

# THE SANTA YNEZ Valley JOURNAL

## LETTERS TO THE EDITOR

*Santa Ynez Valley Journal invites criticism, suggestions, recommendations, observations, and opinions, particularly if they have something to do with an item or items you read in this paper, or about the Valley. Please send all such correspondence to: Letters To The Editor, Santa Ynez Valley Journal, P.O. Box 524, Santa Ynez, CA 93460. You can also FAX your letters to: 805-969-6654 or e-mail: valleyjournal@hotmail.com or journaljim@aol.com.*

### **I have the facts!**

Supervisor Brooks Firestone's "Get the Facts!" letter (VJ #4/7) in regards to comments I made about a 5-0 vote in (VJ #4/6) is unbelievable.

He doesn't remember the vote? That was no "procedural vote" on February 15th, 2005. By all news media accounts, including print, television, and radio, the vote was touted as "historic."

The consequence of this vote was one of the primary reasons that POLO (Preservation of Los Olivos), POSY (Preservation of Santa Ynez), SYVCC (Santa Ynez Valley Concerned Citizens), and We Watch filed an appeal of the 6.9-acre annexation; this vote in essence allowed the county's option-to-appeal expire. Why would the Board of Supervisors give up the only bargaining tool it had with the Chumash when the government-to-government agreement they were seeking was not even complete?

And it's unbelievable he has to "research what the POLO people are talking about." I notice in Mr. Firestone's letter that he doesn't deny the 5-0 vote, but rather characterizes it as "unfair, inaccurate, and completely misstates the facts."

When Mr. Firestone cast his vote, he not only undermined his community, he undermined the groups attempting to help his community. His vote will now speak volumes when POLO and POSY get to federal court. Making a motion to formally oppose the 6.9-acre annexation that "did not receive a second" is irrelevant. When you know that "annexation is not in the best interests of the County," you do not vote to continue down the road of *not* appealing the annexation. His vote counts to the Valley and in the minds of voters.

A 4-1 vote would have put him on record as being opposed to the precedent of any further annexations in his district and the principle that there is *no* benefit to the local community or county by annexation. He has stated repeatedly there is no benefit by annexation and then votes to negotiate an intergovernmental agreement for the annexation of 6.9 acres?

His vote would have supported his community and his constituents even *if* he were on the losing end. During this time in the negotiations, the Valley needed a leader to oppose the Chumash's expansion through annexation, not a politician trying to win a consensus vote.

The only communities nationally that are succeeding in the fight to level the playing field and simply be treated fairly in a flawed federal process involving tribal land expansion are communities with strong county government that are educated about the facts. These facts are what POLO and POSY have been consistently gathering and have given to the Board of Supervisors at multiple Board of Supervisor meetings for years to no avail; those facts continue to drive our message.

The fact that government-to-government agreements being negotiated for tribal fee-to-trust land (annexed land) are hurting communities across the country seems to be irrelevant to our

Board of Supervisors, which continues to want to pursue them. These agreements hurt communities because they are largely unenforceable as County Counsel **Shane Stark** has even stated in his "Eaglets" publication. The county is aware of this *fact* yet continues to promote tribal agreements for future tribal land expansion plans.

Do you think the community would agree with this logic? I guess the fact that the community does not think this is a good idea has also been ignored, because the Valley's voice appears to be irrelevant to our Board of Supervisors. The Interior Board of Indian Appeals has even reinforced this forced silence upon our community by denying standing in this matter and our Board of Supervisors allowed this to happen.

The fact is, the Board of Supervisors breached its fiduciary responsibility to this community by not exercising its "automatic standing," and by giving up the community's right to appeal for nothing more than a promise. Apparently, none of the supervisors conducted sufficient due diligence. If they had, they would all have understood that the tribe could walk away from negotiations at any time, and the Board could not appeal at that point, thus leaving it with no tool to stop the annexation of this property. One might even define this as negligence.

The vote not to appeal annexation was a grave injustice to this community and one in which POLO and POSY must bear the financial burden of federal litigation to ensure the rights of this community are protected. Our county government should be protecting the rights of all 400,000 residents, not just 153 of them.

Mr. Firestone goes on to state in his letter that we should know what he has done for our "mutual cause." This one statement, in particular, is especially bothersome. Mr. Firestone has used numerous private opportunities to express his dissatisfaction at the attempts POLO and POSY have made to shine a very bright light on a flawed and biased federal process that is out of control and in need of a little sunshine. POLO and POSY are the only entities left in the legal proceedings to stop the annexation of this property, yet neither Mr. Firestone nor the County have contacted POLO or POSY to support these groups since the filing of the groups' appeal.

