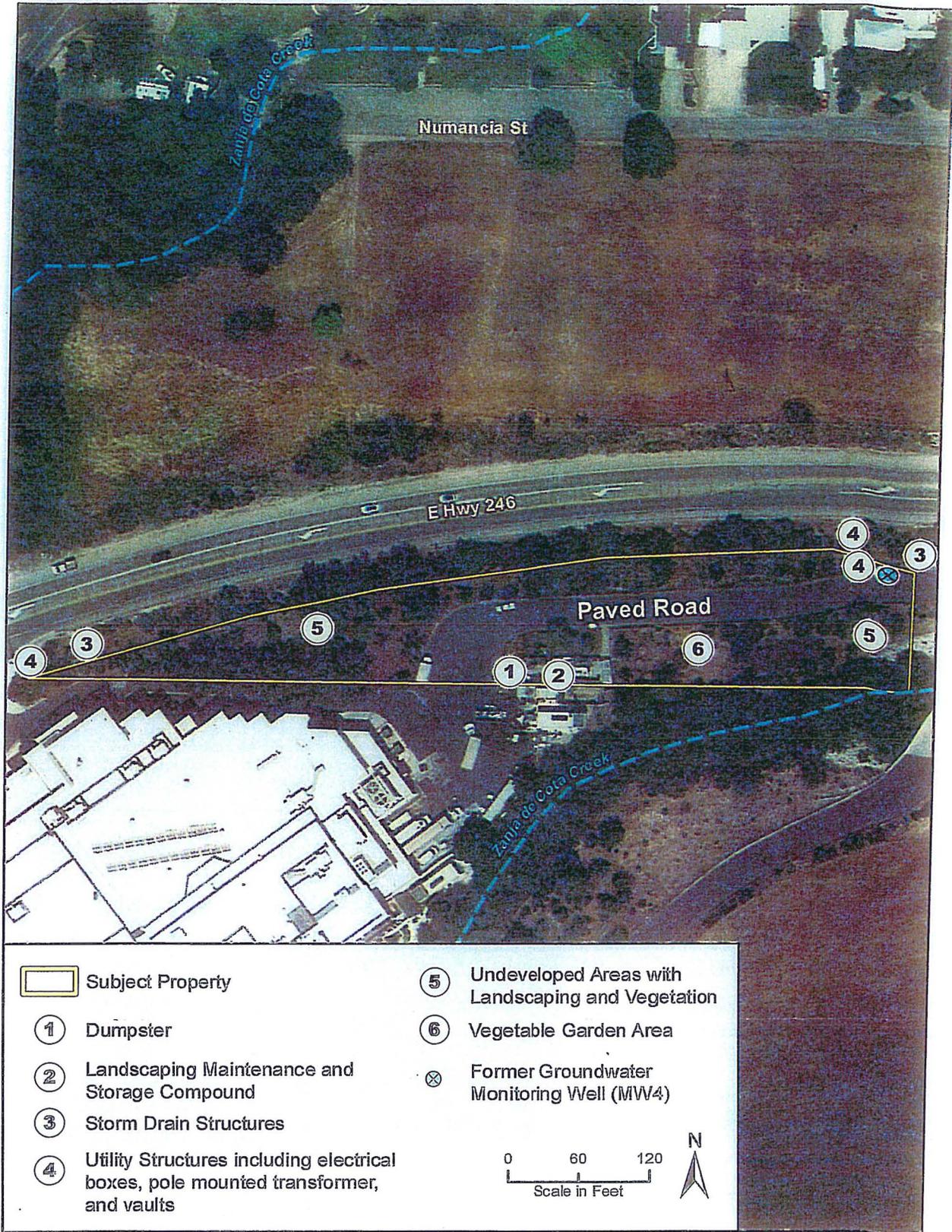
0 1,000 2,000
 Scale in Feet



Vicinity Map

Figure 1

Rincon Consultants, Inc.

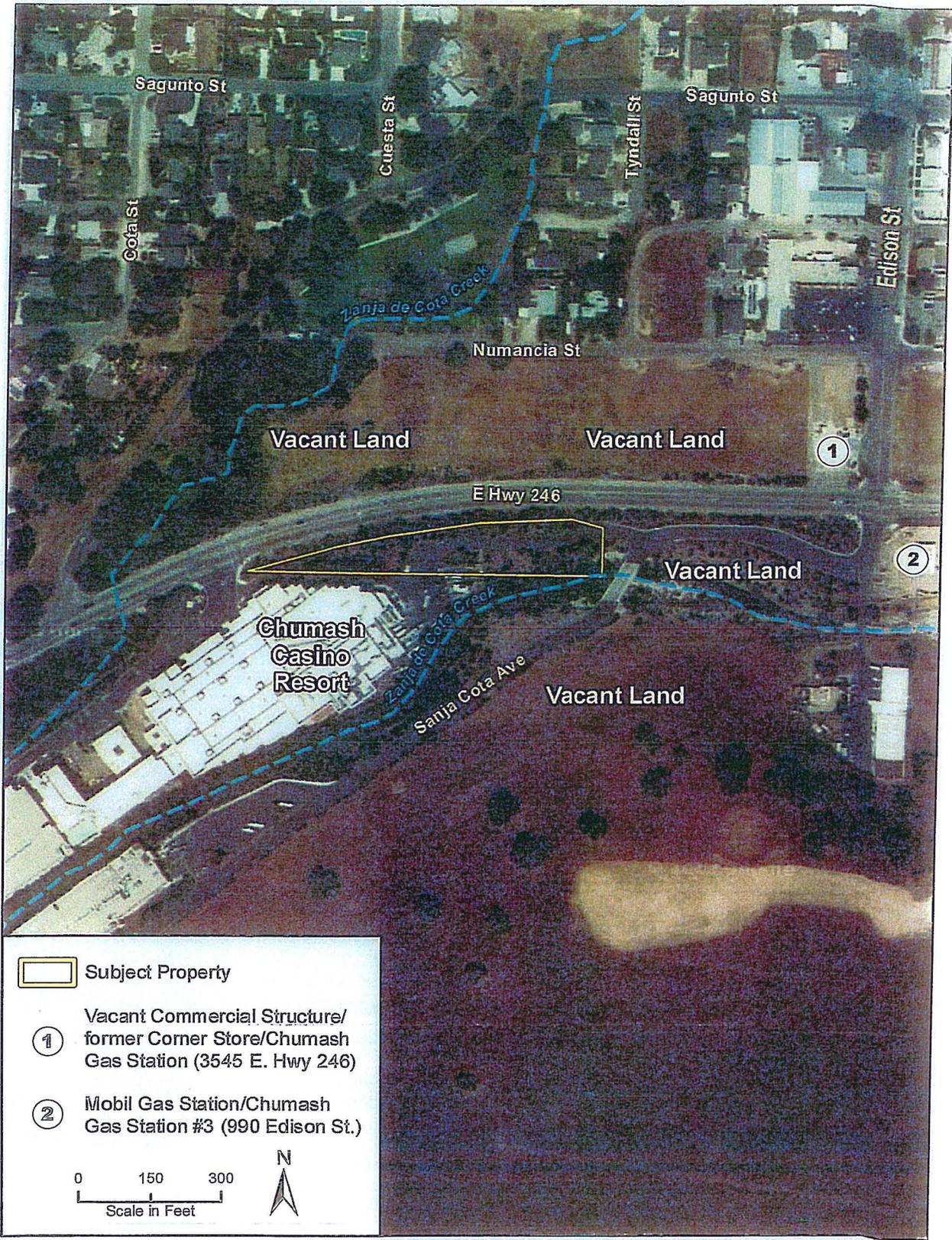


Imagery provided by Google and its licensors © 2014.

Site Map

Figure 2

Rincon Consultants, Inc.

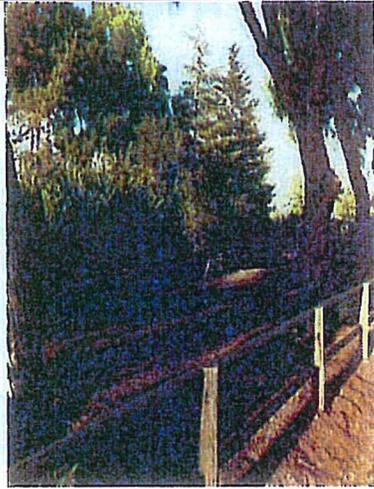


Imagery provided by Google and its licensors © 2014.

Adjacent Land Use Map

Figure 3

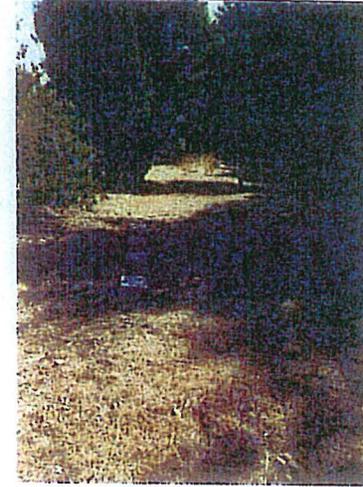
Rincon Consultants, Inc.



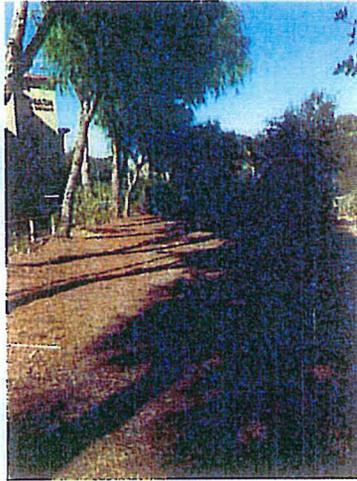
Photograph 1. View of the central northern portion of the subject property, facing northeast.



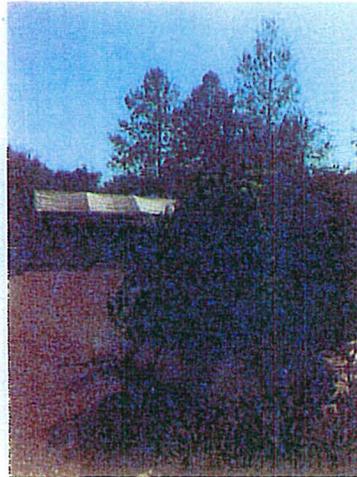
Photograph 2. View of the garden area located on the southeastern portion of the subject property.



Photograph 3. View of the plastic water valve covers located in the northern portion of the subject property, facing east.



Photograph 4. View of the western portion of the subject property, facing west.



Photograph 5. View of the landscaping maintenance and storage area located on the central southern portion of the subject property, facing east.



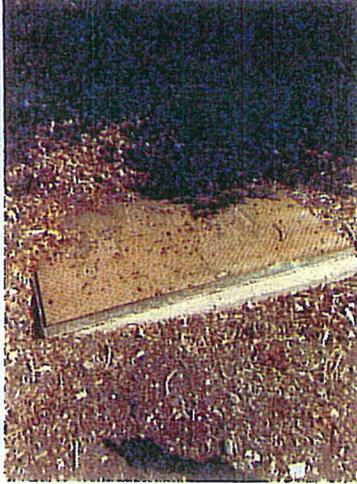
Photograph 6. View of the inside of the landscaping maintenance shed located on the central southern portion of the subject property.

Figure 4

Site Photographs



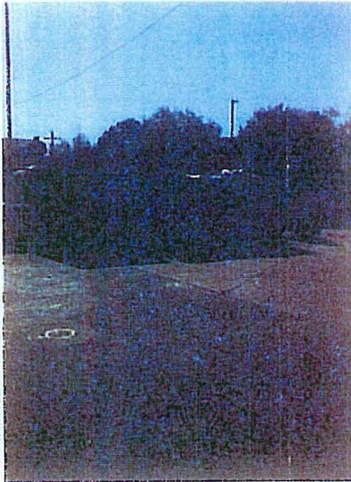
Photograph 7. View of the eastern and northeastern portion of the subject property with pole-mounted transformer, facing east.



Photograph 8. View of the telephone vault located on the northeastern portion of the subject property.



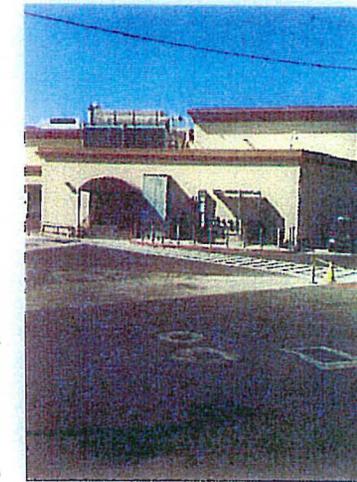
Photograph 9. View of the access road and Chumash Casino Resort located to the south of the subject property, facing west.



Photograph 10. View the southeastern adjacent Chumash Casino Resort property with trash receptacles, facing southeast.



Photograph 11. View of the storm drain structures located on the northwestern adjacent property, facing north.



Photograph 12. View of the central southern portion of the subject property followed by the southern adjacent Chumash Casino Resort, facing south.



Legend

 PARCEL ONE

 PARCEL TWO

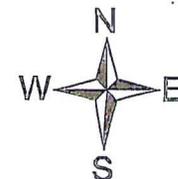
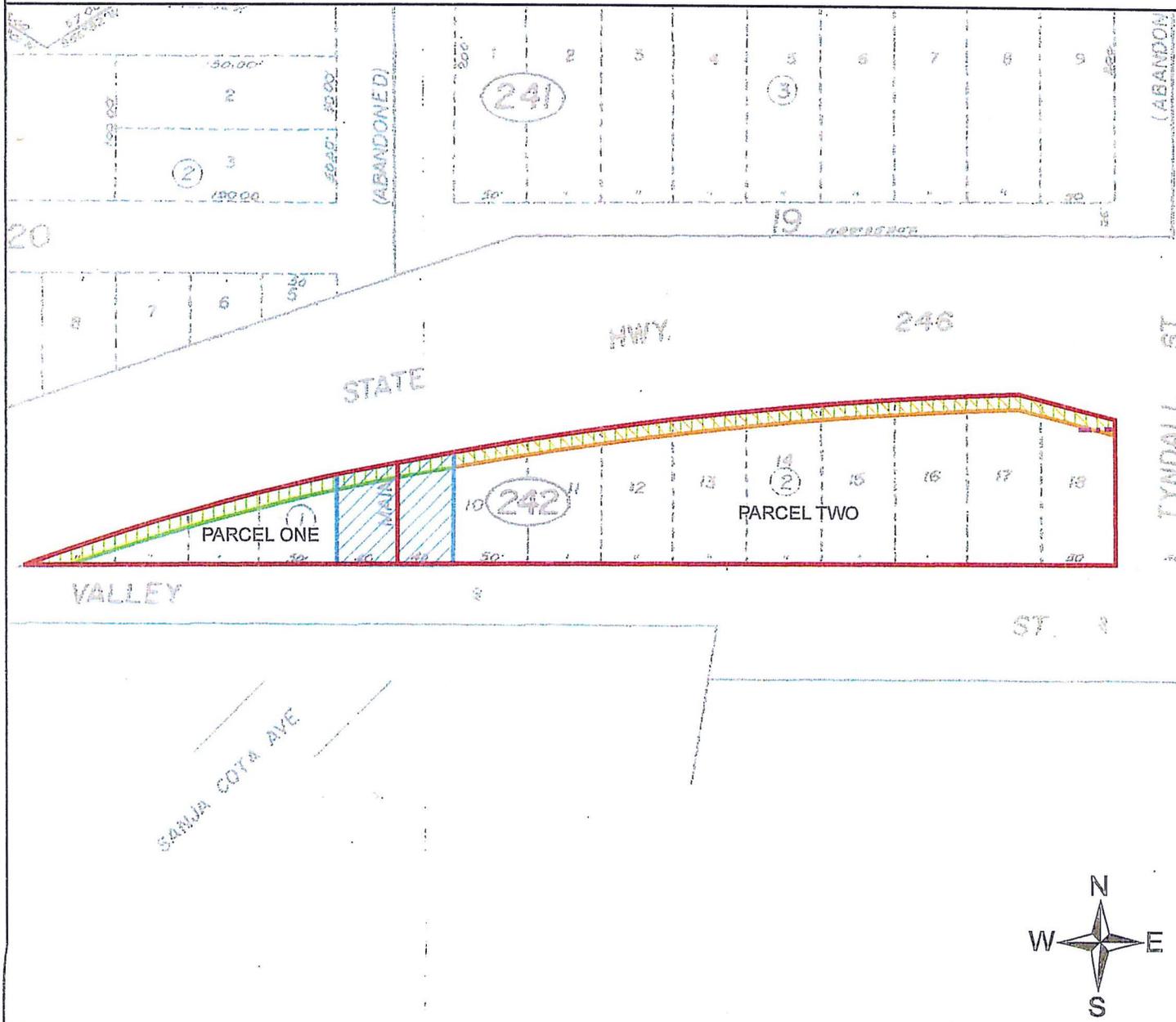
09/26/1887 Bk18 Pg209
(Flume Aqueduct or Ditch
- Not Plottable)

 05/12/1955 #8610
Bk1314 Pg337 (Public Utilities)

 04/27/1962 #17241
Bk1922 Pg823 (Ingress,
Egress & Water Mains)

 12/02/1983 #83-64484
(Ingress, Egress, Public Utility)

 04/22/2004 #04-0041377
(0.67' Wide - Sanitary Sewer)



Tax ID: 143-242-01 & 143-242-02
Short Legal: A Portion of County of Santa Barbara

Map Not
To Scale

This map may or may not be a survey of the land depicted hereon. You should not rely upon it for any purpose other than orientation to the general location of the parcel or parcels depicted. First American Title expressly disclaims any liability for alleged loss or damage which may result from reliance upon this map.



