



## Legislation Text

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File #: 19-334, Version: 1

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### MEMORANDUM

**TO:** Board of Supervisors

**FROM:** Carol J. Huchingson, County Administrative Officer

**DATE:** April 9, 2019

**SUBJECT:** Consideration of Responses to the Bureau of Indian Affairs Invitation to Provide Comment on the Big Valley Band of Pomo Indians' Land Acquisition Applications

#### EXECUTIVE SUMMARY:

On March 4, 2019, the County received a Notice from the Bureau of Indian Affairs (Bureau) inviting comment on the Big Valley Band of Pomo Indians' (Tribe) application to move seven parcels into trust. As staff began researching this matter, new information was learned regarding the Tribe's recently opened cannabis dispensary along with an expansion of cultivation and manufacturing programs. The Bureau requested information on property taxes, assessments, government services provided, and potential zoning consistency. The accompanying information indicates that the Secretary of the Interior will consider factors such as the purpose for which the land will be used; the impacts on local government of removing said properties from the tax rolls; and jurisdictional problems and potential conflicts of land use that may arise.

On March 20, 2019, the Bureau responded to County staff's request for a 30 day extension from the March 26th deadline and granted it in part, with a new deadline of April 18, 2019. On March 22, 2019, the County received another notice for fourteen parcels to be moved into trust, also with an April 18th deadline to respond to Bureau's request for comment. During staff's continued research, it became clear that beyond the expansion of the Tribe's cannabis industries, there are other potential inconsistencies in land use, both present and possibly future. For example, there are plans for a potential commercial center and casino on Soda Bay Road. Generally, the area in and around the Big Valley Rancheria has zoning reflecting Agricultural and Residential uses. Some of the ongoing and potential uses typically would not have been previously contemplated by County staff so the opportunity for further study would be valuable.

Due to these recent developments, these proposed comments clarify for the Bureau that staff is unable to fully and informatively respond to the Bureau's requests for information on these short timelines. Staff has highlighted the areas of concern and noted that further time would be necessary

to investigate the proper tax valuations and evaluate the infrastructure of the surrounding area and what steps and costs might be necessary to accommodate potential development by the Tribe. The proposed comments give greater background detail and suggest the Bureau provide County staff the opportunity to identify topics requiring attention and work with the Tribe and other local partners to gather the necessary information.

A number of County departments came together to assist in the preparation of these responses and staff is extremely grateful to all who contributed.

**FISCAL IMPACT:** ☒ None ☐ Budgeted ☐ Non-Budgeted

Estimated Cost:

Amount Budgeted:

Additional Requested:

Annual Cost (if planned for future years):

**FISCAL IMPACT (Narrative):** None

**STAFFING IMPACT (if applicable):** None

**RECOMMENDED ACTION:**

Staff recommends that your Board approve the two proposed responses to the Bureau's invitation to provide comments, authorizing the Chair to sign.