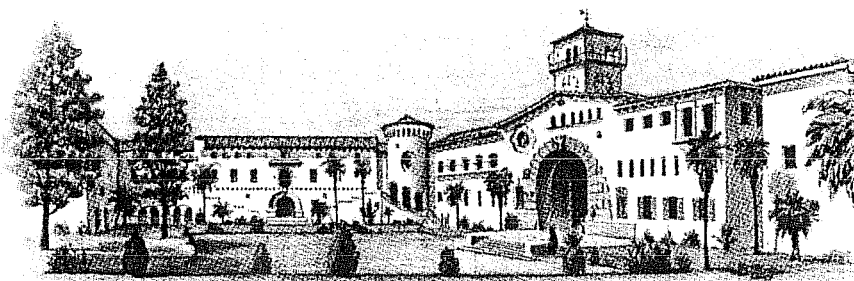


# COUNTY OF SANTA BARBARA



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FROM THE DESK OF KEVIN READY, SR.  
SENIOR DEPUTY COUNTY COUNSEL

## COUNTY COUNSEL

October 2, 2013

Honorable Kevin Washburn  
Assistant Secretary for Indian Affairs  
Department of Interior  
MS 4141 – MIB  
1849 C Street, N.W.  
Washington DC 20240


Re: Notice of Appeal of Decision of BIA Pacific Regional Director's Decision  
On the Chumash Tribe's Proposed Land Consolidation & Acquisition Plan

Dear Assistant Secretary Washburn:

In accordance with 43 CFR §§ 4.310(b) and 4.332(a) and in conformity with the recent order of the Interior Board of Indian Appeals (IBIA), you are hereby given notice of the attached County of Santa Barbara's Appeal of Decision of BIA Pacific Regional Director's Decision on the Chumash Tribe's Proposed Land Consolidation & Acquisition Plan.

We request that your office consider whether this is an appropriate case for the Assistant Secretary to assume jurisdiction over instead of the IBIA, insofar as it is clear on the face of the decision document that there were significant procedural infirmities in the manner in which the Regional Director handled the decision. These significant infirmities include a total failure to follow the National Environmental Policy Act (NEPA), a total failure to give notice and right to comment to interested parties prior to the decision and an utter lack of any requisite fact-finding prior to the decision. These procedural errors are best handled by immediate remand to the decision maker, rather than protracted briefing before the IBIA. Any remand should include a stay of any derivative decision processes.

Respectfully,  
DENNIS MARSHALL  
COUNTY COUNSEL

  
Kevin E. Ready, Sr.  
Senior Deputy County Counsel

Cc: Thomas A. Blaser, Administrative Judge, IBIA