**First American
Title Company**

Reference No.: 1448943LKC

County: Santa Barbara

Plotted Easements

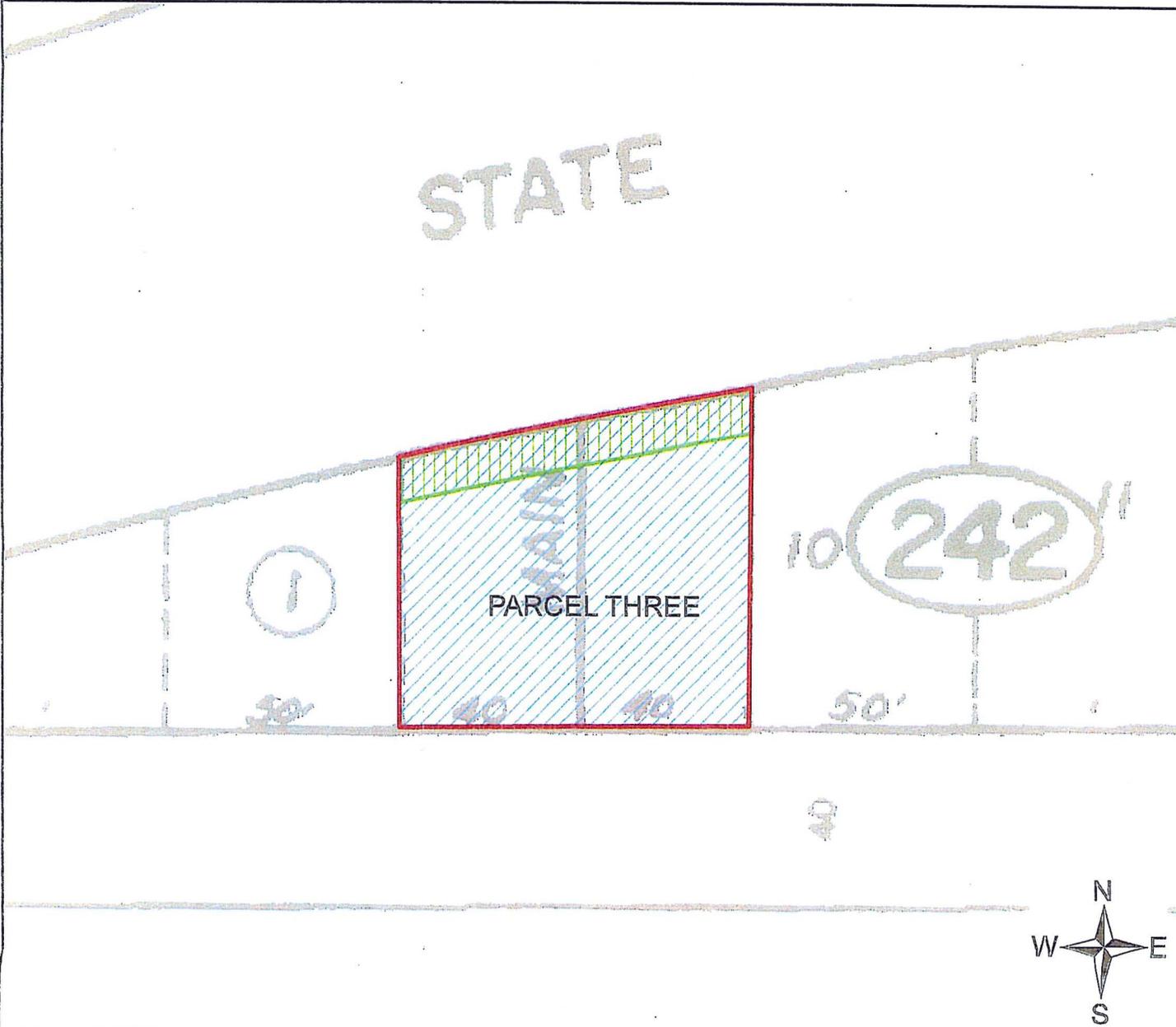
Legend

 PARCEL THREE

09/26/1887 Bk18 Pg209
(Flume Aqueduct or Ditch
- Not Plottable)

 05/12/1955 #8610
Bk1314 Pg337 (Public Utilities)

 12/02/1983 #83-64484
(Ingress, Egress, Public Utility)



Tax ID: 143-242-01 & 143-242-02

Short Legal: A Portion of County of Santa Barbara

Map Not
To Scale

This map may or may not be a survey of the land depicted hereon. You should not rely upon it for any purpose other than orientation to the general location of the parcel or parcels depicted. First American Title expressly disclaims any liability for alleged loss or damage which may result from reliance upon this map.

Original

Escrow

APPLICATION FOR CHANGED ASSESSMENT

This form contains all the requests for information that are required for filing an application for changed assessment. Failure to complete this application may result in rejection of the application and/or denial of the appeal.

MAIL OR DELIVER ORIGINAL + SEVEN (7) COPIES TO: SANTA BARBARA COUNTY CLERK OF THE BOARD 105 E. ANAPAMU ST., RM 407 SANTA BARBARA, CA 93101

\$65 NON-REFUNDABLE PROCESSING FEE for parcels/appraisal units with an assessed value of less than \$30,000,000 must be paid at time of filing, payable by check or money order to "County of Santa Barbara". A \$1,000 fee must be paid at time of filing for parcels/appraisal units with an assessed value of greater than \$30,000,000.

1. APPLICANT'S NAME (last, first, middle initial)

Santa Ynez Board of Mission Indians
P.O. Box 517
CITY: Santa Ynez STATE: CA ZIP CODE: 93460
DAYTIME PHONE: 805 688-7997 ALTERNATE PHONE: 805 245-9083 FAX NUMBER: 805 686-9578
E-MAIL ADDRESS: scohen@gnbmi.org

3. PROPERTY IDENTIFICATION INFORMATION

SECURED ASSESSOR'S PARCEL NUMBER: AN 143-292-001 & 002
UNSECURED ACCOUNT/TAX BILL NUMBER:
PROPERTY ADDRESS OR LOCATION: 991 Edison Street Santa Ynez, CA 93460

2. AGENT OR ATTORNEY FOR APPLICANT

Sam Cohen
PERSON TO CONTACT (if other than above) (last, first, middle initial)
STREET ADDRESS/P.O. BOX NUMBER: P.O. Box 517
CITY: Santa Ynez STATE: CA ZIP CODE: 93260
DAYTIME PHONE: 805 688-7997 ALTERNATE PHONE: 805 245-9083 FAX NUMBER: 805 686-9578
E-MAIL ADDRESS: scohen@gnbmi.org

PROPERTY TYPE:

Single-Family Residence/Condo/Townhouse
Apartments (Number of Units)
Commercial/Industrial
Agricultural
Business/Personal Property/Fixtures
Vacant Land
Other
Is this property an owner-occupied single-family dwelling?
Yes No

4. VALUE

Table with columns: A. VALUE ON ROLL, B. APPLICANT'S OPINION OF VALUE, C. APPEALS BOARD USE ONLY. Rows include LAND, MINERAL RIGHTS, IMPROVEMENTS, TREES & VINES, FIXTURES, PERSONAL, TOTAL, PENALTIES.

5. TYPE OF ASSESSMENT BEING APPEALED (check one)

IMPORTANT - SEE INSTRUCTIONS FOR FILING PERIODS
Regular Assessment - Value as of January 1 of the current year
Supplemental Assessment
Roll Change/Escape Assessment/Calamity Reassessment
Penalty Assessment
Classification
Appeal after an Audit
Other

AGENT'S AUTHORIZATION

If the applicant is a corporation, the agent's authorization must be signed by an officer or authorized employee of the business entity. If the agent is not an attorney licensed in California or a spouse, child, or parent of the person affected, the following must be completed (or attached to this application--see instructions).

PRINT NAME OF AGENT AND AGENCY: Sam Cohen, Government & Local Specialties
is hereby authorized to act as my agent in this application and may inspect assessor's records, enter into stipulations, and otherwise settle issues relating to this application.
SIGNATURE OF APPLICANT/OFFICER/AUTHORIZED EMPLOYEE: [Signature]
TITLE: Chairman DATE: 9/30/14

6. THE FACTS THAT I RELY UPON TO SUPPORT REQUESTED CHANGES IN VALUE ARE AS FOLLOWS: You may check all that apply. If you are uncertain of which item to check, please check "OTHER" and attach two copies of a brief explanation of your reason(s) for filing this application. PLEASE SEE INSTRUCTIONS BEFORE COMPLETING THIS SECTION.

- A. Decline in Value: The assessor's roll value exceeds the market value as of January 1 of the current year.
B. Change in Ownership:
C. New Construction:
D. Calamity Reassessment: Assessor's reduced value is incorrect for property damaged by misfortune or calamity.
E. Personal Property/Fixtures: Assessor's value of personal property and/or fixtures exceeds market value.
F. Penalty Assessment: Penalty assessment is not justified.
G. Classification: Assessor's classification and/or allocation of value of property is incorrect.
H. Appeal after an Audit: MUST include description of each property, issues being appealed, and your opinion of value. Please refer to instructions.
I. Other: Explain below or attach explanation.

7. WRITTEN FINDINGS OF FACTS (\$ 150 per Appraisal Unit) Are requested Are not requested

8. Yes No Do you want to designate this application as a claim for refund? Please refer to instructions first.

CERTIFICATION

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing and all information hereon, including any accompanying statements or documents, is true, correct, and complete to the best of my knowledge and belief and that I am (1) the owner of the property or the person affected (i.e., a person having a direct economic interest in the payment of the taxes on that property--"The Applicant"), (2) an agent authorized by the applicant under Item 2 of this application, or (3) an attorney licensed to practice law in the State of California, State Bar No. , who has been retained by the applicant and has been authorized by that person to file this application.

SIGNATURE: [Signature] SIGNED AT: Santa Ynez, CA CITY: DATE: 9/30/14
NAME AND TITLE (please type or print): Tolud Chairman
Owner Agent Attorney Spouse Registered Domestic Partner Child Parent Person Affected

HARRY E. HAGEN, CPA
 TREASURER-TAX COLLECTOR
 COUNTY OF SANTA BARBARA
 FEDERAL TAX ID# 95-6002833

P.O. BOX 579
 SANTA BARBARA, CA 93102-0579
 (805) 568-2920 SANTA BARBARA
 (805) 346-8330 SANTA MARIA

2013-2014
SECURED TAX STATEMENT
 FOR FISCAL YEAR JULY 1, 2013 TO JUNE 30, 2014

PARCEL NUMBER
 143-252-01-00 1

ASSESSEE ON JANUARY 1, 2013

CORTAC-SUBSCRIBER

ADDRESS OF PROPERTY
 SANTA YNEZ BAND OF MISSION INDIANS

ASSESSED VALUE

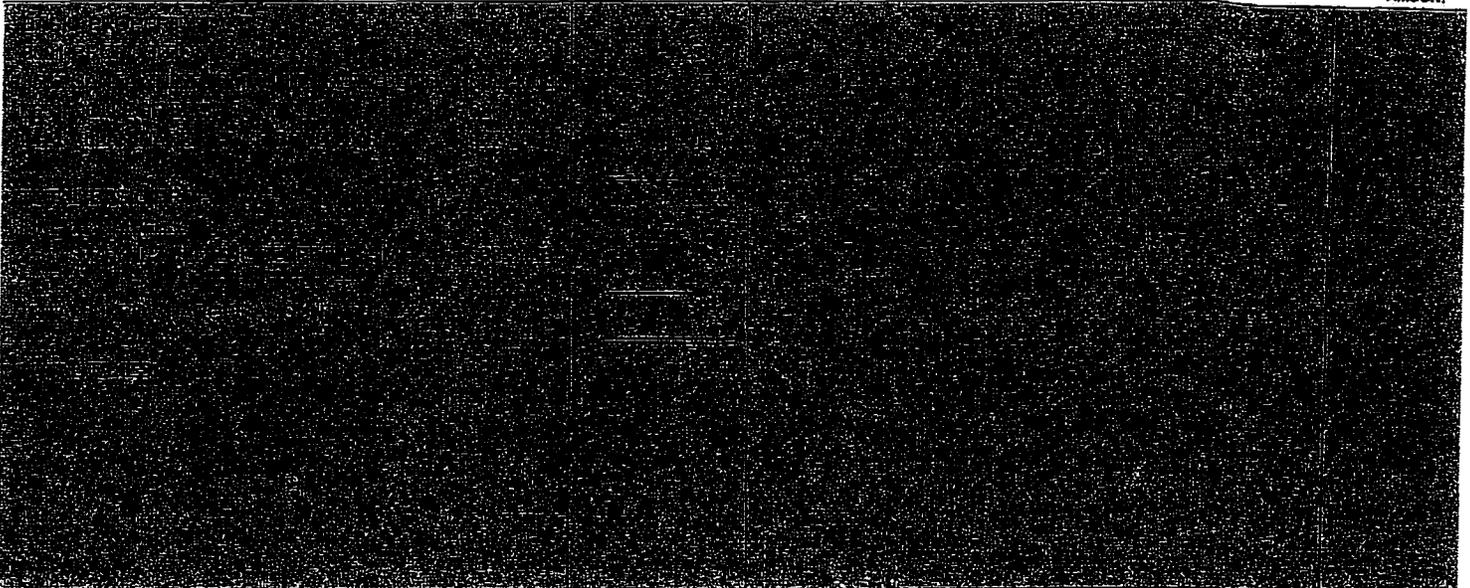
CST0924J Pg 15 of 23
 2000002600 46/16 143-252-01-00

SANTA YNEZ BAND OF MISSION INDIANS
 PO BOX 517
 SANTA YNEZ CA 93460

LAND/MINERAL RIGHTS	425,878
IMPROVEMENTS	
PERSONAL PROPERTY	
GROSS TOTAL	425,878
HOMEOWNER'S EXEMPTION	
OTHER EXEMPTIONS	
NET TOTAL	425,878
TAX AMOUNTS	
BASIC PROPERTY TAX	4,502.89
SPECIAL DISTRICTS	
FIXED CHARGES	11.05
TOTAL TAX	4,513.94

TAX RATE AREA NUMBER	TAX RATE PERCENT	PRIOR YEAR TAXES	FIRST INSTALLMENT	SECOND INSTALLMENT	TOTAL
62-001	1.05732	NONE	2,256.97	2,256.97	4,513.94
		DELINQUENT	DUE NOVEMBER 1, 2013 DELINQUENT DECEMBER 10, 2013	DUE FEBRUARY 1, 2014 DELINQUENT APRIL 10, 2014	TAXES DUE

TAX DISTRIBUTION BY AGENCY / AMOUNT TAX DISTRIBUTION BY AGENCY / AMOUNT



2 2013-2014
 WHEN PAYING 2ND INSTALLMENT,
 RETURN THIS STUB WITH YOUR PAYMENT.

SANTA YNEZ BAND OF MISSION INDIANS

BILL NUMBER

143 252 01 00 1 2

DELINQUENT

NONE

PRIOR YEAR TAXES
 CONTACT OUR OFFICE FOR
 CURRENT AMOUNT

2,512.66

Check this box for address change on reverse.

1ST INSTALLMENT MUST BE PAID BEFORE
 2ND INSTALLMENT.

THIS AMOUNT DUE
 FEB. 1, 2014
 DELINQUENT AFTER
 APRIL 10, 2014. **2,256.97**

TO PAY TOTAL AMOUNTS OF 1ST & 2ND INSTALLMENTS,
 SEND BOTH STUBS.

PAY ONLINE: WWW.SBTAXES.ORG

MAKE PAYMENT TO:
HARRY E. HAGEN
TREASURER-TAX COLLECTOR
 COUNTY OF SANTA BARBARA
 P.O. BOX 579
 SANTA BARBARA, CA 93102-0579

000132001432520100114041000000022569730000002512663

HARRY E. HAGEN, CPA
 TREASURER-TAX COLLECTOR
 COUNTY OF SANTA BARBARA
 FEDERAL TAX ID# 95-6002833

P.O. BOX 579
 SANTA BARBARA, CA 93102-0579
 (805) 568-2920 SANTA BARBARA
 (805) 346-8330 SANTA MARIA

2013-2014
SECURED TAX STATEMENT
 FOR FISCAL YEAR JULY 1, 2013 TO JUNE 30, 2014

PARCEL NUMBER

ASSEESSEE ON JANUARY 1, 2013

CORTAC-SUBSCRIBER

143-252-02-00 9

SANTA YNEZ BAND OF MISSION INDIANS

ADDRESS OF PROPERTY

991 EDISON ST
 SANTA YNEZ CA 93460

ASSESSED VALUE

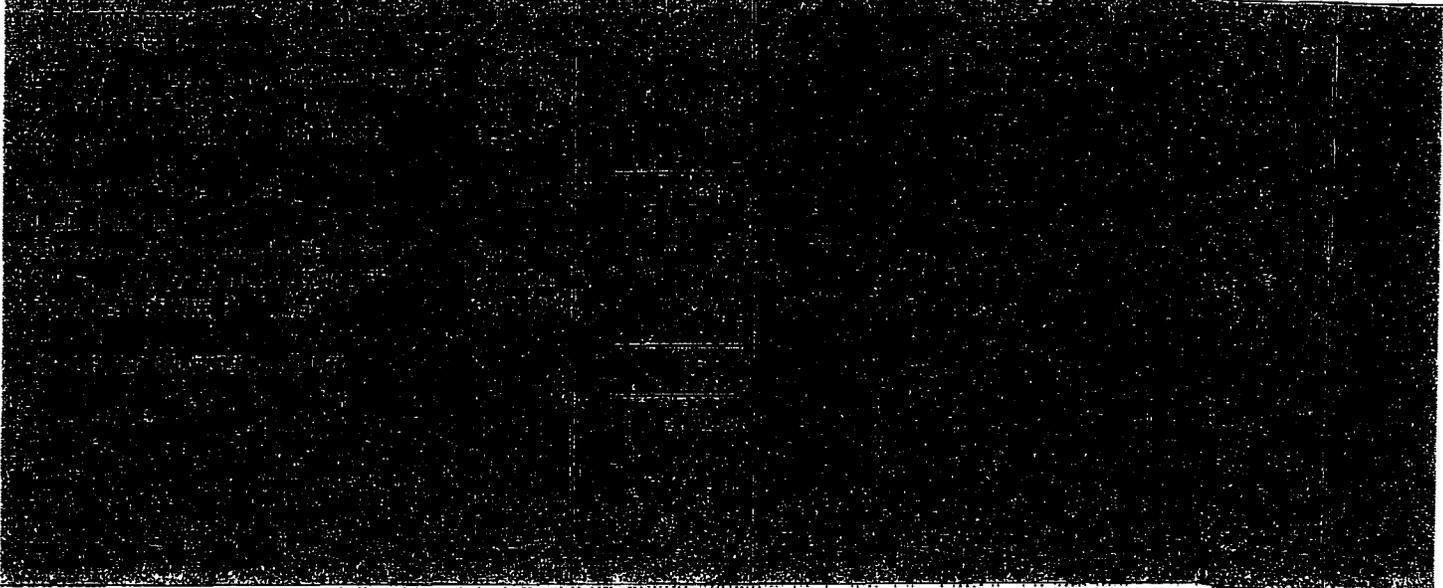
LAND/MINERAL RIGHTS	167.9
IMPROVEMENTS	5.9
PERSONAL PROPERTY	
GROSS TOTAL	173.8
HOMEOWNER'S EXEMPTION	
OTHER EXEMPTIONS	
NET TOTAL	173.8
TAX AMOUNTS	
BASIC PROPERTY TAX	1,839.
SPECIAL DISTRICTS	
FIXED CHARGES	783.
TOTAL TAX	2,602.

CST0924J Pg 16 of 23
 2000002601 46/17 143-252-02-00

SANTA YNEZ BAND OF MISSION INDIANS
 PO BOX 517
 SANTA YNEZ CA 93460

TAX RATE AREA NUMBER	TAX RATE PERCENT	PRIOR YEAR TAXES	FIRST INSTALLMENT	SECOND INSTALLMENT	TOTAL
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		DELINQUENT	DUE NOVEMBER 1, 2013 DELINQUENT DECEMBER 10, 2013	DUE FEBRUARY 1, 2014 DELINQUENT APRIL 10, 2014	TAXES DUE

TAX DISTRIBUTION BY AGENCY AMOUNT TAX DISTRIBUTION BY AGENCY AMOUNT



2 2013-2014
 WHEN PAYING 2ND INSTALLMENT,
 RETURN THIS STUB WITH YOUR PAYMENT.

