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SUPERVISORS OPPOSE S.B. 170

By Leah Etling, Staff Writer

- Email Article

The Santa Barbara County Board of Supervisors took a formal position in opposition to Senate Bill 170, which would allow Native American tribes to remove land from ag preservation contracts.

A hearing on the bill is scheduled in Sacramento on April 15.

The bill, sponsored by state Sen. Dean Florez, D–Central Valley, and supported by the Santa Ynez Band of Chumash Indians, seeks to change the law regarding under what circumstances Williamson Act contracts can be canceled.

The contracts are agreements made between landowners and local and state government and provide tax breaks in exchange for 10-year commitments to keep property in agriculture production.

The bill would allow tribal governments to cancel the contracts on property they have purchased for the purpose of building cultural centers, tribal housing or infrastructure improvements.

Those uses, the bill maintains, should outweigh the goals of the Williamson program.

The supervisors had mixed opinions about whether or not to oppose the bill, but in the end the concerns of local agriculturalists regarding the Williamson Act program's long-term effectiveness were the preeminent concern.

They ultimately voted 4-1, with 1st District Supervisor Salud Carbajal opposed, to send a letter to Sacramento opposing the bill.

"The main issue here for me is preservation of ag land, long term," said 3rd District Supervisor Doreen Farr.

"This has been a longstanding county priority, certainly a priority for the state, to continue to support the Williamson Act ... it is the single best thing we've got going for the long term protection of ag land, not just for the county, but statewide. I have the greatest respect for the tribe and tribal sovereignty but I really think this issue is not about that." Speaking at the meeting, Santa Ynez Band of Chumash Indians legal affairs expert Sam Cohen said that the reservation is at capacity and the tribe needs more places to put housing for its members.

"Over 80 houses cover the entire reservation except for the wetlands. Where can the reservation expand? Where can tribal members live on their reservation? The only way to go is south, east, or west, and all (lands) are farm and rangeland under Williamson Act preserves and Williamson conservation contracts," Cohen said.

Cohen previously said that the tribe does not want to be able to cancel the contracts for the purpose of gaming activities, but to expand reservation lands for other uses.

The supervisors heard from a number of community speakers, including Solvang Mayor Jim Richardson — not speaking as a representative of the city, he said; former Planning Commissioner C.J. Jackson; attorney Jim Marino; Nancy Ecklund of the Santa Ynez Valley Concerned Citizens; and former VPAC chairman Bob Field.

"I don't think the Chumash tribe should be treated any differently than anyone else, certainly not by making an end run to Sacramento, where their political friends will have this bill enacted," Marino said.

C.J. Jackson said he understands the boards' respect for tribal sovereignty, but doesn't see it being reciprocated.

"Unfortunately, respect for tribal sovereignty ought to be a two-way street," Jackson said, referring to a letter the tribe wrote in support of the bill.

"What this letter demonstrates, the road to decision making is not happening here, and your sovereignty is not being respected," Field said there was not one benefit in the bill for the county at large.

"There are clearly detrimental effects ... and unknown consequences," he said.

The California Farm Bureau Federation, California State Association of Counties, and the Regional Council of Rural Counties are among the statewide organizations in opposition.

The board received copies of letters from the Santa Ynez Valley Alliance, Womens' Environmental Watch, and Santa Ynez Valley Concerned Citizens groups, all written to the Senate Local Government Committee in opposition to the bill.

"Tribes and tribal governments that own property protected by the Williamson Act should be held to the same criteria as anyone else in a similar situation," wrote Mark Oliver, president of the Santa Ynez Valley Alliance.

"Many of our financially strapped counties would be forced into the position of assuming the burden of an almost certain expensive lawsuit with tribal interests should they wish to oppose the contract cancellation," wrote Cathie McHenry, president of WE Watch.

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