

DOREEN FARR
Third District

PETER ADAM
Fourth District, Vice Chair

**AD-HOC SUBCOMMITTEE OF
THE BOARD**



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COUNTY OF SANTA BARBARA

November 9, 2015

Vincent Armenta, Chairman and
Kenneth Kahn, Vice Chairman
Santa Ynez Band of Chumash Indians
P. O. Box 517
Santa Ynez, CA 93460

Dear Chairman Armenta and Vice Chairman Kahn,

We are in receipt of your letter dated November 4, 2015. We are surprised and concerned by some of your assertions. The County has consistently communicated our desire to work in good faith with the Tribe to achieve mutually beneficial solutions. This position was most recently reasserted in our letter of October 9, 2015. At our last negotiating session October 19, 2015 the Tribe and the County mutually agreed to discuss key topic areas which may ultimately form the foundation of an agreement including the proposed 2011 cooperative agreement. The topics agreed to include; waiver sovereign immunity, term of agreement, land uses and limits, municipal finance and mitigation of impacts. Further, we are scheduled to discuss in detail waiver of sovereign immunity and Municipal Finance on November 12. We are looking forward to and prepared to have productive discussions on these matters.

We are deeply concerned about your reference to "personal attacks" toward you and Vice Chairman Kahn during our meetings. Supervisor Farr, serving as chairperson has maintained the utmost decorum, professionalism, and adherence to the grounds rules. County staff has worked harmoniously with your staff in the development of materials, calendaring, and preparation of minutes of the meetings. In fact, your representative Mr. Cohen a few days ago approved the November 12 meeting agenda, with no reference to the concerns mentioned in your November 4 letter. In addition, during the development of the agenda at our meeting of October 19, no mention was made of your concerns nor was a revised approach to negotiations suggested by the Tribe.

Regarding your assertion that "nothing has changed" since the Tribe submitted a proposed mitigation agreement more than four years ago, we must respectfully disagree. Much has changed. The Tribe initiated a significant expansion to the hotel and casino. The Tribe initiated Fee to Trust legislation on the Camp 4 properties. The Tribe purchased additional properties throughout the Santa Ynez Valley. The Tribe entered into a 25-year gaming compact with the State of California. Despite these changes, the County, by initiating direct formal discussions with the Tribe has reaffirmed its desire to look to the future, understand the needs for your members and your vision for all the lands that you own in order to work collaboratively to ensure the needs of everyone.

As we have also stated elements of the 2011 Proposed Cooperative Agreement are problematic for the County for several reasons. Specifically, at the time the agreement was proposed there was no formal project description, development plan, nor environmental review existing for Camp 4. This information, crucial to an evaluation of the proposed agreement, was not available. Further, while the Tribe continues to state that \$1

million over ten years was offered for mitigation for the Camp 4 project's impacts, the proposed agreement is silent on this component.

We are confident that your review of our records, obtained via a public records acts request, will indicate that in fact the County has no record of this information. Despite the lack of key information, the 2011 document was reviewed in good faith with the Tribe at our meeting of September 24, 2015. Additional discussion of the 2011 Proposed Cooperative Agreement is scheduled for our meeting of November 12, 2015. Should the Tribe desire a deeper discussion of any component of the agreement, or any other topic, we would be more than happy to place such items on the agenda.

We have consistently stated our desire for meaningful dialog. To that end, we have requested information about the Tribe's plans for future acquisitions, currently held lands as well as your vision and values for the future as you work to provide for the needs of your members. Without knowing the Tribe's intentions regarding future acquisitions and land use, we cannot evaluate the impacts. If we can't evaluate the impacts, we can't meaningfully negotiate how to mitigate those impacts. Unfortunately, this information has not been forthcoming from the Tribe. Ideally this information will be provided at our November 12 meeting.

Together the County and the Tribe have entered into an open public process which allows negotiations to occur in the sunshine so that everyone affected by our actions may have a voice and understand the circumstances under which decisions are ultimately made. We look forward to continuing this open dialog and believe that this process offers the greatest opportunity for a long-term sustainable success for all.

In your letter you state that "the intent our meetings [is] to discuss future land use plans, identify common areas of concern and to negotiate a mitigation agreement that offsets those potential impacts." We agree. Our Board has instructed us to offer the Tribe a negotiating process without limit as to scope and without any preconditions. It is our sincerest hope that through honest and open communication we can reach mutually beneficial solutions to issues which meet both the unique and shared needs of the Tribe and Santa Barbara County. We look forward to having further discussions to advance our mutual goals.

Sincerely,



Doreen Farr
Third District Supervisor

Sincerely,



Peter Adam
Fourth District Supervisor