SANTA YNEZ BAND OF MISSION INDIANS
 991 EDISON ST
 SANTA YNEZ CA 93460

10% PENALTY PLUS \$30.00 CHARGE MUST BE INCLUDED IF NOT PAID
 BY 5:00 PM OR U.S. POSTMARKED BY APRIL 10, 2014

1,461.40

Check this box for address change on reverse.

BILL NUMBER

143 252 02 00 9 2

DELINQUENT

NONE

PRIOR YEAR TAXES
 CONTACT OUR OFFICE FOR
 CURRENT AMOUNT

1ST INSTALLMENT MUST BE PAID BEFORE
 2ND INSTALLMENT.

THIS AMOUNT DUE
 FEB. 1, 2014
 DELINQUENT AFTER
 APRIL 10, 2014 **1,301.28**

TO PAY TOTAL AMOUNTS OF 1ST & 2ND INSTALLMENT
 SEND BOTH STUBS.

PAY ONLINE: WWW.SBTAXES.OF

MAKE PAYMENT TO:
HARRY E. HAGEN
TREASURER-TAX COLLECTOR
 COUNTY OF SANTA BARBARA
 P.O. BOX 579
 SANTA BARBARA, CA 93102-0579

000132001432520200914041000000013012870000001461405

Phase I Environmental Site Assessment

Parcel 2: APN 143-252-001 & 002
Santa Ynez, California

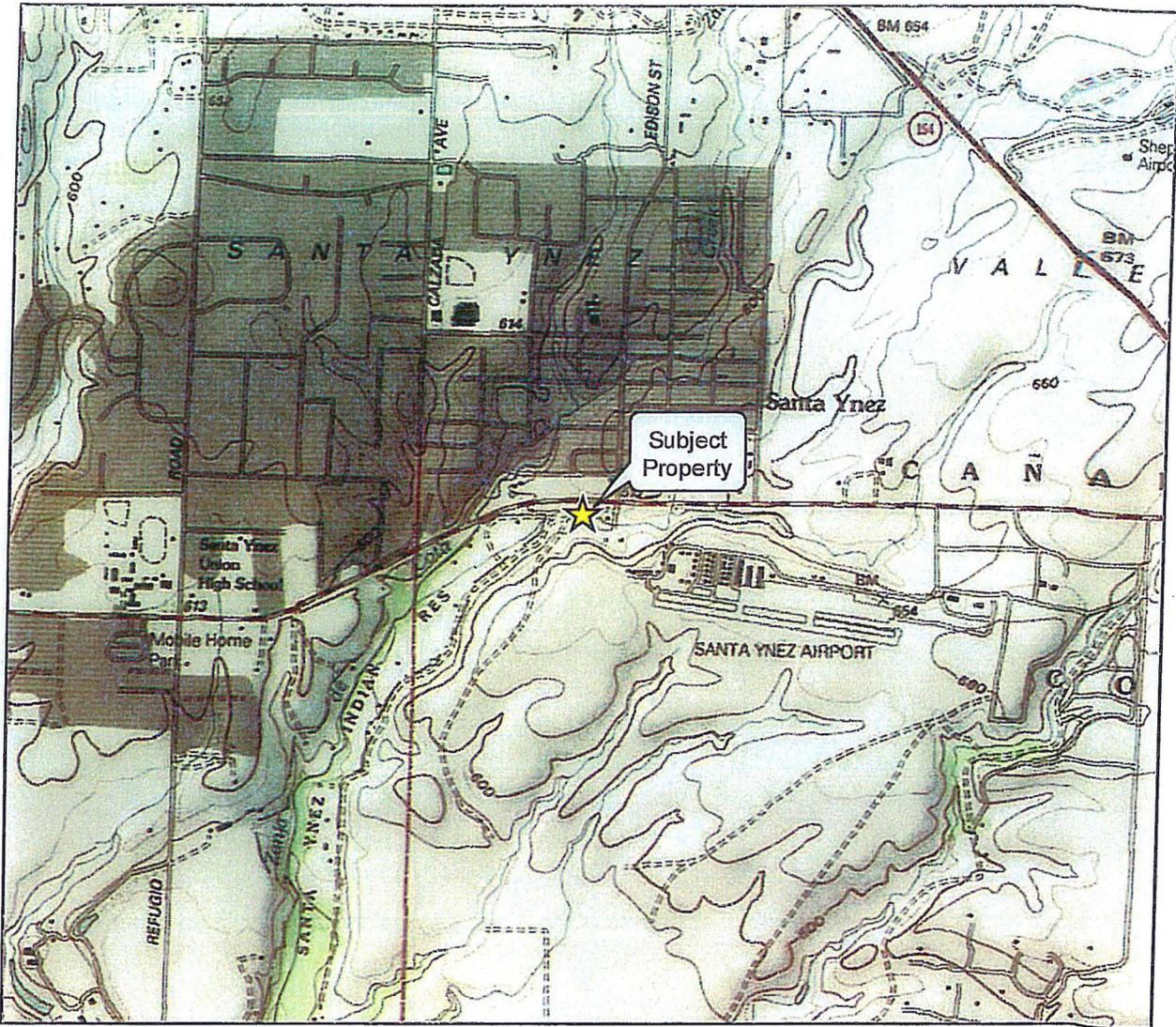
Prepared for:

Santa Ynez Band of Chumash Indians

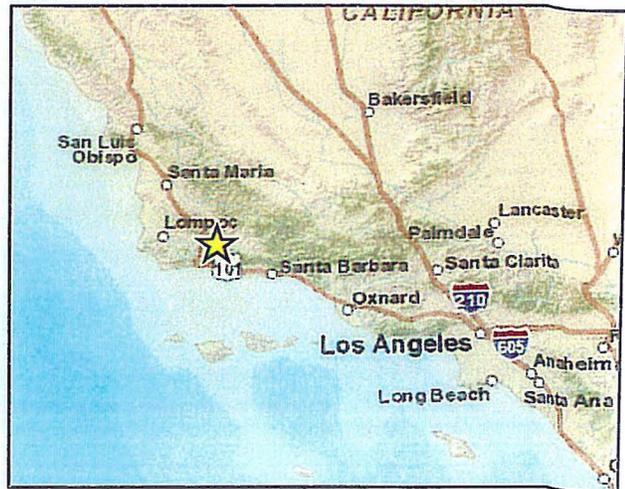
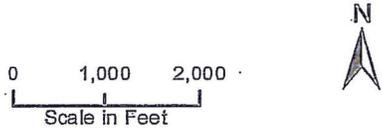
Prepared by:

Rincon Consultants, Inc.
September 15, 2014





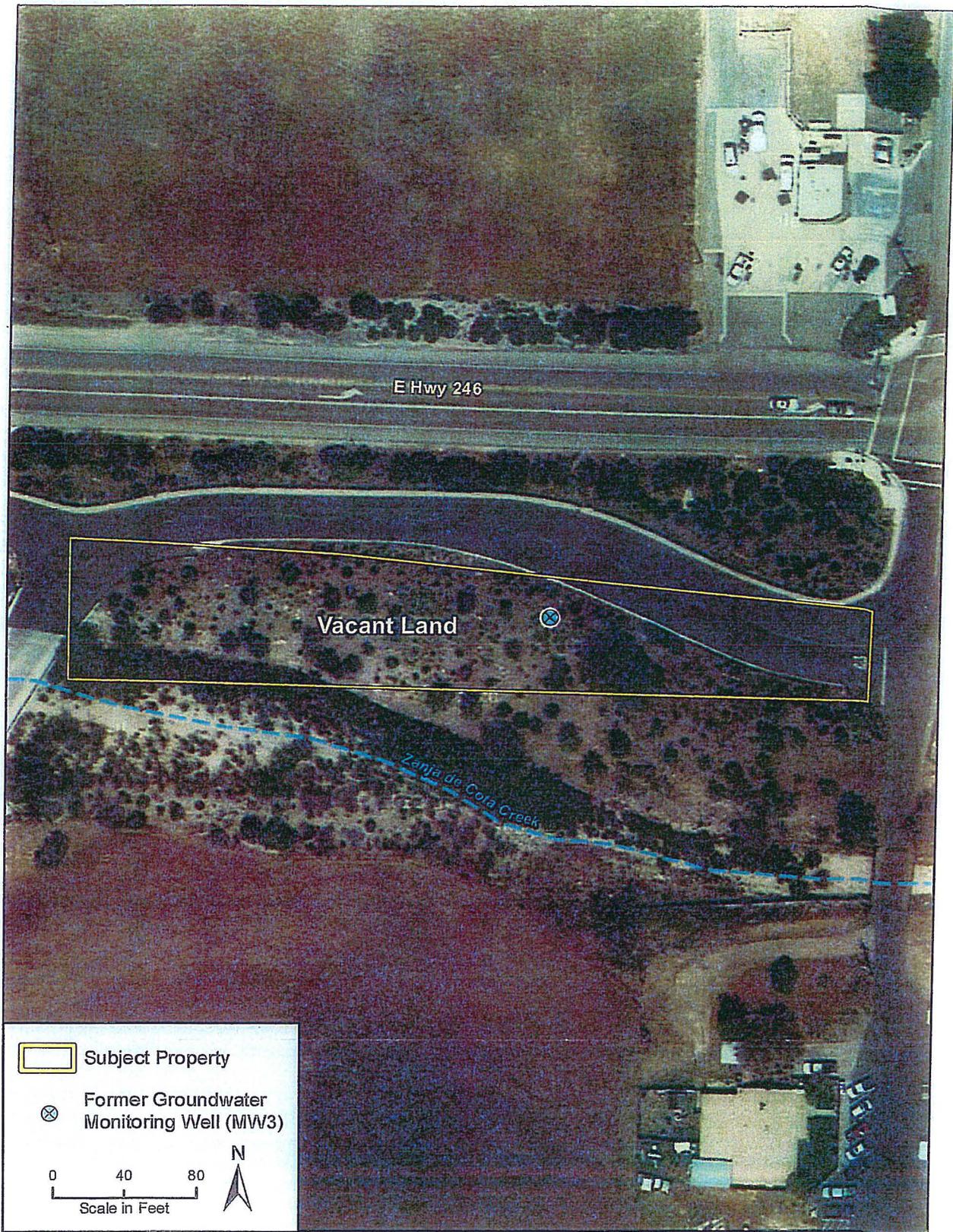
Imagery provided by National Geographic Society, ESRI and its licensors © 2014. The topographic representation depicted in this map may not portray all of the features currently found in the vicinity today and/or features depicted in this map may have changed since the original topographic map was assembled.



Vicinity Map

Figure 1

Rincon Consultants, Inc.



Imagery provided by Google and its licensors © 2014.

Site Map

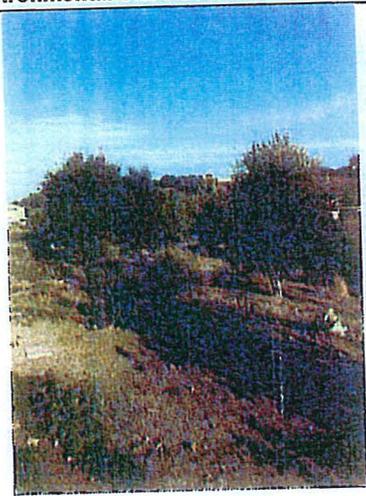
Figure 2

Rincon Consultants, Inc.

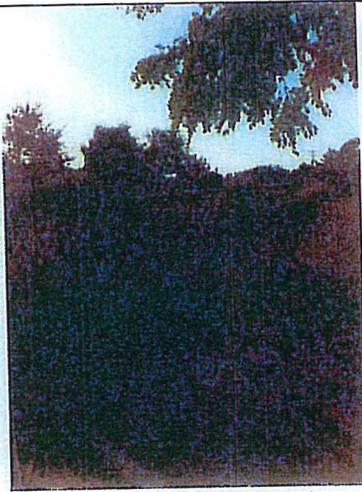


Adjacent Land Use Map

Figure 3
 Rincon Consultants, Inc.



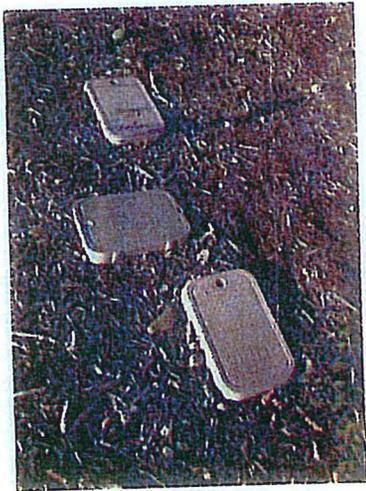
Photograph 1. View of the central portion of the subject property, facing east.



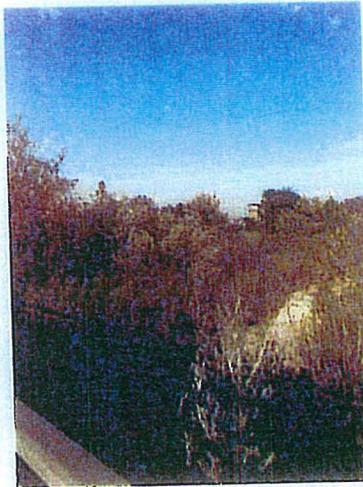
Photograph 2. Typical view of the subject property with native landscaped areas.



Photograph 3. Typical view of the subject property with native landscaped areas, facing south.



Photograph 4. View of the plastic water valve covers located in the central portion of the subject property.



Photograph 5. View of the Zanja de Cota Creek and southern portion of the subject property, facing east.



Photograph 6. View of the utilities located at the Edison and Sanja Cota Avenue intersection, facing west.

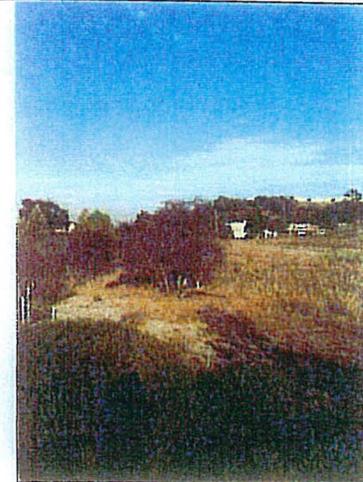
Figure 4



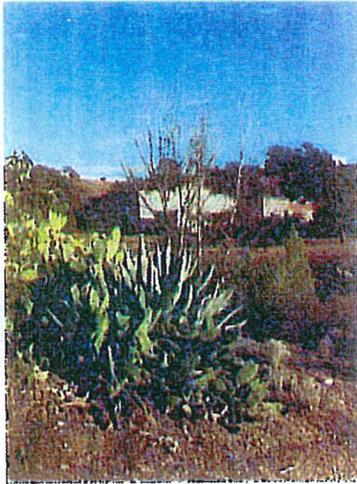
Photograph 7. View of the southern portion of the subject property with irrigation lines and plastic valve covers located adjacent to Zanja de Cota Creek.



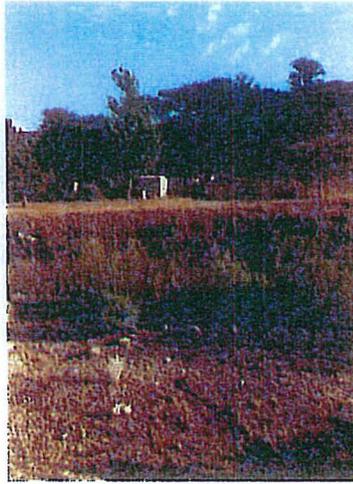
Photograph 8. View of the northern adjacent vacant land, facing north.



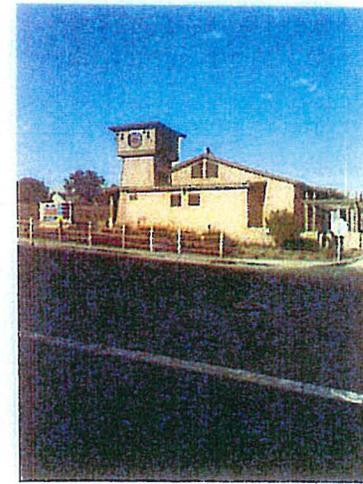
Photograph 9. View of the southern adjacent vacant land followed by the southeastern residence, facing east.



Photograph 10. View the southeastern adjacent vacant land followed by the southeastern adjacent Valley Oak Industries (2550 E. Hwy 246), facing southeast.



Photograph 11. View the southeastern adjacent vacant land followed by the southeastern adjacent residence, facing southeast.



Photograph 12. View of Edison Street followed by the eastern adjacent Mobil Gas Station (990 Edison St.), facing northeast.



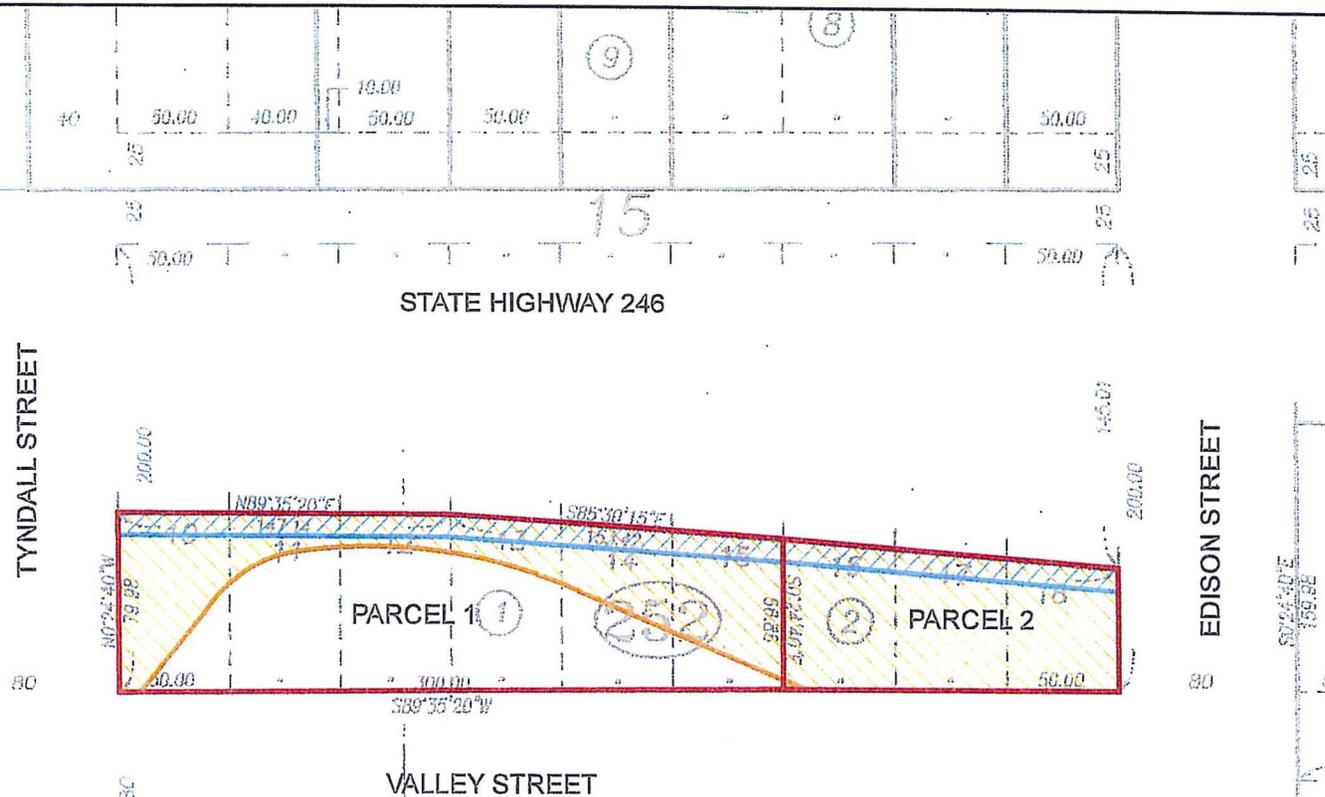
Legend

 PARCEL 1

 PARCEL 2

 04/27/1962 Bk1922 Pg787
(Water Mains, Hydrants, Valves)

 04/15/2004 #04-0036808
(Right of Way)



Tax ID: 143-252-01 & 143-252-02

Short Legal: A Portion of Lots 10-18 Block 15 Map And Surveys Bk1 Pg41

Map Not
To Scale

This map may or may not be a survey of the land depicted hereon. You should not rely upon it for any purpose other than orientation to the general location of the parcel or parcels depicted. First American Title expressly disclaims any liability for alleged loss or damage which may result from reliance upon this map.



