



Santa Ynez Valley  
Coalition

## ISSUE BRIEF

### Camp 4 Fee-To-Trust

#### Introduction

Among local government's most important functions are protecting the quality of life and public safety for all of its citizens while assisting in the creation of economic opportunity. In the Santa Ynez Valley in Santa Barbara County, a single special interest is seeking the ability to build massive commercial and residential development on a large parcel of agricultural land it owns on a scale never before seen in this area.

Potential development of this magnitude threatens property values, the economic viability of the surrounding area and will create a tax burden on all County citizens. An additional impact includes the potential depletion of existing drinking water shortages resulting from potentially unprecedented demand.

#### Issue

The Santa Ynez Band of Chumash Indians, a small tribal community consisting of less than 150 members, is seeking to add 1,400 acres of private land currently zoned for agricultural use to their reservation through a process known as fee-to-trust.

This is a blatant attempt to circumvent local and state land use regulations. Including this parcel, known as Camp 4, into their reservation would allow the Tribe to build large, high-density housing, commercial and even industrial developments with no consideration of existing land use plans carefully crafted over many years by local governments and residents – plans with which every other private property owner is required to comply.

The potential adverse financial impacts of converting this private land to trust status are significant. Existing private property owners will see their property values reduced and residents will inevitably pay higher taxes on devalued land to address the potential demands on public infrastructure such as roads and increased law enforcement costs that would result from potentially unchecked Tribal development on the Camp 4 property. It is important to note that the Tribe does not pay property taxes.

#### Camp 4 Fee to Trust

The Tribe applied to the Bureau of Indian Affairs (BIA) for the Camp 4 property to be acquired by the federal government and held in trust for their exclusive use (fee-to-trust). In January 2017, in the last hours of the Obama Administration, the BIA administratively approved the Tribe's application.

In February 2019, the BIA's approval of the Camp 4 fee-to-trust was overturned by a federal judge when he ruled that the January 2017 decision was illegal.

The BIA has opted to conduct additional limited environmental review of the impacts on threatened and endangered bird species before making another decision on Camp 4.

If the Tribe is ultimately successful and it receives federal approval of trust status for Camp 4, county and state planning, zoning and land use laws and regulation will no longer apply to this parcel.

## Santa Barbara County and Camp 4

Before 2017, Santa Barbara County was a staunch opponent of both the proposed redevelopment of Camp 4 and fee-to-trust status. In fact, the County was so strongly opposed it filed both administrative and judicial challenges against the BIA Camp 4 fee-to-trust decision and testified in opposition to Congressional legislation that would have ratified that status.

However, in the fall of 2017, the County's position on Camp 4 changed. As the Chair of the Board of Supervisors repeatedly stated during several public meetings in 2017, Congressional leaders effectively demanded that the County sign an agreement with the Tribe, or they would enact onerous legislation that would provide few restrictions on the Tribe's use of Camp 4.

As a result, the County was forced to sign a Memorandum of Agreement (MOA) with the Tribe on Camp 4 that was of far too limited duration, and provided anemic payments for utilities and other infrastructure related to the Tribe's development on this parcel and in no way replaced the lost tax revenue from the parcel being placed into trust.

In fact, the MOA required the County to lobby members of Congress to pass legislation it previously opposed.

Obviously, the Federal Court decision combined with the BIA steps to reopen the environmental analysis on Camp 4 fee-to-trust render the County/Chumash MOA presently moot.

## Federal Legislation (H.R. 317)

As it has done three times previously, the Tribe is again seeking special interest legislation in Congress that would ratify the Camp 4 fee-to-trust and deny residents their right to challenge it in Court. If the bill, H.R. 317, passes, this land would automatically be acquired by the federal

government and held in trust for the benefit of the Tribe and become part of the reservation. And more importantly, residents would not be able to challenge it in federal courts.

## Impact of Federal Action

If Camp 4 becomes a part of the reservation, either through BIA action or as a result of federal legislation such as H.R. 317, state and local government planning, and zoning laws and regulations would not apply. The Tribe will be able to develop this land in any manner it sees fit – including high-density subdivisions, commercial and industrial facilities without the input of the local governments such as Santa Barbara County or the community.

## Solution

The Tribe's stated housing needs are important, and the local community is clear in its willingness to work with the Tribe to address them. But federal intervention taking the Camp 4 property into trust allowing unrestricted development will inflict devastating impacts on existing property owners and irreparably harm the rural and agricultural characteristics of the Santa Ynez Valley.

The Tribe can address its housing needs on Camp 4, or other Tribal-owned properties while complying with existing zoning and land use plans - as is required of every other property owner.

### For Further Information:

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