

# DEVELOPMENT COMPARISON

One of the arguments that opponents of tribal growth often make is that our development is somehow “unchecked.” It’s a popular argument, but one that is based on false assumptions rather than fact. The following chart demonstrates the similarities between development of tribal land and non-tribal land and proves that we do follow a set of rules and regulations.

DEVELOPMENT ISSUE	NON-TRIBAL LAND	TRIBAL LAND	COMPARISON
<b>LAND USE</b>			
Public Review	Administered by Local Government	Administered by Tribal Government	Though the bodies governing environmental impact differ, the results are comparable
General Environmental Impacts	NEPA and/or CEQA Guidelines	NEPA Guidelines (major federal action)	
Wetland Impacts	CA Dept. Fish & Game/US Army Corps	US Army Corps of Engineers	
Stormwater Run-Off	Regional Water Quality Control Board	Environmental Protection Agency	
<b>LIFE SAFETY</b>			
General Construction	California Building Code	Uniform Building Code*	The building codes are virtually identical for tribal and non-tribal development.
Fire	Uniform Fire Code/Local Agency Review	Same as Non-Tribal	
Mechanical	Uniform Mechanical Code	Same as Non-Tribal	
Plumbing	Uniform Plumbing Code	Same as Non-Tribal	
Electrical	National Electrical Code	Same as Non-Tribal	
Energy	California Title 24**	Same as Non-Tribal	
Disabled Access	ADA/California Title 24**	Same as Non-Tribal	
<b>UTILITIES</b>			
Water	Santa Ynez Water District	Same as Non-Tribal (as needed)	The approval processes for each of the utilities are identical regardless of tribal or non-tribal status.
Sewage	Community Services District	Same as Non-Tribal (as needed)	
Power	PG&E	Same as Non-Tribal (as needed)	
Gas	The Gas Company	Same as Non-Tribal (as needed)	

All Santa Ynez Chumash tribal development projects must first acquire approval, by majority vote, from the entire tribal membership. This is a process that is typically not found in development on non-tribal land. Additionally, once a tribe decides to move forward on a project, newly-acquired land can be placed into trust. The process of placing land into trust is a strict, lengthy, well-regulated legal process that requires an in-depth application from a petitioning tribe, a NEPA environmental review process, public comments from the local communities and consultations with state and local officials and agencies where the land is located. (NEPA applies to all tribal projects.) In situations where the tribe finances the property, the life safety codes are a financing requirement; otherwise, the codes are voluntarily adopted.

It is inaccurate to maintain that development on tribal land is less sound with regard to environmental impact, issues of life safety or building integrity simply due to a *perceived* lack of regulation. In all cases, regulatory scrutiny is comparable to development on non-tribal land. Bottom line: the absence of local or state jurisdiction does not translate into lack of inspection and quality.

\* The Uniform Building Code is mandatory for all gaming and gaming-related projects per the Tribal State Compact, Section 6.4.2.

\*\*ADA applies to tribes and nondiscrimination applies to all gaming projects per the Tribal State Compact, Section 10.

The Santa Ynez Band of Chumash Indians voluntarily adopted CA Title 24 as its energy standard.



**SANTA YNEZ BAND  
OF CHUMASH INDIANS**