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

IN REPLY REFER TO

AUG 12 2015

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Distribution List:

Enclosed is a copy of our notice of an application seeking acceptance of title to real property “in trust” by the United States of America for the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation of California.

Said notice is issued pursuant to the Code of Federal Regulations, Title 25, INDIANS, and Part 151.10. We are seeking your comments regarding the proposed trust land acquisition in order to obtain sufficient data that would enable an analysis of the potential impacts on local government, which may result from the removal of the subject property from the tax roll and local jurisdiction. Pertinent information regarding the proposal is included in the enclosure.

Sincerely,

Regional Director

Enclosure

COUNTY ADMINISTRATOR

ROUTE TO:

2015 AUG 17 PM 2:04

RETURN INSTRUCTIONS:





IN REPLY REFER TO

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

AUG 12 2015

Notice of (Non-Gaming) Land Acquisition Application

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10 and 151.11, notice is given of the application filed by the Santa Ynez Band of Chumash Mission Indians (Tribe) to have real property accepted "into trust" for said applicant by the United States of America. The determination whether to acquire this property "in trust" will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of the Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information:

- (1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- (2) Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization;
- (3) Any government services that are currently provided to the property by your organization; and
- (4) If subject to zoning, how the intended use is consistent, or inconsistent, with current zoning.

We are providing the following information regarding this application:

Applicant:

Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California

Legal Land Description/Site Location:

Real property in the unincorporated area of the County of Santa Barbara, State of California, described as follows:



PARCEL ONE: (APN: 143-252-01)

THOSE PORTIONS OF LOTS 10, 11, 12, 13, 14 AND 15 IN BLOCK 15 OF THE TOWN OF SANTA YNEZ, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SAID BLOCK AND LOTS ARE DELINEATED ON THE MAP THEREOF RECORDED IN BOOK 1 AT PAGE 41 OF MAPS AND SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT INTERSECTION OF THE LINE COMMON TO SAID LOT 15 AND LOT 16 IN SAID BLOCK 15 WITH THE NORTHERLY LINE OF VALLEY STREET AS DELINEATED ON THE ABOVE SAID MAP; THENCE 1) ALONG SAID NORTHERLY LINE OF VALLEY STREET, SOUTH 89° 35' 20" WEST 300.00 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF TYNDAL STREET, AS SAID STREET IS DELINEATED ON SAID MAP; THENCE 2) ALONG SAID EASTERLY LINE OF TYNDAL STREET, NORTH 0° 24' 40" WEST 79.98 FEET; THENCE 3) NORTH 89° 35' 20" 147.14 FEET; THENCE 4) SOUTH 85° 30' 15" EAST 153.42 FEET TO A POINT ON THE EASTERLY LINE OF THE ABOVE SAID LOT 15; THENCE 5) ALONG SAID EASTERLY LINE OF SAID LOT 15, SOUTH 0° 24' 40" EAST 66.86 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL MINERALS, OIL, GASES AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE PARCEL OF LAND HEREINABOVE DESCRIBED, WITHOUT, HOWEVER, THE RIGHT TO DRILL, DIG OR MINE THROUGH THE SURFACE THEREOF BY DEED RECORDED JULY 10, 1957 AS INSTRUMENT NO. 13634 IN BOOK 1458, PAGE 542 OF OFFICIAL RECORDS.

PARCEL TWO: (APN: 143-252-02)

LOTS 16, 17 AND 18 IN BLOCK 15 OF THE TOWN OF SANTA YNEZ, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP RECORDED IN BOOK 1, PAGE 41 OF MAPS AND SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN THE LAND GRANTED TO THE STATE OF CALIFORNIA ON FEBRUARY 23, 1954 AS INSTRUMENT NO. 3105 IN BOOK 1218, PAGE 446 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Project Description/Proposed Land Use:

The subject property encompasses approximately 2.11 acres more or less, commonly referred to as Assessor's Parcel Numbers: 143-242-01 and 143-242-02 (Mooney); and 143-252-01 and 143-252-02 (Escobar). The property is adjacent to highway 246 which runs along the Santa Ynez Reservation and is contiguous to the Reservation.

The Tribe has no plans to change the use of the subject property. By placing the parcels into trust, the Tribe is able to irrigate the landscaping with recycled water generated by the Tribe's wastewater treatment plant, instead of the potable water which is now currently used. The purpose of the proposed fee-to-trust transfer will be to maintain such uses under the jurisdiction of the Tribe for future long range planning, including the ability to use its resources in a more environmentally proactive way. The property will serve to enhance the Tribe's land base, which supports tribal self-determination.

Current Use/Taxes and Zoning:

Assessed property taxes for 2013-2014:

- 143-242-01 - \$2,363.72
- 143-242-02 - \$14,567.00
- 143-252-01 - \$4,513.94
- 143-252-02 - \$2,602.56

The total collectable taxes on the property for 2013-2014 were \$24,047.22, which represents far less than 1% of the total which the County expects to generate from property taxes. Therefore, the percentage of the tax revenue that will be lost by transferring the land into trust would be significant in comparison to the total amount of revenue enjoyed by the County.

Existing Easements/Encumbrances:

See attached Schedule B

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government, which may result from the removal of the subject property from the tax roll and local jurisdiction.

This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act of 1969.

Your written comments should be addressed to the Bureau of Indian Affairs at the address at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted an extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. An extension of ten to thirty days may be granted. Copies of all comments will additionally be provided to the applicant. You will be notified of the decision to approve or deny the application.

If any party receiving this notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy of this notice to said party or timely provide our office with the name and address of said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act, is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, may be directed to Lorrae Russell, Realty Specialist, at (916) 978-6071 or Arvada Wolfen, Supervisory Realty Specialist, at (916) 978-6069.

Sincerely,


Regional Director

Enclosures

cc: Distribution List

DISTRIBUTION LIST

cc: BY CERTIFIED MAIL – RETURN RECEIPTS REQUESTED TO:

California State Clearinghouse (10 copies) - 7013 1090 0002 1067 6302
Office Planning and Research
P.O. Box 3044
Sacramento, CA 95814

Mr. Joe Dhillon - 7013 1090 0002 1067 6319
Senior Advisor for Tribal Negotiations
Office of the Governor
State Capitol Building, Suite 1173
Sacramento, CA 95814

Sara Drake, Deputy Attorney General - 7013 1090 0002 1067 6297
State of California
Department of Justice
P.O. Box 944255
Sacramento, CA 94244-2550

U.S. Senator Dianne Feinstein - 7013 2630 0001 5558 4556
331 Hart Senate Building
Washington, DC 20510

Santa Barbara County Assessor - 7013 2630 0001 5558 4563
105 East Anapamu Street, Suite 204
Santa Barbara, CA 93101

Santa Barbara County Treasurer & Tax Collector - 7013 2630 0001 5558 4570
105 East Anapamu Street
Santa Barbara, CA 93101

Santa Barbara County Sheriff's Department - 7013 2630 0001 5558 4587
4434 Calle Real
Santa Barbara, CA 93110

Santa Barbara County Department of Public Works - 7013 2630 0001 5558 4594
123 East Anapamu Street
Santa Barbara, CA 93101

Santa Barbara County Department of Planning and Development - 7013 2630 0001 5558 4600
123 East Anapamu Street
Santa Barbara, CA 93101-2058

Chair, County Board of Supervisors - 7013 2630 0001 5558 4617
County of Santa Barbara
105 E. Anapamu Street
Santa Barbara, CA 93101

County Executive Officer - 7013 2630 0001 5558 4624
County of Santa Barbara
105 E. Anapamu Street
Santa Barbara, CA 93101

County Counsel - 7013 2630 0001 5558 4631
County of Santa Barbara
105 E. Anapamu Street
Santa Barbara, CA 93101

County of Santa Barbara - 7013 2630 0001 5558 4648
Doreen Farr, Third District Supervisor
105 East Anapamu Street
Santa Barbara, CA 93101

Santa Barbara County - 7013 2630 0001 5558 4655
Kevin Ready, Senior Deputy County Counsel
105 E. Anapamu Street, Suite, 201
Santa Barbara, CA 93101

City of Santa Barbara - 7013 2630 0001 5558 4662
P.O. Box 1990
Santa Barbara, CA 93102-1990

Buellton City Hall - 7013 2630 0001 5558 4679
P.O. Box 1819
Buellton, CA 93427

City of Solvang - 7013 2630 0001 5558 4686
1644 Oak Street
Solvang, CA 93463

Lois Capps - 7013 2630 0001 5558 4693
U.S. House of Representatives
301 E. Carrillo Street, Suite A
Santa Barbara, CA 93101

Stand Up For California - 7013 2630 0001 5558 4709
Cheryl Schmit- Director
P.O. Box 355
Penryn, CA 95663

Santa Ynez Valley Concerned Citizens - 7013 2630 0001 5558 4716
Gerry Shepherd, Treasurer
P.O. Box 244
Santa Ynez, CA 93460

Women's Environmental Watch - 7013 2630 0001 5558 4723
Cathie McHenty, President
P.O. Box 830
Solvang, CA 93464

Santa Ynez Valley Alliance - 7013 2630 0001 5558 4730
Mark Oliver, President
P.O. Box 941
Santa Ynez, CA 93460

Santa Ynez Community Services District – 7013 2630 0001 5558 4747
P.O. Box 667
Santa Ynez, CA 93460

Andi Culbertson - 7013 2630 0001 5558 4754
1975 Still Meadow Road
Ballard, CA 93463

Cathy Christian - 7013 2630 0001 5558 4761
Nielson Merksamer Parrinello Gross & Leoni LLP
Attorneys At Law
1415 L. Street, Suite 1200
Sacramento, CA 95814

Rob Walton - 7013 2630 0001 5558 4778
305 White Oak Road
Santa Ynez, CA 93460

Kathy Cleary - 7013 2630 0001 5558 4785
P.O. Box 936
Los Olivos, CA 93441

Regular Mail:

Superintendent, Southern California Agency, BIA
1451 Research Park Drive, Suite 100
Riverside, California 92507-2154

SCHEDULE B

SECTION TWO

EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction. The printed exceptions and exclusions from the coverage of the policy or policies are set forth in Exhibit A attached. Copies of the policy forms should be read. They are available from the office which issued this Commitment.

1. General and special taxes and assessments for the fiscal year 2014-2015, a lien not yet due or payable.
2. Intentionally Deleted
3. Intentionally Deleted
4. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
5. Water rights, claims or title to water, whether or not shown by the public records.
6. Reservations contained in the deed from the Roman Catholic Bishop of Monterey dated September 2, 1887 and recorded September 26, 1887 in Book 18, Page 209 of Deeds for the privilege of constructing a flume aqueduct or ditch over the property herein described.

The location of the easement cannot be determined from record information.

7. A waiver of any claims for any and all damages to said land contiguous to the property conveyed to the State of California for freeway, by reason of the location, construction, landscaping or maintenance of said freeway, as provided in the foregoing deed recorded February 4, 1954, as Instrument No. 2111, in Book 1213, Page 417 of Official Records.

Note: Affects Parcel One

8. An easement for public utilities and incidental purposes, recorded May 12, 1955 as Instrument No. 8610 in Book 1314, Page 337 of Official Records.
In Favor of: County of Santa Barbara
Affects: As described therein

Note: No representation is hereby made as to the current holder(s) of said easement rights.

9. An easement for ingress, egress and water mains and incidental purposes, recorded April 27, 1962 as Instrument No. 17241 in Book 1922, Page 823 of Official Records.
In Favor of: Santa Ynez River Water Conservation District
Affects: As described therein

Note: No representation is hereby made as to the current holder(s) of said easement rights.

10. An easement for ingress, egress, public utility use and water mains and incidental purposes, recorded December 2, 1983 as Instrument No. 83-64484 of Official Records.
In Favor of: Santa Ynez River Water Conservation District Improvement District No. 1
Affects: As described therein

Note: No representation is hereby made as to the current holder(s) of said easement rights.

11. The effect of a map filed in Book 148, Page 16 of Record of Surveys, in the Office of the County Recorder of said County, California, purporting to show the herein described land and other land.

12. The following matters as set out on that certain ALTA/ACSM Land Title Survey dated April 16, 2003 and amended June 2, 2004, prepared by John L. Wallace & Associates as Job No. 375.09
- For: Overhead wire
Affects: Over the Northeasterly portions of said land
For: Metal retaining wall, concrete swale
Affects: The Southeasterly portion of said land
For: Concrete bridge is used by the public as a road
Affects: The Southeasterly portion of said land
For: Flood lights, no visible sign of being in service
Affects: The Northeasterly portion
For: Water meter
Affects: The Northeasterly portion of said land
For: Water valves
Affects: The Northeasterly portions of said land
For: Barbed wire fence
Affects: Over the Northerly boundary line
For: Sign
Affects: 1.5 feet Southerly of Northerly portion of said land
For: Air release valve
Affects: 4.7 feet Southerly over Northerly portion of said land
For: Fire hydrant
Affects: 2.2 feet Southerly of the Northerly portion of said land
For: Pole stumps
Affects: The Westerly portion of said land
For: Fence corner
Affects: Encroach 2.7 feet Southerly over Valley Street
For: Overhead wire
Affects: The Southerly portion of said land

For: 3/4 inch water line tee
Affects: Encroach 0.4 feet Southerly over Valley Street
For: Shed cor.
Affects: Encroach 0.4 feet Southerly over Valley Street
For: Chain link fence
Affects: Encroach 7.6 feet Southerly over Valley Street

13. An Encroachment Permit, upon the terms and conditions contained therein,
Dated: August 8, 2003
By and between: Santa Ynez River Water Conservation District, Improvement
District #1 and Santa Ynez Band of Chumash Indians
Recorded: August 18, 2003 as Instrument No. 03-0112248 of Official
Records
14. A non-exclusive easement for sanitary sewer and permitted improvements as described by
Encroachment Permit executed by and between Santa Ynez River Water Conservation District,
Improvement District #1 and Santa Ynez Community Services District, recorded April 22, 2004 as
Instrument No. 04-0041377 of Official Records.
15. The terms and provisions contained in the document entitled Notice of Consolidated Boundary
Description for the Santa Ynez River Water conservation District, Improvement District No. 1
recorded June 2, 2008 as Instrument No. 2008-0032723 of Official Records.
16. Intentionally Deleted
17. Rights of parties in possession.

INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

1. General and special taxes and assessments for the fiscal year 2013-2014.

First Installment: \$1,181.86, PAID
Penalty: \$0.00
Second Installment: \$1,181.86, PAID
Penalty: \$0.00
Tax Rate Area: 62-001
A. P. No.: 143-242-01

(Affects Parcel One)

2. General and special taxes and assessments for the fiscal year 2013-2014.

First Installment: \$7,283.50, PAID
Penalty: \$0.00
Second Installment: \$7,283.50, PAID
Penalty: \$0.00
Tax Rate Area: 62-001
A. P. No.: 143-242-02

(Affects Parcel Two)

3. The property covered by this report is vacant land.

(Affects Parcel One)

4. This report is preparatory to the issuance of an ALTA Loan Policy. We have no knowledge of any fact which would preclude the issuance of the policy with CLTA endorsement forms 100 and 116 and if applicable, 115 and 116.2 attached, provided a valid notice of completion is recorded in the public records.

When issued, the CLTA endorsement form 116 or 116.2, if applicable will reference a(n) Commercial Structure known as 3416 East Highway 246, Santa Ynez Valley, California, .

(Affects Parcel Two)

5. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None

6. We find no open deeds of trust. Escrow please confirm before closing.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

SCHEDULE B

SECTION TWO

EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction. The printed exceptions and exclusions from the coverage of the policy or policies are set forth in Exhibit A attached. Copies of the policy forms should be read. They are available from the office which issued this Commitment.

1. General and special taxes and assessments for the fiscal year 2014-2015, a lien not yet due or payable.
2. Intentionally Deleted
3. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
4. Water rights, claims or title to water, whether or not shown by the public records.
5. An easement for completing, construction, re-construction, repairing, maintaining and operating water mains, hydrants, valves and incidental purposes, recorded April 27, 1962 in Book 1922, Page 787 of Official Records.
In Favor of: Santa Ynez Water Conservation District, a public corporation
Affects: The Northerly 10 feet of Parcels One and Two

Note: No representation is hereby made as to the current holder(s) of said easement rights.

6. A waiver of any claims for damages by reason of the location, construction, landscaping or maintenance of a contiguous freeway, highway, roadway or transit facility as contained in the document recorded February 23, 1954 as Instrument No. 3105 in Book 1218, Page 446 of Official Records.
7. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
8. Easements, claims of easement or encumbrances which are not shown by the public records.
9. The following matters as set out on that certain ALTA/ACSM Survey dated May 6, 2002, prepared by J. L. Wallace & Associates, Job No. 375.09, Joseph L. Morris, L.S. 6192;
A. T-Post and rope fence and barb wire fence located within and without the Northerly portion of said land.