POLO and POSY will continue to oppose the process of tribal fee-to-trust, including government-to-government agreements, because the process excludes the community and it is impossible to guarantee that land placed into trust will be developed according to the established community-approved guidelines. At this time, under current federal law, enforcement of development plans is impossible, due to the Chumash's sovereign status as a government.

The concept of community involvement should apply to *all* community planning and development. When POLO and POSY see this concept is not being followed, members of both groups will challenge any governing body, including the County, State, and Federal Government.

POLO and POSY have continually supported the tribe purchasing land as private landowners, but there is no benefit whatsoever to annexation. Even the tribe has not been able to say how annexation benefits this community.

Tribal annexation destroys communities due to the mass development that inevitably ensues after these annexations take place because there is no control over the development. Each one of these cities or townships across the nation began with one "small" fee-to-trust application (application to annex) and most began with under 200 acres of reservation land. For example, the Oneida Indian Nation in New York began with 32 acres of reservation land and is now asking the federal government to transfer 17,300 acres that the tribe has privately purchased since 1990 into federal trust status.

We have witnessed this pattern over and over again across the United States and our Board of Supervisors seem deaf to this *fact*. What we need is *strong leadership* to end the abuse of these flawed federal fee-to-trust laws in this country, not "consensus builders."

**Kathryn Bowen**  
**Mother, POLO member**

## Santa Ynez

### Give it a rest, channel up some positive energy

The anti-Chumash interviews with POSY and POLO in (*Purely Political VJ #4/6*) were so one-sided and biased that I expected you to publish a rebuttal interview with a Chumash tribal member this month. Even our other local newspaper will do that.

But your editorial (*VJ #4/7*) continued in the same negative vein. The gist of your commentary seems to be – *Okay, the Chumash have enough money; it's time to rein them in.* I think your articles-editorials need to include all sides and opinions on this issue. My own experience is that a vast number of Valley residents, while lacking dollars and political clout, really don't care that much what the Chumash do with what is theirs. It is not up to the residents of the Valley to decide when to interfere with another person or group's legal earnings or endeavors. We surely have not done so with our Native American Indian neighbors. What I read in the June article, and in your commentary, is anger that we have no legal standing to control another group, and envy of the Chumash's freedom to establish their own guidelines, a "freedom" that was granted them by our Federal and State governments. Would you now consider a proposition limiting the rights and incomes of certain Native Americans? How absurd would that be?

There is room in our Valley for reasonable change; in fact, it is necessary. Each person's tastes, opinions, and needs are unique, yet change over time. Much of the Valley benefits from the Chumash and the casino. (Much of the Valley deplores the tour busses that roll through our town, but they are not challenged although they also add to congestion, noise, and traffic.) The Chumash are a major force in this Valley, and for the most part, a positive one. There are some negatives, to be sure, but that is in the nature of most things. So, I am amazed at the vitriol directed at these people who have given incessantly to this community, and who should be admired for the success they have attained.

Was it your wish that they become only successful enough to assuage our guilt for the treatment they received in the past? How much money *is* enough? Why can the **Firestones**, **Parkers**, or **Roberts** of this community earn as much as they are legally able without someone writing editorials decrying their wealth or how they spend it? Do you know or care how much each of their family members is "worth?"

I am sure, that any other group or individual, given the legal basis and ability to do so, would maximize their advantage as much as the Chumash have. Everything that POLO and POSY are doing is within their rights; I am just dismayed and disappointed with the frenetic attack on an issue that has already been decided. This anti-Chumash dialogue is not what this country is about, nor should it be what the Valley is about. Take the energy that is put into defeating this small acquisition of land, and channel it into something more positive.

There is already evidence that the NIMBYs (Not in My Back Yarders) are forcing all but the very wealthy to live here. Do we really want the Valley to become one large assisted living area? Entities like the Chumash do a lot to level the playing field and to bring our residents into the 21st century. If we cannot support them, let us at least respect their accomplishments and contributions, and leave them in peace.