- B. A public easement for navigation and the incidents of navigation such as boating, fishing, swimming, hunting and other recreational uses in and under the Sanja Cota Creek, as said creek is set forth on said map, and including a public right of access to the water.
- C. Public utilities and overhead wires over and within said land as set forth on said map.
- D. Building encroachment into Edison Street over the Southeasterly portion as set forth on said map.
- E. Dirt and gravel driveways, gravel parking lot, wire fence and iron retaining wall over portions of said property as set forth on said map.
10. An easement for a permanent easement and right of way for the present and future construction, reconstruction, operation, repair and maintenance of improvements and incidental purposes, recorded April 15, 2004 as Instrument No. 04-0036808 of Official Records.
In Favor of: County of Santa Barbara, a political subdivision of the State of California
Affects: As described therein
11. The terms and provisions contained in the document entitled Notice of Consolidated Boundary Description for the Santa Ynez River Water conservation District, Improvement District No. 1 recorded June 2, 2008 as Instrument No. 2008-0032723 of Official Records.
12. Intentionally Deleted
13. The terms and provisions contained in the document entitled "Agreement Between the County of Santa Barbara and the Santa Ynez Band of Mission Indians for the Maintenance of Roadway, Bridge, and Creek Improvements at Santa Cota Road (herein the "Maintenance Agreement")" recorded May 4, 2004 as Instrument No. 04-47218 of Official Records.
14. The terms and provisions contained in the document entitled Notice of Consolidated Boundary Description for the Santa Ynez River Water Conservation District, Improvement District No. 1 recorded June 02, 2008 as 2008-0032723 of Official Records.

INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

1. General and special taxes and assessments for the fiscal year 2013-2014.

First Installment:	\$2,256.97, PAID
Penalty:	\$0.00
Second Installment:	\$2,256.97, PAID
Penalty:	\$0.00
Tax Rate Area:	62-001
A. P. No.:	143-252-01

(Affects Parcel One)

2. General and special taxes and assessments for the fiscal year 2013-2014.

First Installment:	\$1,301.28, PAID
Penalty:	\$0.00
Second Installment:	\$1,301.28, PAID
Penalty:	\$0.00
Tax Rate Area:	62-001
A. P. No.:	143-252-02

(Affects Parcel Two)

3. The property covered by this report is vacant land.

(Affects Parcel One)

4. According to the latest available equalized assessment roll in the office of the county tax assessor, there is located on the land a(n) Commercial Structure known as 991 Edison Street, Santa Ynez Valley, California, .

(Affects Parcel Two)

5. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None

6. We find no open deeds of trust. Escrow please confirm before closing.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

Titles and Records Offices are designated as Certifying Officers for this purpose. When a copy or reproduction of a title document is authenticated by the official seal and certified by a Manager, Land Titles and Records Office, the copy or reproduction shall be admitted into evidence the same as the original from which it was made. The fees for furnishing such certified copies are established by a uniform fee schedule applicable to all constituent units of the Department of the Interior and published in 43 CFR part 2, appendix A.

§ 150.11 Disclosure of land records, title documents, and title reports.

(a) The usefulness of a Land Titles and Records Office depends in large measure on the ability of the public to consult the records contained therein. It is therefore, the policy of the Bureau of Indian Affairs to allow access to land records and title documents unless such access would violate the Privacy Act, 5 U.S.C. 552a, or other law restricting access to such records, or there are strong policy grounds for denying access where such access is not required by the Freedom of Information Act, 5 U.S.C. 552. It shall be the policy of the Bureau of Indian Affairs that, unless specifically authorized, monetary considerations will not be disclosed insofar as leases of tribal land are concerned.

(b) Before disclosing information concerning any living individual, the Manager, Land Titles and Records Office, shall consult 5 U.S.C. 552a(b) and the notice of routine users then in effect to determine whether the information may be released without the written consent of the person to whom it pertains.

PART 151—LAND ACQUISITIONS

- Sec.
- 151.1 Purpose and scope.
 - 151.2 Definitions.
 - 151.3 Land acquisition policy.
 - 151.4 Acquisitions in trust of lands owned in fee by an Indian.
 - 151.5 Trust acquisitions in Oklahoma under section 5 of the I.R.A.
 - 151.6 Exchanges.
 - 151.7 Acquisition of fractional interests.
 - 151.8 Tribal consent for nonmember acquisitions.

- 151.9 Requests for approval of acquisitions.
- 151.10 On-reservation acquisitions.
- 151.11 Off-reservation acquisitions.
- 151.12 Action on requests.
- 151.13 Title examination.
- 151.14 Formalization of acceptance.
- 151.15 Information collection.

AUTHORITY: R.S. 161; 5 U.S.C. 801. Interpret or apply 46 Stat. 1106, as amended; 46 Stat. 1471, as amended; 48 Stat. 985, as amended; 49 Stat. 1967, as amended, 53 Stat. 1129; 63 Stat. 605; 69 Stat. 392, as amended; 70 Stat. 290, as amended; 70 Stat. 828; 75 Stat. 606; 77 Stat. 349; 78 Stat. 389; 78 Stat. 747; 82 Stat. 174, as amended, 82 Stat. 884; 84 Stat. 120; 84 Stat. 1374; 86 Stat. 216; 86 Stat. 530; 88 Stat. 744; 88 Stat. 78; 88 Stat. 81; 88 Stat. 1716; 88 Stat. 2203; 88 Stat. 2207; 25 U.S.C. 2, 9, 409a, 450h, 451, 484, 485, 487, 488, 489, 501, 502, 573, 574, 576, 608, 608a, 610, 610a, 622, 624, 8404-10, 1466, 1496, and other authorizing acts.

CROSS REFERENCE: For regulations pertaining to: The inheritance of interests in trust or restricted land, see parts 15, 16, and 17 of this title and 43 CFR part 4; the purchase of lands under the BIA Loan Guaranty, Insurance and Interest Subsidy program, see part 103 of this title; the exchange and partition of trust or restricted lands, see part 152 of this title; land acquisitions authorized by the Indian Self-Determination and Education Assistance Act, see parts 900 and 278 of this title; the acquisition of allotments on the public domain or in national forests, see 43 CFR part 2630; the acquisition of Native allotments and Native townsite lots in Alaska, see 43 CFR parts 2661 and 2664; the acquisition of lands by Indians with funds borrowed from the Farmers Home Administration, see 7 CFR part 1823, subpart N; the acquisition of land by purchase or exchange for members of the Osage Tribe not having certificates of competency, see §§ 117.8 and 158.54 of this title.

SOURCE: 45 FR 62036, Sept. 13, 1980, unless otherwise noted. Redesignated at 47 FR 13327, Mar. 30, 1982.

§ 151.1 Purpose and scope.

These regulations set forth the authorities, policy, and procedures governing the acquisition of land by the United States in trust status for individual Indians and tribes. Acquisition of land by individual Indians and tribes in fee simple status is not covered by these regulations even though such land may, by operation of law, be held in restricted status following acquisition. Acquisition of land in trust status by inheritance or escheat is not covered by these regulations. These regulations do not cover the acquisition of

land in trust status in the State of Alaska, except acquisitions for the Metlakatla Indian Community of the Annette Island Reserve or its members.

§ 151.2 Definitions.

(a) *Secretary* means the Secretary of the Interior or authorized representative.

(b) *Tribe* means any Indian tribe, band, nation, pueblo, community, rancheria, colony, or other group of Indians, including the Metlakatla Indian Community of the Annette Island Reserve, which is recognized by the Secretary as eligible for the special programs and services from the Bureau of Indian Affairs. For purposes of acquisitions made under the authority of 25 U.S.C. 488 and 489, or other statutory authority which specifically authorizes trust acquisitions for such corporations, "Tribe" also means a corporation chartered under section 17 of the Act of June 18, 1934 (48 Stat. 988; 25 U.S.C. 477) or section 3 of the Act of June 26, 1936 (49 Stat. 1967; 25 U.S.C. 503).

(c) *Individual Indian* means:

(1) Any person who is an enrolled member of a tribe;

(2) Any person who is a descendant of such a member and said descendant was, on June 1, 1934, physically residing on a federally recognized Indian reservation;

(3) Any other person possessing a total of one-half or more degree Indian blood of a tribe;

(4) For purposes of acquisitions outside of the State of Alaska, *Individual Indian* also means a person who meets the qualifications of paragraph (c)(1), (2), or (3) of this section where "Tribe" includes any Alaska Native Village or Alaska Native Group which is recognized by the Secretary as eligible for the special programs and services from the Bureau of Indian Affairs.

(d) *Trust land* or *land in trust status* means land the title to which is held in trust by the United States for an individual Indian or a tribe.

(e) *Restricted land* or *land in restricted status* means land the title to which is held by an individual Indian or a tribe and which can only be alienated or encumbered by the owner with the approval of the Secretary because of limi-

tations contained in the conveyance instrument pursuant to Federal law or because of a Federal law directly imposing such limitations.

(f) Unless another definition is required by the act of Congress authorizing a particular trust acquisition, *Indian reservation* means that area of land over which the tribe is recognized by the United States as having governmental jurisdiction, except that, in the State of Oklahoma or where there has been a final judicial determination that a reservation has been disestablished or diminished, *Indian reservation* means that area of land constituting the former reservation of the tribe as defined by the Secretary.

(g) *Land* means real property or any interest therein.

(h) *Tribal consolidation area* means a specific area of land with respect to which the tribe has prepared, and the Secretary has approved, a plan for the acquisition of land in trust status for the tribe.

[45 FR 62036, Sept. 18, 1980, as amended at 60 FR 32878, June 23, 1995]

§ 151.3 Land acquisition policy.

Land not held in trust or restricted status may only be acquired for an individual Indian or a tribe in trust status when such acquisition is authorized by an act of Congress. No acquisition of land in trust status, including a transfer of land already held in trust or restricted status, shall be valid unless the acquisition is approved by the Secretary.

(a) Subject to the provisions contained in the acts of Congress which authorize land acquisitions, land may be acquired for a tribe in trust status:

(1) When the property is located within the exterior boundaries of the tribe's reservation or adjacent thereto, or within a tribal consolidation area; or

(2) When the tribe already owns an interest in the land; or

(3) When the Secretary determines that the acquisition of the land is necessary to facilitate tribal self-determination, economic development, or Indian housing.

(b) Subject to the provisions contained in the acts of Congress which authorize land acquisitions or holding

§ 151.4

land in trust or restricted status, land may be acquired for an individual Indian in trust status:

- (1) When the land is located within the exterior boundaries of an Indian reservation, or adjacent thereto; or
- (2) When the land is already in trust or restricted status.

§ 151.4 Acquisitions in trust of lands owned in fee by an Indian.

Unrestricted land owned by an individual Indian or a tribe may be conveyed into trust status, including a conveyance to trust for the owner, subject to the provisions of this part.

§ 151.5 Trust acquisitions in Oklahoma under section 5 of the I.R.A.

In addition to acquisitions for tribes which did not reject the provisions of the Indian Reorganization Act and their members, land may be acquired in trust status for an individual Indian or a tribe in the State of Oklahoma under section 5 of the Act of June 18, 1934 (48 Stat. 985; 25 U.S.C. 465), if such acquisition comes within the terms of this part. This authority is in addition to all other statutory authority for such an acquisition.

§ 151.6 Exchanges.

An individual Indian or tribe may acquire land in trust status by exchange if the acquisition comes within the terms of this part. The disposal aspects of an exchange are governed by part 152 of this title.

§ 151.7 Acquisition of fractional interests.

Acquisition of a fractional land interest by an individual Indian or a tribe in trust status can be approved by the Secretary only if:

- (a) The buyer already owns a fractional interest in the same parcel of land; or
- (b) The interest being acquired by the buyer is in fee status; or
- (c) The buyer offers to purchase the remaining undivided trust or restricted interests in the parcel at not less than their fair market value; or
- (d) There is a specific law which grants to the particular buyer the right to purchase an undivided interest or interests in trust or restricted land

25 CFR Ch. I (4-1-08 Edition)

without offering to purchase all of such interests; or

- (e) The owner of a majority of the remaining trust or restricted interests in the parcel consent in writing to the acquisition by the buyer.

§ 151.8 Tribal consent for nonmember acquisitions.

An individual Indian or tribe may acquire land in trust status on a reservation other than its own only when the governing body of the tribe having jurisdiction over such reservation consents in writing to the acquisition; provided, that such consent shall not be required if the individual Indian or the tribe already owns an undivided trust or restricted interest in the parcel of land to be acquired.

§ 151.9 Requests for approval of acquisitions.

An individual Indian or tribe desiring to acquire land in trust status shall file a written request for approval of such acquisition with the Secretary. The request need not be in any special form but shall set out the identity of the parties, a description of the land to be acquired, and other information which would show that the acquisition comes within the terms of this part.

§ 151.10 On-reservation acquisitions.

Upon receipt of a written request to have lands taken in trust, the Secretary will notify the state and local governments having regulatory jurisdiction over the land to be acquired, unless the acquisition is mandated by legislation. The notice will inform the state or local government that each will be given 30 days in which to provide written comments as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments. If the state or local government responds within a 30-day period, a copy of the comments will be provided to the applicant, who will be given a reasonable time in which to reply and/or request that the Secretary issue a decision. The Secretary will consider the following criteria in evaluating requests for the acquisition of land in trust status when

the land is located within or contiguous to an Indian reservation, and the acquisition is not mandated:

(a) The existence of statutory authority for the acquisition and any limitations contained in such authority;

(b) The need of the individual Indian or the tribe for additional land;

(c) The purposes for which the land will be used;

(d) If the land is to be acquired for an individual Indian, the amount of trust or restricted land already owned by or for that individual and the degree to which he needs assistance in handling his affairs;

(e) If the land to be acquired is in unrestricted fee status, the impact on the State and its political subdivisions resulting from the removal of the land from the tax rolls;

(f) Jurisdictional problems and potential conflicts of land use which may arise; and

(g) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.

(h) The extent to which the applicant has provided information that allows the Secretary to comply with 516 DM 6, appendix 4, National Environmental Policy Act Revised Implementing Procedures, and 602 DM 2; Land Acquisitions: Hazardous Substances Determinations. (For copies, write to the Department of the Interior, Bureau of Indian Affairs, Branch of Environmental Services, 1849 C Street NW., Room 4525 MIB, Washington, DC 20240.)

[45 FR 62086, Sept. 18, 1980, as amended at 80 FR 32379, June 23, 1985]

§ 151.11 Off-reservation acquisitions.

The Secretary shall consider the following requirements in evaluating tribal requests for the acquisition of lands in trust status, when the land is located outside of and noncontiguous to the tribe's reservation, and the acquisition is not mandated:

(a) The criteria listed in § 151.10 (a) through (c) and (e) through (h);

(b) The location of the land relative to state boundaries, and its distance from the boundaries of the tribe's res-

ervation, shall be considered as follows: as the distance between the tribe's reservation and the land to be acquired increases, the Secretary shall give greater scrutiny to the tribe's justification of anticipated benefits from the acquisition. The Secretary shall give greater weight to the concerns raised pursuant to paragraph (d) of this section.

(c) Where land is being acquired for business purposes, the tribe shall provide a plan which specifies the anticipated economic benefits associated with the proposed use.

(d) Contact with state and local governments pursuant to § 151.10 (e) and (f) shall be completed as follows: Upon receipt of a tribe's written request to have lands taken in trust, the Secretary shall notify the state and local governments having regulatory jurisdiction over the land to be acquired. The notice shall inform the state and local government that each will be given 30 days in which to provide written comment as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments.

[60 FR 32879, June 23, 1995, as amended at 80 FR 46894, Sept. 21, 1995]

§ 151.12 Action on requests.

(a) The Secretary shall review all requests and shall promptly notify the applicant in writing of his decision. The Secretary may request any additional information or justification he considers necessary to enable him to reach a decision. If the Secretary determines that the request should be denied, he shall advise the applicant of that fact and the reasons therefor in writing and notify him of the right to appeal pursuant to part 2 of this title.

(b) Following completion of the Title Examination provided in § 151.13 of this part and the exhaustion of any administrative remedies, the Secretary shall publish in the FEDERAL REGISTER, or in a newspaper of general circulation serving the affected area a notice of his/her decision to take land into trust under this part. The notice will state that a final agency determination to take land in trust has been made and that the Secretary shall acquire title in the name of the United States no

§ 151.13

sooner than 30 days after the notice is published.

[45 FR 62036, Sept. 18, 1980. Redesignated at 60 FR 32879, June 23, 1995, as amended at 61 FR 18083, Apr. 24, 1996]

§ 151.13 Title examination.

If the Secretary determines that he will approve a request for the acquisition of land from unrestricted fee status to trust status, he shall acquire, or require the applicant to furnish, title evidence meeting the *Standards For The Preparation of Title Evidence In Land Acquisitions by the United States*, issued by the U.S. Department of Justice. After having the title evidence examined, the Secretary shall notify the applicant of any liens, encumbrances, or infirmities which may exist. The Secretary may require the elimination of any such liens, encumbrances, or infirmities prior to taking final approval action on the acquisition and he shall require elimination prior to such approval if the liens, encumbrances, or infirmities make title to the land unmarketable.

[45 FR 62036, Sept. 18, 1980. Redesignated at 60 FR 32879, June 23, 1995]

§ 151.14 Formalization of acceptance.

Formal acceptance of land in trust status shall be accomplished by the issuance or approval of an instrument of conveyance by the Secretary as is appropriate in the circumstances.

[45 FR 62036, Sept. 18, 1980. Redesignated at 60 FR 32879, June 23, 1995]

§ 151.15 Information collection.

(a) The information collection requirements contained in §§ 151.9; 151.10; 151.11(c), and 151.13 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1076-0100. This information is being collected to acquire land into trust on behalf of the Indian tribes and individuals, and will be used to assist the Secretary in making a determination. Response to this request is required to obtain a benefit.

(b) Public reporting for this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the information

25 CFR Ch. I (4-1-08 Edition)

collection. Direct comments regarding the burden estimate or any other aspect of this information collection to the Bureau of Indian Affairs, Information Collection Clearance Officer, Room 337-SIB, 18th and C Streets, NW., Washington, DC 20240; and the Office of Information and Regulatory Affairs [Project 1076-0100], Office of Management and Budget, Washington, DC 20502.

[60 FR 32879, June 23, 1995; 64 FR 13896, Mar. 23, 1999]

PART 152—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, REMOVAL OF RESTRICTIONS, AND SALE OF CERTAIN INDIAN LANDS

Sec.