**Elaine Morris**

**Solvang**

*(Ed. note: Our staff made several attempts to schedule an interview with a spokesman for the tribe, but all such attempts were ignored. We foster no ill will toward the Chumash and are not trying to tell them what they should or can do with their success. We do feel, however, that continued and unchecked annexation of purchased land by the Chumash is unwarranted, unnecessary, and harmful. We believe too that achieving "standing" in federal court is imperative if this or any community impacted by a tribal casino is to preserve – or at least fight for – what it considers important. – AH)*

### **Breathing in some jealous air?**

I read **Craig Metheany's** recent lengthy letter (VJ #4/7.) He blames the Chumash Casino for the increase in crime in Santa Ynez. Had he done his homework, he would know that crime is up everywhere.... in Santa Barbara, Lompoc, Los Angeles, and Seattle. Can he blame that on the Chumash Casino? He also complains that traffic has increased. Take a trip into Solvang and Buellton and you will notice traffic has increased there as well. Does he blame the Solvang merchants for the increased traffic? Does he blame all the new residents buying new homes here? Mr. Metheany, who moved here eight years ago, bemoans that "the Valley has been changed forever."

May I remind him that the Chumash were here long before any of us. They moved onto the least desirable property in the Valley and lived in poverty for decades but nobody complained about that.

Now that they have found success, a vocal minority group blames the Chumash for everything they can think of. I believe jealousy plays a big part in this criticism. What I don't understand is that Mr. Metheany and other POLO and POSY members appear to live quite well. Is it possible they don't feel they have enough and are actually jealous?

Mr. Metheany continues to discredit himself by implying the Chumash are buying off law enforcement. This is how vicious gossip gets started. I, for one, am tired of this elite group of non Native American Indians who spend too much time criticizing the Chumash and their casino.

The Chumash have done more for the Valley than anyone else I can think of. Perhaps Mr. Metheany should check out the delicious buffet and equally wonderful Willows restaurant or take in a great concert. I think for a small town, we are lucky to have this venue to see the likes of Fleetwood Mac, Doobie Brothers, Lionel Ritchie, Larry the Cable Guy, and so many others!

**Merry Szymczak**  
**Santa Ynez**

*(Ed. note: I guess we've got to take the good with the ugly, but POLO, POSY, and any other group of residents or even individuals have the right to oppose unlimited expansion of an institution, and especially of one that regularly refuses to consider its neighbors' wishes. – AH)*

### **Defend, don't demean**

While I rarely agree with any editorial opinions of a Buckley-influenced publication, I must say, you have my concurrence on the basic proposition that the Chumash Indians are now wealthy enough to eschew annexation and pay their fair share of taxes on any future land acquisitions.

However, what I object to is the typical rightwing manner in which you fraudulently frame your argument. In your last editorial (*As I See It VJ # 4/7*), you opine that "the gift of a gambling monopoly to a few individuals because of past neglect and discrimination is a box with a pretty big bow." Why don't you try substituting the words genocide for "neglect" and racism for "discrimination" and maybe neither the box nor the bow will appear so oversized... The American Indians were not merely "neglected," as you so cavalierly state; they were virtually exterminated in a murderous and thieving rampage that went on from sea to shining sea.

This rampage was conducted by both private persons and governmental entities such as our now revered United States Calvary. And what was the Indians' crime? Apparently, they "neglected" to file their Deed of Trust to the real estate they had occupied for thousands of years so everything was suddenly up for grabs by our looting immigrant ancestors. If outright thievery didn't work we generously gave them smallpox-infected blankets to help them through those cold winter nights or plied them with firewater so they couldn't focus on the shell game we were playing as we moved them onto destitute reservations, for their own safety and wellbeing of course.

I could go on but unless you are akin to those who believe the holocaust is all propaganda, I doubt you could seriously frame an argument to defend the white man's actions against his red brothers and sisters.

As I stated at the outset, I, like most of your readers, believe the time for tax-free annexation by the Chumash is over. But don't demean your argument by whitewashing the reasons this gift was bestowed on these deserving people in the first place.

**David Bostick**

**Montecito**

*(Publisher's Note: You've learned your re-written history lesson well. Individual instances of everything you note did indeed take place, but the U.S. government, unlike virtually any other in human history, did the best it could with agreements and the humane treatment of what were then indigenous residents of a wild land. Proof of that is the myriad "compacts" across the nation, allowing remaining tribal members the opportunity to make up for some of the abuses that took place. That it is a "box with a pretty big bow" is undisputed, and those that have wrapped it – local residents, citizens, and taxpayers – should be allowed to ensure that their gift not become a curse. – J.B.)*