152.1 Definitions.

152.2 Withholding action on application.

ISSUING PATENTS IN FEE, CERTIFICATES OF COMPETENCY OR ORDERS REMOVING RESTRICTIONS

152.3 Information regarding status of applications for removal of Federal supervision over Indian lands.

152.4 Application for patent in fee.

152.5 Issuance of patent in fee.

152.6 Issuance of patents in fee to non-Indians and Indians with whom a special relationship does not exist.

152.7 Application for certificate of competency.

152.8 Issuance of certificate of competency.

152.9 Certificates of competency to certain Osage adults.

152.10 Application for orders removing restrictions, except Five Civilized Tribes.

152.11 Issuance of orders removing restrictions, except Five Civilized Tribes.

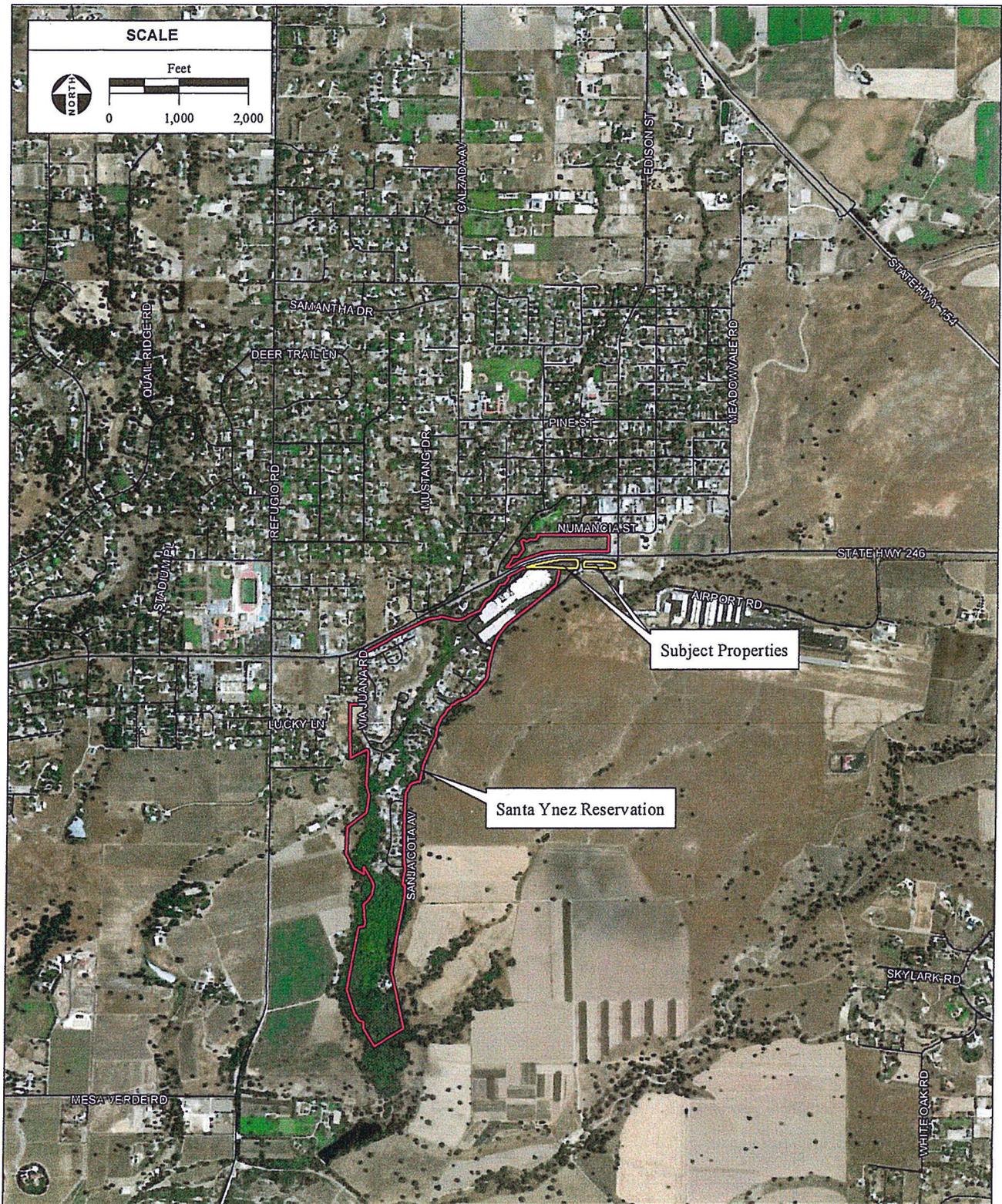
152.12 Removal of restrictions, Five Civilized Tribes, after application under authority other than section 2(a) of the Act of August 11, 1955.

152.13 Removal of restrictions, Five Civilized Tribes, after application under section 2(a) of the Act of August 11, 1955.

152.14 Removal of restrictions, Five Civilized Tribes, without application.

152.15 Judicial review of removal of restrictions, Five Civilized Tribes, without application.

152.16 Effect of order removing restrictions, Five Civilized Tribes.



SOURCE: Microsoft aerial photograph, 5/8/2010;
 Santa Barbara County GIS Data, 2012; AES, 2014

Santa Ynez Band of Chumash Indians 2.11-Acre Property Overview ■

Figure 2
 Site and Vicinity

Additions to Distribution List after printing:

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United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

CERTIFIED MAIL – RETURN RECEIPT REQUESTED – 7013 2630 0001 5558 4680

Honorable Vincent P. Armenta
Chairperson, Santa Ynez Band
of Chumash Mission Indians
P.O. Box 517
Santa Ynez, CA 93460

Dear Chairman Armenta:

Enclosed for your record is a copy of our supplemental notice of an application seeking acceptance of title to real property "in trust" by the United States of America for the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation of California.

Said notice is issued pursuant to the Code of Federal Regulations, Title 25, INDIANS, and Part 151.10. We are seeking comments regarding the proposed trust land acquisition in order to obtain sufficient data that would enable an analysis of the potential impacts on local government of which may result from the removal of the subject property from the tax roll and local jurisdiction. You will be provided with copies of any responses to the said notice, and you will be given an opportunity to submit any additional tribal comments.

Sincerely,

Gregory B. Smith
Regional Director

Enclosure

TAKE PRIDE
IN AMERICA 



ES-8117-001-100

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

Supplemental Notice of (Non-Gaming) Land Acquisition Application

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10 and 151.11, notice is given of the application filed by the Santa Ynez Band of Chumash Mission Indians (Tribe) to have real property accepted "into trust" for said applicant by the United States of America. The determination whether to acquire this property "in trust" will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of the Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information:

- (1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- (2) Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization;
- (3) Any government services that are currently provided to the property by your organization; and
- (4) If subject to zoning, how the intended use is consistent, or inconsistent, with current zoning.

We are providing the following information regarding this application:

Applicant:

Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation,
California

TAKE PRIDE
IN AMERICA 

Legal Land Description/Site Location:

A portion of the legal description was inadvertently left out including APN: 143-242-01 and 143-242-02. Please see the correct legal description below.

Real property in the unincorporated area of the County of Santa Barbara, State of California, described as follows:

PARCEL ONE: (APN: 143-242-01)

THOSE PORTIONS OF LOTS 5 TO 9 INCLUSIVE, OF BLOCK 20 IN THE TOWN OF SANTA YNEZ, COUNTY OF SANTA BARBARA, AS SAID LOTS AND BLOCK ARE DELINEATED ON THE MAP THEREOF, RECORDED OCTOBER 13, 1882, IN VOLUME B OF MISCELLANEOUS RECORDS, AT PAGE 441, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF MAIN STREET WITH THE NORTHERLY LINE OF VALLEY STREET AS DELINEATED ON THE ABOVE SAID MAP; THENCE (1) ALONG THE SAID WESTERLY LINE OF MAIN STREET NORTH 0° 24' 40" WEST 61.68 FEET; THENCE (2) FROM A TANGENT WHICH BEARS SOUTH 75° 32' 55" WEST ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 1950 FEET THROUGH ANGLE OF 6° 09. 44" FOR A DISTANCE OF 209.73 FEET TO A POINT ON THE ABOVE SAID NORTHERLY LINE OF VALLEY STREET; THENCE (3) ALONG SAID NORTHERLY LINE, NORTH 89° 35' 20" EAST 206.68 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF THE WESTERLY HALF OF MAIN STREET, WHICH WAS ABANDONED BY BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, BY RESOLUTION #14448 AND RECORDED MAY 12, 1955 AS INSTRUMENT NO. 8610, IN [BOOK 1314, PAGE 337](#) OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM ALL MINERALS, OIL, GASES AND OTHER HYDROCARBONS BY WHATSOEVER NAMES KNOWN THAT MAY BE WITHIN OR UNDER THE PARCEL OF LAND HEREINABOVE DESCRIBED AS RESERVED TO SHERMAN T. MANSFIELD, ET UX., IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED FEBRUARY 4, 1954 AS INSTRUMENT NO. 2111, IN [BOOK 1213, PAGE 417](#) OF OFFICIAL RECORDS OF SAID COUNTY.

PARCEL TWO: (APN: 143-242-02)

THOSE PORTIONS OF LOTS 10 TO 18 INCLUSIVE OF BLOCK 19 IN THE TOWN OF SANTA YNEZ, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SAID LOTS AND BLOCK ARE DELINEATED ON THE MAP THEREOF RECORDED

OCTOBER 13, 1882 IN BOOK B OF MISCELLANEOUS RECORDS, AT PAGE 441, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF THE ABOVE SAID LOT 18, BEING THE INTERSECTION OF THE WESTERLY LINE OF TYNDALL STREET WITH THE NORTHERLY LINE OF VALLEY STREET, ACCORDING TO THE ABOVE SAID MAP; THENCE (1) ALONG SAID WESTERLY LINE OF TYNDALL STREET NORTH 0° 24' 40" WEST 103.34 FEET; THENCE (2) NORTH 74° 07' 45" WEST 59.31 FEET; THENCE (3) FROM A TANGENT WHICH BEARS SOUTH 89° 35' 20" WEST ALONG A CURVE TO THE LEFT WITH A RADIUS OF 1950 FEET THROUGH AN ANGLE OF 11° 37' 44" FOR A DISTANCE OF 395.78 FEET TO A POINT IN THE EASTERLY LINE OF MAIN STREET, AS SAID STREET IS DELINEATED ON THE ABOVE SAID MAP; THENCE (4) ALONG SAID EASTERLY LINE OF MAIN STREET, SOUTH 0° 24' 40" EAST 79.95 FEET TO AN INTERSECTION WITH THE ABOVE MENTIONED NORTHERLY LINE OF VALLEY STREET; THENCE (5) ALONG SAID NORTHERLY LINE OF VALLEY STREET, NORTH 89° 35' 20" EAST 450.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL MINERALS OILS, GASES AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE PARCEL OF LAND HEREINABOVE DESCRIBED AS RESERVED TO SHERMAN T. MANSFIELD ET UX., IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED FEBRUARY 4, 1954 AS INSTRUMENT NO. 2112, IN BOOK 1213, PAGE 421 OF OFFICIAL RECORDS OF SAID COUNTY.

TOGETHER WITH THE PORTION OF THE EAST ½ OF MAIN STREET, ABANDONED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA BY RESOLUTION #14448 AND RECORDED MAY 12, 1955 AS INSTRUMENT NO. 8610, IN [BOOK 1314, PAGE 337](#) OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY.

SAID LAND IS ALSO SHOWN ON A MAP RECORDED IN [BOOK 148, PAGE 16](#) OF RECORDS OF SURVEY IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL THREE:

THAT PORTION OF MAIN STREET NOW ABANDONED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, SAID ORDER TO ABANDON RECORDED MAY 12, 1955 AS INSTRUMENT NO. 8610 IN [BOOK 1324, PAGE 337](#) OF OFFICIAL RECORDS, WHICH LIES SOUTHERLY OF THE SOUTHERLY LINE OF HIGHWAY AND NORTHERLY OF THE NORTHERLY LINE OF VALLEY STREET.

PARCEL ONE: (APN: 143-252-01)

THOSE PORTIONS OF LOTS 10, 11, 12, 13, 14 AND 15 IN BLOCK 15 OF THE TOWN OF SANTA YNEZ, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SAID BLOCK AND LOTS ARE DELINEATED ON THE MAP THEREOF RECORDED IN BOOK 1 AT PAGE 41 OF MAPS AND SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT INTERSECTION OF THE LINE COMMON TO SAID LOT 15 AND LOT 16 IN SAID BLOCK 15 WITH THE NORTHERLY LINE OF VALLEY STREET AS DELINEATED ON THE ABOVE SAID MAP; THENCE 1) ALONG SAID NORTHERLY LINE OF VALLEY STREET, SOUTH 89° 35' 20" WEST 300.00 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF TYNDAL STREET, AS SAID STREET IS DELINEATED ON SAID MAP; THENCE 2) ALONG SAID EASTERLY LINE OF TYNDAL STREET, NORTH 0° 24' 40" WEST 79.98 FEET; THENCE 3) NORTH 89° 35' 20" EAST 147.14 FEET; THENCE 4) SOUTH 85° 30' 15" EAST 153.42 FEET TO A POINT ON THE EASTERLY LINE OF THE ABOVE SAID LOT 15; THENCE 5) ALONG SAID EASTERLY LINE OF SAID LOT 15, SOUTH 0° 24' 40" EAST 66.86 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL MINERALS, OIL, GASES AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE PARCEL OF LAND HEREINABOVE DESCRIBED, WITHOUT, HOWEVER, THE RIGHT TO DRILL, DIG OR MINE THROUGH THE SURFACE THEREOF BY DEED RECORDED JULY 10, 1957 AS INSTRUMENT NO. 13634 IN BOOK 1458, PAGE 542 OF OFFICIAL RECORDS.

PARCEL TWO: (APN: 143-252-02)

LOTS 16, 17 AND 18 IN BLOCK 15 OF THE TOWN OF SANTA YNEZ, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP RECORDED IN BOOK 1, PAGE 41 OF MAPS AND SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN THE LAND GRANTED TO THE STATE OF CALIFORNIA ON FEBRUARY 23, 1954 AS INSTRUMENT NO. 3105 IN BOOK 1218, PAGE 446 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Project Description/Proposed Land Use:

The subject property encompasses approximately 2.11 acres more or less, commonly referred to as Assessor's Parcel Numbers: 143-242-01 and 143-242-02 (Mooney); and

143-252-01 and 143-252-02 (Escobar). The property is adjacent to highway 246 which runs along the Santa Ynez Reservation and is contiguous to the Reservation.

The Tribe has no plans to change the use of the subject property. By placing the parcels into trust, the Tribe is able to irrigate the landscaping with recycled water generated by the Tribe's wastewater treatment plant, instead of the potable water which is now currently used. The purpose of the proposed fee-to-trust transfer will be to maintain such uses under the jurisdiction of the Tribe for future long range planning, including the ability to use its resources in a more environmentally proactive way. The property will serve to enhance the Tribe's land base, which supports tribal self-determination.

Current Use/Taxes and Zoning:

Assessed property taxes for 2013-2014:

143-242-01 - \$2,363.72
143-242-02 - \$14,567.00
143-252-01 - \$4,513.94
143-252-02 - \$2,602.56

The total collectable taxes on the property for 2013-2014 were \$24,047.22, which represents far less than 1% of the total which the County expects to generate from property taxes. Therefore, the percentage of the tax revenue that will be lost by transferring the land into trust would be significant in comparison to the total amount of revenue enjoyed by the County.

Existing Easements/Encumbrances:

See attached Schedule B

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government, which may result from the removal of the subject property from the tax roll and local jurisdiction.

This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act of 1969.

Your written comments should be addressed to the Bureau of Indian Affairs at the address at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted an extension of time to furnish comments, provided you submit a written

justification requesting such an extension within thirty days of receipt of this letter. An extension of ten to thirty days may be granted. Copies of all comments will additionally be provided to the applicant. You will be notified of the decision to approve or deny the application.

If any party receiving this notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy of this notice to said party or timely provide our office with the name and address of said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act, is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, may be directed to Lorrae Russell, Realty Specialist, at (916) 978-6071 or Arvada Wolfen, Supervisory Realty Specialist, at (916) 978-6069.

Sincerely,



Regional Director

Enclosures

cc: Distribution List

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Senior Advisor for Tribal Negotiations
Office of the Governor
State Capitol Building, Suite 1173
Sacramento, CA 95814

Sara Drake, Deputy Attorney General - 7013 2630 0001 5558 4891
State of California
Department of Justice
P.O. Box 944255
Sacramento, CA 94244-2550

U.S. Senator Dianne Feinstein - 7013 2630 0001 5558 4907
331 Hart Senate Building
Washington, DC 20510

Santa Barbara County Assessor - 7013 2630 0001 5557 6100
105 East Anapamu Street, Suite 204
Santa Barbara, CA 93101

Santa Barbara County Treasurer & Tax Collector - 7013 2630 0001 5557 6117
105 East Anapamu Street
Santa Barbara, CA 93101

Santa Barbara County Sheriff's Department - 7013 2630 0001 5557 6124
4434 Calle Real
Santa Barbara, CA 93110

Santa Barbara County Department of Public Works - 7013 2630 0001 5557 6131
123 East Anapamu Street
Santa Barbara, CA 93101

Santa Barbara County Department of Planning and Development - 7013 2630 0001 5557 6148
123 East Anapamu Street
Santa Barbara, CA 93101-2058

Chair, County Board of Supervisors - 7013 2630 0001 5557 6155
County of Santa Barbara
105 E. Anapamu Street
Santa Barbara, CA 93101

County Executive Officer - 7013 2630 0001 5557 6162
County of Santa Barbara
105 E. Anapamu Street
Santa Barbara, CA 93101

Santa Barbara County - 7013 2630 0001 5557 6179
Kevin Ready, Senior Deputy County Counsel
105 E. Anapamu Street, Suite, 201
Santa Barbara, CA 93101

County of Santa Barbara - 7013 2630 0001 5557 6186
Doreen Farr, Third District Supervisor
105 East Anapamu Street
Santa Barbara, CA 93101

City of Santa Barbara - 7013 2630 0001 5557 6193
P.O. Box 1990
Santa Barbara, CA 93102-1990

Buellton City Hall - 7013 2630 0001 5557 6209
P.O. Box 1819
Buellton, CA 93427

City of Solvang - 7013 2630 0001 5557 6216
1644 Oak Street
Solvang, CA 93463

Lois Capps - 7013 2630 0001 5557 6223
U.S. House of Representatives
301 E. Carrillo Street, Suite A
Santa Barbara, CA 93101

Stand Up For California - 7013 2630 0001 5557 6230
Cheryl Schmit- Director
P.O. Box 355
Penryn, CA 95663

Santa Ynez Valley Concerned Citizens - 7013 2630 0001 5557 6247
Gerry Shepherd, Treasurer
P.O. Box 244
Santa Ynez, CA 93460

Women's Environmental Watch - 7013 2630 0001 5557 6254
Cathie McHenty, President
P.O. Box 830
Solvang, CA 93464

Santa Ynez Valley Alliance - 7013 2630 0001 5557 6261
Mark Oliver, President
P.O. Box 941
Santa Ynez, CA 93460

Santa Ynez Community Services District – 7013 2630 0001 5557 6278
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Santa Ynez, CA 93460

Kelly Patricia Burke/Sean Wiczak - 7013 2630 0001 5557 6353
1895 View Drive
Santa Ynez, CA 93460

William Devine, Esq. - 7013 2630 0001 5557 6360
1900 Main Street, 5th Floor
Irvine, CA 92614-7321

Regular Mail:

**Superintendent, Southern California Agency, BIA
1451 Research Park Drive, Suite 100
Riverside, California 92507-2154**

SCHEDULE B

SECTION TWO

EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction. The printed exceptions and exclusions from the coverage of the policy or policies are set forth in Exhibit A attached. Copies of the policy forms should be read. They are available from the office which issued this Commitment.

1. General and special taxes and assessments for the fiscal year 2014-2015, a lien not yet due or payable.
2. Intentionally Deleted
3. Intentionally Deleted
4. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
5. Water rights, claims or title to water, whether or not shown by the public records.
6. Reservations contained in the deed from the Roman Catholic Bishop of Monterey dated September 2, 1887 and recorded September 26, 1887 in Book 18, Page 209 of Deeds for the privilege of constructing a flume aqueduct or ditch over the property herein described.

The location of the easement cannot be determined from record information.

7. A waiver of any claims for any and all damages to said land contiguous to the property conveyed to the State of California for freeway, by reason of the location, construction, landscaping or maintenance of said freeway, as provided in the foregoing deed recorded February 4, 1954, as Instrument No. 2111, in Book 1213, Page 417 of Official Records.

Note: Affects Parcel One

8. An easement for public utilities and incidental purposes, recorded May 12, 1955 as Instrument No. 8610 in Book 1314, Page 337 of Official Records.
In Favor of: County of Santa Barbara
Affects: As described therein

Note: No representation is hereby made as to the current holder(s) of said easement rights.

9. An easement for ingress, egress and water mains and incidental purposes, recorded April 27, 1962 as Instrument No. 17241 in Book 1922, Page 823 of Official Records.

In Favor of: Santa Ynez River Water Conservation District
Affects: As described therein

Note: No representation is hereby made as to the current holder(s) of said easement rights.

10. An easement for ingress, egress, public utility use and water mains and incidental purposes, recorded December 2, 1983 as Instrument No. 83-64484 of Official Records.

In Favor of: Santa Ynez River Water Conservation District Improvement District No. 1
Affects: As described therein

Note: No representation is hereby made as to the current holder(s) of said easement rights.

11. The effect of a map filed in Book 148, Page 16 of Record of Surveys, in the Office of the County Recorder of said County, California, purporting to show the herein described land and other land.

12. The following matters as set out on that certain ALTA/ACSM Land Title Survey dated April 16, 2003 and amended June 2, 2004, prepared by John L. Wallace & Associates as Job No. 375.09

For: Overhead wire
Affects: Over the Northeasterly portions of said land
For: Metal retaining wall, concrete swale
Affects: The Southeasterly portion of said land
For: Concrete bridge is used by the public as a road
Affects: The Southeasterly portion of said land
For: Flood lights, no visible sign of being in service
Affects: The Northeasterly portion
For: Water meter
Affects: The Northeasterly portion of said land
For: Water valves
Affects: The Northeasterly portions of said land
For: Barbed wire fence
Affects: Over the Northerly boundary line
For: Sign
Affects: 1.5 feet Southerly of Northerly portion of said land
For: Air release valve
Affects: 4.7 feet Southerly over Northerly portion of said land
For: Fire hydrant
Affects: 2.2 feet Southerly of the Northerly portion of said land
For: Pole stumps
Affects: The Westerly portion of said land
For: Fence corner
Affects: Encroach 2.7 feet Southerly over Valley Street
For: Overhead wire
Affects: The Southerly portion of said land

For: 3/4 inch water line tee
Affects: Encroach 0.4 feet Southerly over Valley Street
For: Shed cor.
Affects: Encroach 0.4 feet Southerly over Valley Street
For: Chain link fence
Affects: Encroach 7.6 feet Southerly over Valley Street

13. An Encroachment Permit, upon the terms and conditions contained therein,
Dated: August 8, 2003
By and between: Santa Ynez River Water Conservation District, Improvement District #1 and Santa Ynez Band of Chumash Indians
Recorded: August 18, 2003 as Instrument No. 03-0112248 of Official Records
14. A non-exclusive easement for sanitary sewer and permitted improvements as described by Encroachment Permit executed by and between Santa Ynez River Water Conservation District, Improvement District #1 and Santa Ynez Community Services District, recorded April 22, 2004 as Instrument No. 04-0041377 of Official Records.
15. The terms and provisions contained in the document entitled Notice of Consolidated Boundary Description for the Santa Ynez River Water conservation District, Improvement District No. 1 recorded June 2, 2008 as Instrument No. 2008-0032723 of Official Records.
16. Intentionally Deleted
17. Rights of parties in possession.

INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

1. General and special taxes and assessments for the fiscal year 2013-2014.

First Installment:	\$1,181.86, PAID
Penalty:	\$0.00
Second Installment:	\$1,181.86, PAID
Penalty:	\$0.00
Tax Rate Area:	62-001
A. P. No.:	143-242-01

(Affects Parcel One)

2. General and special taxes and assessments for the fiscal year 2013-2014.

First Installment:	\$7,283.50, PAID
Penalty:	\$0.00
Second Installment:	\$7,283.50, PAID
Penalty:	\$0.00
Tax Rate Area:	62-001
A. P. No.:	143-242-02

(Affects Parcel Two)

3. The property covered by this report is vacant land.

(Affects Parcel One)

4. This report is preparatory to the issuance of an ALTA Loan Policy. We have no knowledge of any fact which would preclude the issuance of the policy with CLTA endorsement forms 100 and 116 and if applicable, 115 and 116.2 attached, provided a valid notice of completion is recorded in the public records.

When issued, the CLTA endorsement form 116 or 116.2, if applicable will reference a(n) Commercial Structure known as 3416 East Highway 246, Santa Ynez Valley, California, .

(Affects Parcel Two)

5. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None

6. We find no open deeds of trust. Escrow please confirm before closing.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

SCHEDULE B

SECTION TWO

EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction. The printed exceptions and exclusions from the coverage of the policy or policies are set forth in Exhibit A attached. Copies of the policy forms should be read. They are available from the office which issued this Commitment.

1. General and special taxes and assessments for the fiscal year 2014-2015, a lien not yet due or payable.
2. Intentionally Deleted
3. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
4. Water rights, claims or title to water, whether or not shown by the public records.
5. An easement for completing, construction, re-construction, repairing, maintaining and operating water mains, hydrants, valves and incidental purposes, recorded April 27, 1962 in Book 1922, Page 787 of Official Records.
In Favor of: Santa Ynez Water Conservation District, a public corporation
Affects: The Northerly 10 feet of Parcels One and Two

Note: No representation is hereby made as to the current holder(s) of said easement rights.

6. A waiver of any claims for damages by reason of the location, construction, landscaping or maintenance of a contiguous freeway, highway, roadway or transit facility as contained in the document recorded February 23, 1954 as Instrument No. 3105 in Book 1218, Page 446 of Official Records.
7. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
8. Easements, claims of easement or encumbrances which are not shown by the public records.
9. The following matters as set out on that certain ALTA/ACSM Survey dated May 6, 2002, prepared by J. L. Wallace & Associates, Job No. 375.09, Joseph L. Morris, L.S. 6192;
A. T-Post and rope fence and barb wire fence located within and without the Northerly portion of said land.

- B. A public easement for navigation and the incidents of navigation such as boating, fishing, swimming, hunting and other recreational uses in and under the Sanja Cota Creek, as said creek is set forth on said map, and including a public right of access to the water.
- C. Public utilities and overhead wires over and within said land as set forth on said map.
- D. Building encroachment into Edison Street over the Southeasterly portion as set forth on said map.
- E. Dirt and gravel driveways, gravel parking lot, wire fence and iron retaining wall over portions of said property as set forth on said map.
10. An easement for a permanent easement and right of way for the present and future construction, reconstruction, operation, repair and maintenance of improvements and incidental purposes, recorded April 15, 2004 as Instrument No. 04-0036808 of Official Records.
In Favor of: County of Santa Barbara, a political subdivision of the State of California
Affects: As described therein
11. The terms and provisions contained in the document entitled Notice of Consolidated Boundary Description for the Santa Ynez River Water conservation District, Improvement District No. 1 recorded June 2, 2008 as Instrument No. 2008-0032723 of Official Records.
12. Intentionally Deleted
13. The terms and provisions contained in the document entitled "Agreement Between the County of Santa Barbara and the Santa Ynez Band of Mission Indians for the Maintenance of Roadway, Bridge, and Creek Improvements at Santa Cota Road (herein the "Maintenance Agreement")" recorded May 4, 2004 as Instrument No. 04-47218 of Official Records.
14. The terms and provisions contained in the document entitled Notice of Consolidated Boundary Description for the Santa Ynez River Water Conservation District, Improvement District No. 1 recorded June 02, 2008 as 2008-0032723 of Official Records.

INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

1. General and special taxes and assessments for the fiscal year 2013-2014.

First Installment:	\$2,256.97, PAID
Penalty:	\$0.00
Second Installment:	\$2,256.97, PAID
Penalty:	\$0.00
Tax Rate Area:	62-001
A. P. No.:	143-252-01

(Affects Parcel One)

2. General and special taxes and assessments for the fiscal year 2013-2014.

First Installment:	\$1,301.28, PAID
Penalty:	\$0.00
Second Installment:	\$1,301.28, PAID
Penalty:	\$0.00
Tax Rate Area:	62-001
A. P. No.:	143-252-02

(Affects Parcel Two)

3. The property covered by this report is vacant land.

(Affects Parcel One)

4. According to the latest available equalized assessment roll in the office of the county tax assessor, there is located on the land a(n) Commercial Structure known as 991 Edison Street, Santa Ynez Valley, California, .

(Affects Parcel Two)

5. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None

6. We find no open deeds of trust. Escrow please confirm before closing.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

Titles and Records Offices are designated as Certifying Officers for this purpose. When a copy or reproduction of a title document is authenticated by the official seal and certified by a Manager, Land Titles and Records Office, the copy or reproduction shall be admitted into evidence the same as the original from which it was made. The fees for furnishing such certified copies are established by a uniform fee schedule applicable to all constituent units of the Department of the Interior and published in 43 CFR part 2, appendix A.

§ 150.11 Disclosure of land records, title documents, and title reports.

(a) The usefulness of a Land Titles and Records Office depends in large measure on the ability of the public to consult the records contained therein. It is therefore, the policy of the Bureau of Indian Affairs to allow access to land records and title documents unless such access would violate the Privacy Act, 5 U.S.C. 552a or other law restricting access to such records, or there are strong policy grounds for denying access where such access is not required by the Freedom of Information Act, 5 U.S.C. 552. It shall be the policy of the Bureau of Indian Affairs that, unless specifically authorized, monetary considerations will not be disclosed insofar as leases of tribal land are concerned.

(b) Before disclosing information concerning any living individual, the Manager, Land Titles and Records Office, shall consult 5 U.S.C. 552a(b) and the notice of routine users then in effect to determine whether the information may be released without the written consent of the person to whom it pertains.

PART 151—LAND ACQUISITIONS

- Sec.
- 151.1 Purpose and scope.
- 151.2 Definitions.
- 151.3 Land acquisition policy.
- 151.4 Acquisitions in trust of lands owned in fee by an Indian.
- 151.5 Trust acquisitions in Oklahoma under section 5 of the I.R.A.
- 151.6 Exchanges.
- 151.7 Acquisition of fractional interests.
- 151.8 Tribal consent for nonmember acquisitions.

- 151.9 Requests for approval of acquisitions.
- 151.10 On-reservation acquisitions.
- 151.11 Off-reservation acquisitions.
- 151.12 Action on requests.
- 151.13 Title examination.
- 151.14 Formalization of acceptance.
- 151.15 Information collection.

AUTHORITY: R.S. 161; 5 U.S.C. 301. Interpret or apply 46 Stat. 1106, as amended; 46 Stat. 1471, as amended; 48 Stat. 965, as amended; 49 Stat. 1967, as amended; 53 Stat. 1129; 63 Stat. 606; 69 Stat. 392, as amended; 70 Stat. 290, as amended; 70 Stat. 628; 75 Stat. 505; 77 Stat. 349; 78 Stat. 389; 78 Stat. 747; 82 Stat. 174, as amended; 82 Stat. 684; 84 Stat. 120; 84 Stat. 1874; 86 Stat. 216; 86 Stat. 530; 86 Stat. 744; 88 Stat. 78; 88 Stat. 81; 88 Stat. 1716; 88 Stat. 2203; 88 Stat. 2207; 25 U.S.C. 2, 9, 409a, 450b, 451, 464, 465, 487, 488, 489, 501, 502, 573, 574, 576, 508, 608a, 610, 610a, 622, 624, 640d-10, 1486, 1496, and other authorizing acts.

CROSS REFERENCE: For regulations pertaining to: The inheritance of interests in trust or restricted land, see parts 15, 16, and 17 of this title and 43 CFR part 4; the purchase of lands under the BIA Loan Guaranty, Insurance and Interest Subsidy program, see part 103 of this title; the exchange and partition of trust or restricted lands, see part 152 of this title; land acquisitions authorized by the Indian Self-Determination and Education Assistance Act, see parts 900 and 276 of this title; the acquisition of allotments on the public domain or in national forests, see 49 CFR part 2530; the acquisition of Native allotments and Native townsite lots in Alaska, see 43 CFR parts 2661 and 2664; the acquisition of lands by Indians with funds borrowed from the Farmers Home Administration, see 7 CFR part 1823, subpart N; the acquisition of land by purchase or exchange for members of the Osage Tribe not having certificates of competency, see §§ 117.8 and 158.54 of this title.

SOURCE: 45 FR 62036, Sept. 18, 1980, unless otherwise noted. Redesignated at 47 FR 13327, Mar. 30, 1982.

§ 151.1 Purpose and scope.

These regulations set forth the authorities, policy, and procedures governing the acquisition of land by the United States in trust status for individual Indians and tribes. Acquisition of land by individual Indians and tribes in fee simple status is not covered by these regulations even though such land may, by operation of law, be held in restricted status following acquisition. Acquisition of land in trust status by inheritance or escheat is not covered by these regulations. These regulations do not cover the acquisition of

land in trust status in the State of Alaska, except acquisitions for the Metlakatla Indian Community of the Annette Island Reserve or its members.

§ 151.2 Definitions.

(a) *Secretary* means the Secretary of the Interior or authorized representative.

(b) *Tribe* means any Indian tribe, band, nation, pueblo, community, rancheria, colony, or other group of Indians, including the Metlakatla Indian Community of the Annette Island Reserve, which is recognized by the Secretary as eligible for the special programs and services from the Bureau of Indian Affairs. For purposes of acquisitions made under the authority of 25 U.S.C. 488 and 489, or other statutory authority which specifically authorizes trust acquisitions for such corporations, "Tribe" also means a corporation chartered under section 17 of the Act of June 18, 1934 (48 Stat. 988; 25 U.S.C. 477) or section 3 of the Act of June 26, 1936 (48 Stat. 1987; 25 U.S.C. 503).

(c) *Individual Indian* means:

(1) Any person who is an enrolled member of a tribe;

(2) Any person who is a descendent of such a member and said descendant was, on June 1, 1934, physically residing on a federally recognized Indian reservation;

(3) Any other person possessing a total of one-half or more degree Indian blood of a tribe;

(4) For purposes of acquisitions outside of the State of Alaska, *Individual Indian* also means a person who meets the qualifications of paragraph (1), (2), or (3) of this section where "Tribe" includes any Alaska Native Village or Alaska Native Group which is recognized by the Secretary as eligible for the special programs and services from the Bureau of Indian Affairs.

(d) *Trust land* or *land in trust status* means land the title to which is held in trust by the United States for an individual Indian or a tribe.

(e) *Restricted land* or *land in restricted status* means land the title to which is held by an individual Indian or a tribe and which can only be alienated or encumbered by the owner with the approval of the Secretary because of limi-

tations contained in the conveyance instrument pursuant to Federal law or because of a Federal law directly imposing such limitations.

(f) Unless another definition is required by the act of Congress authorizing a particular trust acquisition, *Indian reservation* means that area of land over which the tribe is recognized by the United States as having governmental jurisdiction, except that, in the State of Oklahoma or where there has been a final judicial determination that a reservation has been disestablished or diminished, *Indian reservation* means that area of land constituting the former reservation of the tribe as defined by the Secretary.

(g) *Land* means real property or any interest therein.

(h) *Tribal consolidation area* means a specific area of land with respect to which the tribe has prepared, and the Secretary has approved, a plan for the acquisition of land in trust status for the tribe.

[45 FR 62634, Sept. 18, 1980, as amended at 60 FR 32879, June 23, 1995]

§ 151.3 Land acquisition policy.

Land not held in trust or restricted status may only be acquired for an individual Indian or a tribe in trust status when such acquisition is authorized by an act of Congress. No acquisition of land in trust status, including a transfer of land already held in trust or restricted status, shall be valid unless the acquisition is approved by the Secretary.

(a) Subject to the provisions contained in the acts of Congress which authorize land acquisitions, land may be acquired for a tribe in trust status:

(1) When the property is located within the exterior boundaries of the tribe's reservation or adjacent thereto, or within a tribal consolidation area; or

(2) When the tribe already owns an interest in the land; or

(3) When the Secretary determines that the acquisition of the land is necessary to facilitate tribal self-determination, economic development, or Indian housing.

(b) Subject to the provisions contained in the acts of Congress which authorize land acquisitions or holding

§ 151.4

land in trust or restricted status, land may be acquired for an individual Indian in trust status:

- (1) When the land is located within the exterior boundaries of an Indian reservation, or adjacent thereto; or
- (2) When the land is already in trust or restricted status.

§ 151.4 Acquisitions in trust of lands owned in fee by an Indian.

Unrestricted land owned by an individual Indian or a tribe may be conveyed into trust status, including a conveyance to trust for the owner, subject to the provisions of this part.

§ 151.5 Trust acquisitions in Oklahoma under section 5 of the L.R.A.

In addition to acquisitions for tribes which did not reject the provisions of the Indian Reorganization Act and their members, land may be acquired in trust status for an individual Indian or a tribe in the State of Oklahoma under section 5 of the Act of June 18, 1934 (48 Stat. 985; 25 U.S.C. 465), if such acquisition comes within the terms of this part. This authority is in addition to all other statutory authority for such an acquisition.

§ 151.6 Exchanges.

An individual Indian or tribe may acquire land in trust status by exchange if the acquisition comes within the terms of this part. The disposal aspects of an exchange are governed by part 152 of this title.

§ 151.7 Acquisition of fractional interests.

Acquisition of a fractional land interest by an individual Indian or a tribe in trust status can be approved by the Secretary only if:

- (a) The buyer already owns a fractional interest in the same parcel of land; or
- (b) The interest being acquired by the buyer is in fee status; or
- (c) The buyer offers to purchase the remaining undivided trust or restricted interests in the parcel at not less than their fair market value; or
- (d) There is a specific law which grants to the particular buyer the right to purchase an undivided interest or interests in trust or restricted land

25 CFR Ch. I (4-1-06 Edition)

without offering to purchase all of such interests; or

- (e) The owner of a majority of the remaining trust or restricted interests in the parcel consent in writing to the acquisition by the buyer.

§ 151.8 Tribal consent for nonmember acquisitions.

An individual Indian or tribe may acquire land in trust status on a reservation other than its own only when the governing body of the tribe having jurisdiction over such reservation consents in writing to the acquisition; provided, that such consent shall not be required if the individual Indian or the tribe already owns an undivided trust or restricted interest in the parcel of land to be acquired.

§ 151.9 Requests for approval of acquisitions.

An individual Indian or tribe desiring to acquire land in trust status shall file a written request for approval of such acquisition with the Secretary. The request need not be in any special form but shall set out the identity of the parties, a description of the land to be acquired, and other information which would show that the acquisition comes within the terms of this part.

§ 151.10 On-reservation acquisitions.

Upon receipt of a written request to have lands taken in trust, the Secretary will notify the state and local governments having regulatory jurisdiction over the land to be acquired, unless the acquisition is mandated by legislation. The notice will inform the state or local government that each will be given 30 days in which to provide written comments as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments. If the state or local government responds within a 30-day period, a copy of the comments will be provided to the applicant, who will be given a reasonable time in which to reply and/or request that the Secretary issue a decision. The Secretary will consider the following criteria in evaluating requests for the acquisition of land in trust status when

the land is located within or contiguous to an Indian reservation, and the acquisition is not mandated:

(a) The existence of statutory authority for the acquisition and any limitations contained in such authority;

(b) The need of the individual Indian or the tribe for additional land;

(c) The purposes for which the land will be used;

(d) If the land is to be acquired for an individual Indian, the amount of trust or restricted land already owned by or for that individual and the degree to which he needs assistance in handling his affairs;

(e) If the land to be acquired is in unrestricted fee status, the impact on the State and its political subdivisions resulting from the removal of the land from the tax rolls;

(f) Jurisdictional problems and potential conflicts of land use which may arise; and

(g) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.

(h) The extent to which the applicant has provided information that allows the Secretary to comply with 516 DM 6, appendix 4, National Environmental Policy Act Revised Implementing Procedures, and 602 DM 2, Land Acquisitions: Hazardous Substances Determinations. (For copies, write to the Department of the Interior, Bureau of Indian Affairs, Branch of Environmental Services, 1849 C Street NW., Room 4525 MIB, Washington, DC 20240.)

[45 FR 52036, Sept. 18, 1980, as amended at 60 FR 32879, June 23, 1995]

§ 151.11 Off-reservation acquisitions.

The Secretary shall consider the following requirements in evaluating tribal requests for the acquisition of lands in trust status, when the land is located outside of and noncontiguous to the tribe's reservation, and the acquisition is not mandated:

(a) The criteria listed in § 151.10 (a) through (c) and (e) through (h);

(b) The location of the land relative to state boundaries, and its distance from the boundaries of the tribe's res-

ervation, shall be considered as follows: as the distance between the tribe's reservation and the land to be acquired increases, the Secretary shall give greater scrutiny to the tribe's justification of anticipated benefits from the acquisition. The Secretary shall give greater weight to the concerns raised pursuant to paragraph (d) of this section.

(c) Where land is being acquired for business purposes, the tribe shall provide a plan which specifies the anticipated economic benefits associated with the proposed use.

(d) Contact with state and local governments pursuant to § 151.10 (e) and (f) shall be completed as follows: Upon receipt of a tribe's written request to have lands taken in trust, the Secretary shall notify the state and local governments having regulatory jurisdiction over the land to be acquired. The notice shall inform the state and local government that each will be given 30 days in which to provide written comment as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments.

[60 FR 32879, June 23, 1995, as amended at 60 FR 48804, Sept. 21, 1995]

§ 151.12 Action on requests.

(a) The Secretary shall review all requests and shall promptly notify the applicant in writing of his decision. The Secretary may request any additional information or justification he considers necessary to enable him to reach a decision. If the Secretary determines that the request should be denied, he shall advise the applicant of that fact and the reasons therefor in writing and notify him of the right to appeal pursuant to part 2 of this title.

(b) Following completion of the Title Examination provided in § 151.13 of this part and the exhaustion of any administrative remedies, the Secretary shall publish in the FEDERAL REGISTER, or in a newspaper of general circulation serving the affected area a notice of his/her decision to take land into trust under this part. The notice will state that a final agency determination to take land in trust has been made and that the Secretary shall acquire title in the name of the United States no

§ 151.13

sooner than 30 days after the notice is published.

[45 FR 62036, Sept. 18, 1980. Redesignated at 60 FR 32879, June 23, 1995, as amended at 61 FR 13083, Apr. 24, 1996]

§ 151.13 Title examination.

If the Secretary determines that he will approve a request for the acquisition of land from unrestricted fee status to trust status, he shall acquire, or require the applicant to furnish, title evidence meeting the *Standards For The Preparation of Title Evidence In Land Acquisitions by the United States*, issued by the U.S. Department of Justice. After having the title evidence examined, the Secretary shall notify the applicant of any liens, encumbrances, or infirmities which may exist. The Secretary may require the elimination of any such liens, encumbrances, or infirmities prior to taking final approval action on the acquisition and he shall require elimination prior to such approval if the liens, encumbrances, or infirmities make title to the land unmarketable.

[45 FR 62036, Sept. 18, 1980. Redesignated at 60 FR 32876, June 23, 1995]

§ 151.14 Formalization of acceptance.

Formal acceptance of land in trust status shall be accomplished by the issuance or approval of an instrument of conveyance by the Secretary as is appropriate in the circumstances.

[45 FR 62036, Sept. 18, 1980. Redesignated at 60 FR 32879, June 23, 1995]

§ 151.15 Information collection.

(a) The information collection requirements contained in §§ 151.9; 151.10; 151.11(c), and 151.13 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1076-0100. This information is being collected to acquire land into trust on behalf of the Indian tribes and individuals, and will be used to assist the Secretary in making a determination. Response to this request is required to obtain a benefit.

(b) Public reporting for this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the information

25 CFR Ch. I (4-1-08 Edition)

collection. Direct comments regarding the burden estimate or any other aspect of this information collection to the Bureau of Indian Affairs, Information Collection Clearance Officer, Room 337-S1B, 18th and C Streets, NW., Washington, DC 20240; and the Office of Information and Regulatory Affairs [Project 1076-0100], Office of Management and Budget, Washington, DC 20502.

[60 FR 32879, June 23, 1995; 64 FR 13895, Mar. 23, 1999]

PART 152—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, REMOVAL OF RESTRICTIONS, AND SALE OF CERTAIN INDIAN LANDS

Sec.

152.1 Definitions.

152.2 Withholding action on application.

ISSUING PATENTS IN FEE, CERTIFICATES OF COMPETENCY OR ORDERS REMOVING RESTRICTIONS

152.3 Information regarding status of applications for removal of Federal supervision over Indian lands.

152.4 Application for patent in fee.

152.5 Issuance of patent in fee.

152.6 Issuance of patents in fee to non-Indians and Indians with whom a special relationship does not exist.

152.7 Application for certificate of competency.

152.8 Issuance of certificate of competency.

152.9 Certificates of competency to certain Osage adults.

152.10 Application for orders removing restrictions, except Five Civilized Tribes.

152.11 Issuance of orders removing restrictions, except Five Civilized Tribes.

152.12 Removal of restrictions, Five Civilized Tribes, after application under authority other than section 2(a) of the Act of August 11, 1955.

152.13 Removal of restrictions, Five Civilized Tribes, after application under section 2(a) of the Act of August 11, 1955.

152.14 Removal of restrictions, Five Civilized Tribes, without application.

152.15 Judicial review of removal of restrictions, Five Civilized Tribes, without application.

152.16 Effect of order removing restrictions, Five Civilized Tribes.



SOURCE: Microsoft aerial photograph 5/8/2010
 Santa Barbara County GIS Data 2012, AFS 2014

Santa Ynez Band of Chumash Indians 2014 Property Overview

Figure 2
 Site and Vicinity

**Draft Provided to County
by Tribe 2011**

COOPERATIVE AGREEMENT

This Cooperative Agreement (“Agreement”) is effective as of _____, 2011 by and between the County of Santa Barbara (the “County”) and the Santa Ynez Band of Chumash Indians (the “Tribe” or “Santa Ynez Band”) (referred to herein as collectively as “the Parties” and as to each as a “Party”). The terms “County,” “Tribe,” and “Santa Ynez Band” as used herein shall include the Parties’ governmental entities, departments and officials unless otherwise stated.

RECITALS

WHEREAS, the Tribe is a federally-recognized Indian Tribe and which is within the geographic boundaries of the County; and

WHEREAS, the Tribe desires to expand Tribal housing opportunities and operate Tribal economic development projects in a manner that benefits the Tribe, its members, and the community as a whole, and the County recognizes the mutual benefit that can be derived if those goals are achieved; and

WHEREAS, proposed and future Tribal development are not County projects and are not subject to the discretionary approval of the County and absent this Agreement the County has limited opportunity to influence mitigation measures or seek compensation for adverse environmental impacts; and

WHEREAS, the Parties acknowledge that given the scope of the proposed Tribal housing and economic development projects, specific impacts are not always subject to precise measurement and that the mitigation measures agreed upon below are intended as good faith approximate mitigation of identified impacts; and

WHEREAS, the Parties recognize that this Agreement is an important step in furthering a government-to-government relationship and building trust, and mutual respect

BACKGROUND

After Mexico took over California from the Spanish and the secularization of Mission Santa Ynez in 1834, the Santa Ynez Chumash neophytes at Mission Santa Ynez settled in the creek bed of the Zanja de Cota Creek;

The U.S. Congress adopted the Mission Indian Relief Act of 1891 which established the Smiley Commission to report on the status of the Mission Indians of California;

The 1891 Report of the Smiley Commission verified such occupation of the Zanja de Cota Creek by the Santa Ynez Chumash from before California Statehood in 1835 and verified the status of the Santa Ynez Chumash as a tribe of Mission Indians as of 1891;

Then President Benjamin Harrison by Executive Order adopted the conclusions of the 1891 Smiley Commission on December 29, 1891;

After such report, the Indian Agent from the Tule River Agency began negotiation with the Catholic Church, to establish a permanent reservation for the Santa Ynez Band of Chumash;

Such negotiations resulted in the 1901 settlement agreement between the Church and the federal government;

As part of such negotiation, the Indian Agent agreed on behalf of the Tribe to waive the rights of the neophytes to the entire 36,000 acre Canada de los Pinos Rancho (College Rancho) which the Church claimed to own in common with the neophytes in exchange for the conveyance by the Church of all of its right title and interest in Zanja de Cota Creek to the Tribe as the Santa Ynez Reservation;

To finalize the waiver of the claim by the Tribe to the College Rancho, the Church filed a quiet title action against the federal government, the then members of the Tribe and the entire world in *The Roman Catholic Bishop of Monterey v. Salmon Cota, et al.*, Case no. 3926 (1897);

Upon the conclusion of such litigation, the 99 acre Santa Ynez Reservation was conveyed to the United States in trust for the Tribe the size of which Reservation which was later increased by 26.89 acres in 1979 and 12.73 acres in 2004 (collectively the "Reservation");

The original 99 acre Reservation as extended consists of the Zanja de Cota creek and flood plain with the last third of the Reservation being covered in wetlands unable to adequately house the Members of the Tribe and their children, grandchildren and great grandchildren;

On or about April 1, 2011, the Tribe acquired approximately 1,400 acres of real property east of Highway 154 and north of Highway 246/Armour Ranch Road from Fess Parker Ranch, LLC (the "Property");

The "Property" is within the historic boundaries of the College Rancho and is specifically within the boundaries of the quiet title action filed against the Tribe by the Church;

The Tribe desires to annex the Property by fee-to-trust transfer by either federal legislation or through the administrative process, and this Agreement is intended by the Parties to resolve the inter-governmental jurisdictional and other issues between the Parties;

**I. EFFECTIVE DATE AND CONDITIONS TO
EFFECTIVENESS OF AGREEMENT**

1. This Agreement shall become effective on the latest of the dates upon which each of the following conditions precedent shall be met:

- a) approval of this Agreement by the County of Santa Barbara Board of Supervisors and the General Council of the Santa Ynez Band; and
- b) conveyance of the Property to the United States of America to hold in trust for the Tribe; and
- c) Any other conditions precedent mutually agreed by the Parties.

2. Upon the satisfaction of all of the conditions precedent to effectiveness set forth in subsection 1, above, the parties shall execute an addendum to this Agreement memorializing the effective date of this Agreement in the form attached hereto as Attachment A.

II. FEE-TO-TRUST ANNEXATION OF THE PROPERTY

3. The County shall not oppose the fee-to-trust annexation of the Property to the Reservation by the administrative process by federal agencies **III. PAYMENTS IN LIEU OF TAXES**

4. Agreed Payments:

- a) In addition to the promises and covenants otherwise contained in this Agreement, the Parties acknowledge that annexation of the Property may, in some cases, result in lost revenues **and/or fees to the County.**
- b) **The** Parties agree that the County does not have permitting authority over development on Trust Lands and that the payments made under this agreement do not constitute taxes, exactions, or fees.
- c) The payments agreed to below are approximate off-sets to the above-mentioned potential losses and impacts to the County and are intended to support an approximate level of County services to the Reservation, the Property, and affected communities.
- d) The amount of such Payments by the Tribe shall be as follows: Tribe to pay County flat annual fee in lieu of property taxes in the amount of \$ _____ which amount shall be due in four (4) equal quarterly payments beginning on the first day of the Calendar quarter and continuing each quarter thereafter. Such payments shall begin the first

day of the next calendar quarter after the effective date of this Agreement and shall expire in full on December 31, 2020.

5. Acknowledgement of Additional Impacts.

The Santa Ynez Band and County acknowledge and agree that in consideration for Santa Ynez Band's Agreed Payments above, any additional impacts to the County, including, without limitation, law enforcement, fire, and traffic/roads, will be mitigated solely by the County at no additional cost to Santa Ynez Band.

6. Adjustment of Payments.

- a) Santa Ynez Band shall not be responsible for any construction cost overruns or any cost increases from any source, including, without limitation, those caused by inflation, labor, or material cost increases.
- b) In the event that the Santa Ynez Band does not successfully annex such Property to the Reservation by fee-to-trust transfer to the federal government within two (2) years after the effective date of this Agreement, the parties shall negotiate in good faith as to how much, if any, of the contribution made by Santa Ynez Band under this Agreement shall be returned to the Band. If the parties are unable to reach agreement on these issues, that dispute will be resolved under the dispute resolution procedures included in this Agreement.

7. Reimbursements/credits for contributions from third party sources.

County agrees to reimburse or credit Santa Ynez Band as follows:

- a) In the event that Santa Ynez Band receives funding from state or federal sources, and directs those monies to be paid directly to County, County shall accept 100% of such payment as if it were a payment paid directly by Santa Ynez Band.
- b) In the event County receives funding from the Special Distribution Fund or any other fund created under the current or any future Tribal-Compact, earmarked for mitigation of off-reservation impacts resulting from the Santa Ynez Casino, County shall accept 100% of such payment as if it were a payment paid directly by Santa Ynez Band.
- c) Any credits towards Santa Ynez Band's payment obligations pursuant to this Agreement shall be treated as the next payments in time to be paid by Santa Ynez Band.
- d) In the event funds identified in this section are received by the County after the payment from Santa Ynez Band has already been paid to the County, the County shall reimburse Santa Ynez Band within 90 days from receipt of such funds.

IV. MISCELLANEOUS

8. Tribal-State Compact.

County and Santa Ynez Band agree that Santa Ynez Band's contributions to County pursuant to this Agreement are not exactions or fees imposed as a condition of development, and therefore are not subject to the Mitigation Fee Act (California Government Code Section 66000 and following). County and Santa Ynez Band agree that Class III gaming facilities on reservation land are regulated by the Compact and that the County has no permitting authority over the Chumash Casino.

9. Notices.

All notices required or provided for under this Agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid, return receipt requested, to the principal offices of the County and Santa Ynez Band. Notice shall be effective on the date delivered in person, or on the date when the postal authorities indicated that the mailing was delivered to the address of the receiving party indicated below:

Notice to Santa Ynez Band:

Santa Ynez Band of Chumash Indians
Attn: Tribal Chairman
P.O. Box 517
Santa Ynez, CA 93460

Notice to County:

County of Santa Barbara
Attn: Chief Executive Officer
105 East Anapamu Street
Santa Barbara, CA 93101
Attn: CEO

Such written notices, demands, correspondence and communications may be sent in the same manner to such other persons and addresses as either party may from time to time designate by mail as provided in this section. A party may change its address by giving notice in writing to other Party and thereafter notices shall be delivered or sent to such new address.

10. Applicable Laws.

This Agreement shall be construed and enforced in accordance with the laws of the United States and to the extent not inconsistent therewith, the laws of the State of California.

11. Consent To Jurisdiction: Limited Waiver of Sovereign Immunity and Exhaustion Of Tribal Remedies.

- a) Santa Ynez Band grants a limited waiver of sovereign immunity from suit exclusively to County, and to no other entity or person, for the sole purpose of enforcing this Agreement. For this limited purpose, Santa Ynez Band (i) agrees that any suit, action or other legal proceeding arising out of or relating to this Agreement may be brought in the federal courts of the United States, or in the event the federal courts refuse to hear such case for lack of jurisdiction, the State courts of the State of California (including any courts to which appeals there from are available); and (ii) waives its sovereign immunity in any such suit, action or legal proceeding by County for money damages, specific performance, injunctive relief and/or declaratory relief for Santa Ynez Band's breach of this Agreement. Santa Ynez Band does hereby unconditionally waive any claim or defense of exhaustion of tribal administrative or judicial remedies. In no instance shall any enforcement or judgment of any kind whatsoever be allowed or levied against any assets of Santa Ynez Band other than the limited assets of the Santa Ynez Band's distributed share of the revenue stream of the Chumash Casino and physical assets of the Chumash Casino, subject however, to prior existing liens or encumbrances on such assets. Specifically, this waiver shall not extend to any other accounts of Santa Ynez Band, the source of which includes distributions from accounts directly related to the Chumash Casino, so long as such distributions are in the ordinary course of business when the Agreement is not in default and are not done for the purpose of frustrating the County's remedies hereunder. Santa Ynez Band does not waive the defense of sovereign immunity with respect to any action by third parties, or extend its waiver to reach any assets of Santa Ynez Band other than those specifically set forth herein.
- b) County acknowledges and agrees that Santa Ynez Band may bring an action in the State Courts of California to enforce the terms of this Agreement as against Santa Barbara County for money damages, specific performance, injunctive relief and/or declaratory relief for County's breach of this Agreement. County acknowledges and agrees that State Courts with proper venue have jurisdiction to hear such disputes. For purposes of the Agreement, County hereby waives any immunity it may have from suit in order to permit Santa Ynez Band to enforce the provisions of the Agreement.

12. Entire Agreement, Waivers.

This Agreement constitutes the entire understanding and agreement of the Parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental

hereto, and supersedes all negotiations or previous agreement between the Parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the County or of the Santa Ynez Band.

13. Amendments.

This Agreement may be amended by mutual written agreement of the Parties duly executed by the lawfully authorized officers or officials of each party.

IN WITNESS WHEREOF, the Agreement has been executed by the Parties as of the day and year first set forth above,

TRIBE:

SANTA YNEZ BAND OF CHUMASH
INDIANS, a federally recognized Indian tribe

By:

Vincent P. Armenta
Tribal Chairman

COUNTY:

COUNTY OF SANTA BARBARA, a
political subdivision of the State of
California

By:
