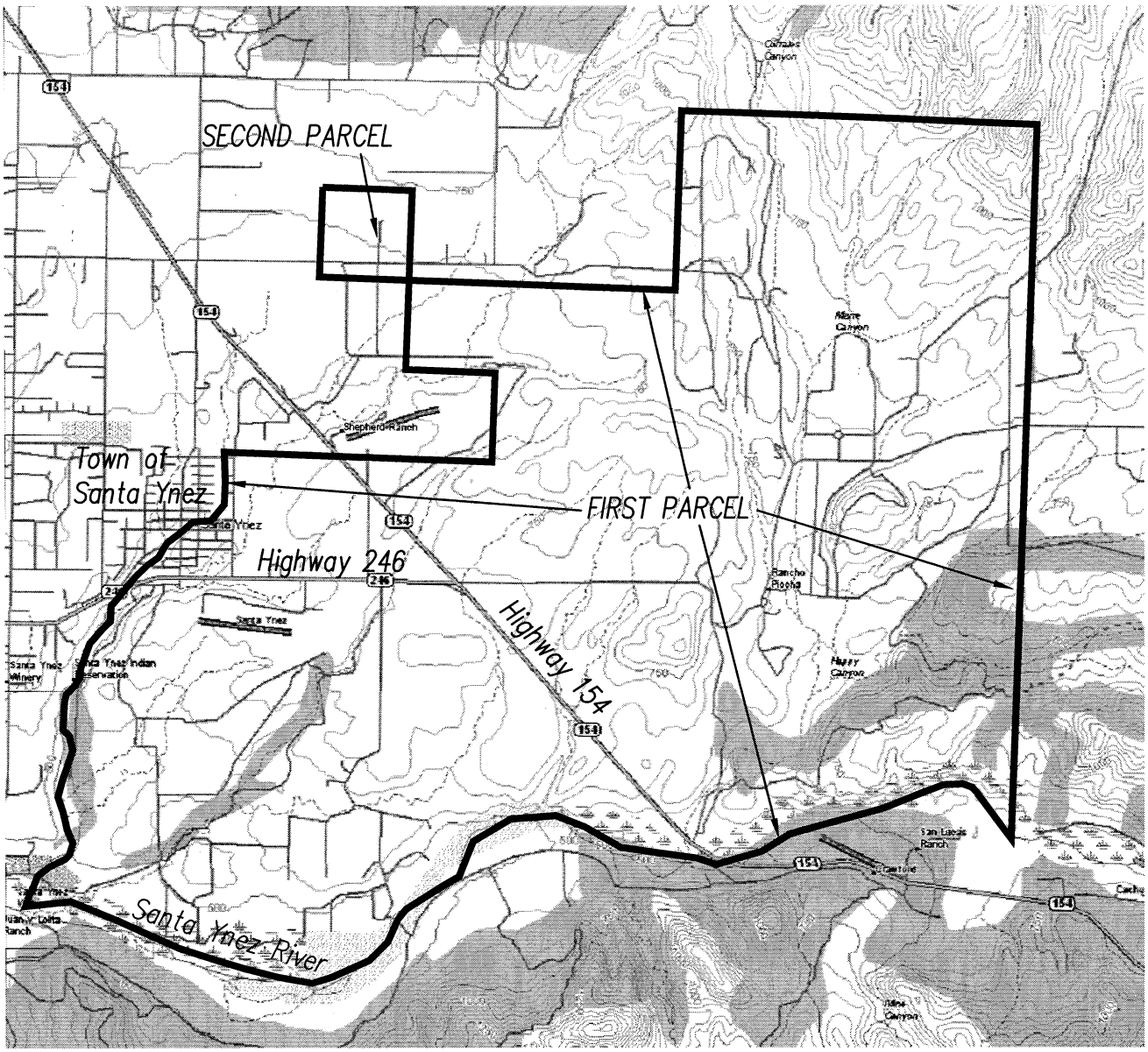
Chumash Towns at the Time of European Settlement
CURRENT SANTA YNEZ CHUMASH RESERVATION
San Luis Obispo
Santa Barbara
Ventura
Malibu
Elewexe
Tsitkawayu
Chimimu'
Chisqiyo
Tsiskikiye
Sqe'ele
Tsit'oyo'
Tipu
Chimonimu'
Tsitxala
Tsiqsitye
Chitpu
Chitneqle
Chitqawi'
Tkiye
Tech
Tipexpa
Chena
Qmimu'
Petpatsu
Wexetmimu'
Tsimosmu'
Chihlkukunach
Chanu
Tsipxatu
Pismu'
Chiliqin
Chixwale
Tsikyiw
Chimoli
Tso
Wasna
Stemeqtatimi
Nipumu'
Wenexe'l
Sxaliwilimu'
K'o'owshup
La Panza Range
Caliente Range
Sierra Madre Range
San Rafael Mountains
Santa Ynez Mountains
Buena Vista Lake
Kern Lake
Tehachapi Mountains
Santa Monica Mountains
Lishawato'w
Kuyam
Malapwan
Tashlipun
Mat'apxwelexwel
Tsiwikon
Sqene'n
Kashtiq
Achililiwo
'Ataxis
'Axwapsh
Snisewi
'Anaquwuk
Siswow
Lonsoqoq
Lospe
S'axpilil
Washlayik
Heqep
Step
Hawamiw
Siwil
Saqsiyol
Soxtonokmu'
Shuxwiyuxus
Mat'apxa'w
Xonxon'ata
'Aqitsu'm
Stuk
Saq'ka'ya
Lompo'
Shipuk
Wililik'
La Purísima
Sh'ahuchu
S. Inés
Kalawashaq'
Teqepsh
Mi'asap
Siwaya
Shumpashi
Xalam
'Itiyaqsh
He'lxman
Shnoxsh
Naxuwi
Wishap
Shniwax
Noqto
Shilimaqshtush
Shnaxalyiwi
Texax
Shishuch'i'
Qasil
Mat'ilha
'Awha'y
Sis'a
S'eqp'e
Onomyo
Kashtayit
Shisholop
Milkiw
Kuya'mu
S'axpilil
Helo'
'Alkash
Heliyik
Syuxtun
Shalawa
Mishopshno
Shuku
S'omis
'Alalhew
Kamulus
Mupu
Sisxulkuy
Kach'antuk'
Kimishax
Ta'apu
'Alkuy
Shimiyi
Shisholop
Kanaputeqnon
Kayiwish
S. Fernando
Kasunalmu
Lalimanux
S'apwi
Huwam [Hukxa'oynga]
Sumuawawa
Hipuk
Ta'lopop
[Topa'nga]
Muwu
Tuqan
Niwoyomi
Tuqan
Niaqla
Silimhi
L'akayamu
Ch'o'oshush
Hichimin
L'alale
Ch'ishi
Mashchal
Xaxas
Lu'unsh
Swaxil
'Anyapax
Nanawani
Nimkikil
Wimal
Limuw
Liyam
Shawa
Nawani
Nilal'uy
Helewashkuy
Qshiwqshiw
Lisiqishi
Loxostox'ni
Sumo



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GEORGE Y. MARCHENKO
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EXPIRES
9-30-09
STATE OF CALIFORNIA

10/23/07

0 2500 5000 10000

1 inch=5000 feet

Boundary shown is compiled from record data and is about ± 2500 feet

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Sketch of Legal Description of two parcels in Notice of Pendency of Action, The Roman Catholic Bishop of Monterey, Plaintiff, against Salomon Cota et all. Filed 2/23/1897; Superior Court of the County of Santa Barbara, CA. and per B/Miscellaneous Maps/447

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DATE :	10/22/07
Sheet 1 of 1	

SANTA YNEZ BAND OF CHUMASH INDIANS
Testimony of Tribal Chairman Vincent Armenta
Before the House Committee on Natural Resources
Oversight Hearing on the "Department of Interior's Recently Released Guidance on Taking Land into Trust for Indian Tribes and its Ramifications"
February 27, 2008

Is Section 5 of the Indian Reorganization Act a catalyst for self determination or a ball and chain keeping "those Indians" on the Reservation?:
Opposition to that new Guidance by Secretary Kempthorne dated Jan. 3, 2008, Regarding off-reservation fee-to-trust acquisitions for gaming purposes, and Interior's new "Commutable Distance Rule."

Good afternoon, my name is Vincent Armenta and I am the Tribal Chairman of the Santa Ynez Band of Chumash Indians. I am here to testify against the so-called "Commutable Distance Rule" established by Secretary Kempthorne by his Guidance memo dated January 3, 2008.

At the outset, I would like to thank Chairman Rahall, Ranking Committee member Young and the entire Committee for holding this important hearing and providing us with the opportunity to submit testimony and a written response to a directive memorandum that was received by our Tribe without any prior notice or government-to-government consultation prior to our reading about the new rule in the media on January 4th of this year.

Under the guise of supposedly trying to protect "reservation life" the Secretary has established a new rule without any tribal input or consultation that is designed to keep "the Indians" on their existing reservations.

What exactly is the "reservation life" that Secretary Kempthorne is trying to protect? Is the Secretary trying to protect that part of Reservation Life that is always striving to restore the lost aboriginal homelands and territory of the Tribe? Is the Secretary trying to protect those areas of land both on and off the Tribe's current reservation over which the Tribe exercises governmental control as provided in the IGRA? Or is the Secretary of the Interior taking the most restrictive possible definition of Reservation Life and limiting it solely to the extremely diminished boundaries of existing reservations?[1]

Aboriginal Chumash Bands

I would first like to provide a brief historical overview of the Santa Ynez Band of Chumash Indians here in the State of California.

The Chumash historically occupied an area from Morro Bay to the north, Malibu to the south, Tejon Pass to the east (what is now called the "Grapevine") and the four Northern Channel Islands. In prehistoric times the Chumash territory encompassed some 7000 square miles. Today, this same region in Southern Central California takes in five counties including Santa Barbara, Ventura, San Luis Obispo, Los Angeles, and Kern. An elaborate Chumash trail network linked several hundred early Chumash villages and towns, seasonal encampments, rock art sites, shrines, gathering places and water sources. These trails were vital to sustaining cultural longevity for over 8,000 years in this region as they formed the foundation for economic and social exchange among the Chumash.

The Chumash numbered over 25, 000 people on the eve of the first Spanish land expedition in 1769. This scouting trip by Portolá led to the founding of five Catholic missions in the Chumash territory beginning in 1772; with Mission Santa Inés the last to be built in 1804.[2]

In a period of seven decades, the once thriving population of 25,000 Chumash drastically declined to 1,200 people. After secularization of the missions in 1833, the Chumash population in the Santa Ynez River area alone, including today's Lake Cachuma, Mission Santa Inés, Mission La Purisima Concepción and the Lompoc Coast, severely declined to only 455 Indians. A map of Chumash Towns at the Time of European Settlement is attached.[3]

The Treaty of Guadalupe Hidalgo

In the aftermath of the Mexican-American War in 1848, the United States acquired the California territory as part of the Treaty of Guadalupe Hidalgo. An interesting aspect of the Treaty was that the United States agreed to respect the land claims and rights of the Native Americans already living in California on the land they physically occupied.

The 18 Unratified California Treaties

Indian Commissioners were sent to California to remove the California Native Americans from the lands they “physically occupied” and create the first reservations. In reliance on the Treaties, the California Indians abandoned much of their aboriginal lands and began withdrawing to their new treaty lands. However, unbeknownst to the California Tribes, the California delegation in Congress was busy lobbying against ratifying the Treaties.

Instead of just not ratifying the Treaties, Congress went one step further. By secret joint resolution, Congress agreed not to ratify the California Treaties and to formally “hide” them for 50 years. The net effect of this deception was to open up California for settlement, as the Native Americans were no longer physically occupying the land and yet give the Tribes no reciprocal rights to any reservations whatsoever.

Between April 29, 1851 and August 22, 1852, a series of eighteen treaties "of friendship and peace" were negotiated with a large number of what were said to be "tribes" of California Indians by three treaty Commissioners (George W. Barbour, Redick McKee and O. M. Wozencraft) whose appointments by President Millard Fillmore were authorized by the U.S. Senate on July 8, 1850. Eighteen treaties were made but the Senate on July 8, 1852 refused to ratify them in executive session and ordered them filed under an injunction of secrecy. The texts of these 18 unratified treaties were made public on January 19, 1905 at the order of the U. S. Senate which met in executive session on that day in the Thirty-second Congress, First Session.[4]

The Santa Ynez Indian Reservation

Chumash Reservation life began with the Spanish Missions who claimed to be “teaching” tribal members religion while allowing tribal members to perform manual labor to build their character. So much character was built that a once vibrant population of Chumash in the Santa Ynez River area was reduced from 3,000 to a few hundred in a space of 74 years.

With the secularization of the Missions and California Statehood, even these few Chumash found they had lost their homelands and were living in the shadows of the former glory of the Missions. The Chumash of the Village of Kalawashaq, from where I descend, found refuge in the Zanja de Cota riverbed near the town of Santa Ynez—mostly because no one else wanted to live in that flood plain.

From the beginnings of California Statehood, the Catholic Church had maintained that many Church lands were jointly owned by the Church and its neophytes, which is how the Church referred to its Chumash workers in residence. In a quiet title action beginning in 1897, the Catholic Bishop of Monterey began the process to eliminate any neophyte claims to about 11,500 acres of the Canada de los Pinos or College Rancho owned by the Church and to transfer title to the Zanja de Cota Riverbed to the Indian Agent of the

Mission Tule (Consolidated) Agency in California. In a settlement of such quiet title action, and by the implementation of the Mission Indian Act of 1891 and an Executive Order from President Benjamin Harrison, the Zanja de Cota riverbed was turned into the Santa Ynez Indian Reservation of the Santa Ynez Band of Chumash Indians. A sketch of Legal Description of two parcels in Notice of Pendency of Action, The Roman Catholic Bishop of Monterey, Plaintiff, against Salomon Cota, et al., filed 2/23/1897; Superior Court of the County of Santa Barbara, CA is attached.

Such Santa Ynez Reservation consisted of about 99 acres--a far cry from the 7,000 square miles of aboriginal Chumash lands prior to the Missions or even the 11,500 acres of Church lands over which the Chumash shared with the Catholic Church by land claim.

The Commutable Distance Rule and Lost Tribal Lands

The Indian Reorganization Act of 1934, the so-called Wheeler-Howard act, was designed with two objectives. The first was to reverse the effects of the Dawes Act of 1887 and end the era of allotment and forced assimilation by creating strong tribal governments on established federal reservations.

The second objective was to reverse the loss of tribal lands and, if possible, re-establish the aboriginal territories of many tribes.

We appreciate Secretary Kempthorne's concern with the negative effects of off Reservation fee to trust gaming acquisitions on existing reservation life and we invite him to see what the Chumash have done with our riverbed. We would hope that the Secretary would work with us to re-establish the former aboriginal territories of our tribe. Instead the Secretary is more concerned with how far our tribal members can drive to work.

We ask the House Resources Committee to work with Tribes and at least permit us to go through the indignity of having to buy back our aboriginal territories. Instead we are being labeled as desiring to Reservation Shop. The Chumash desire to regain the lands of their ancestors even if it means buying them a piece at a time. This aboriginal territory analysis is completely absent from the so-called commutable distance test--which is mere pretext to keep tribes on their existing diminished reservations.

ENDNOTES:

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[1] "***California tribes*** *that were parties to the 18 treaties negotiated in 1851-52 would have retained 8.5 million acres of their aboriginal homelands had the treaties been honored by the Senate. Then the Senate refused to ratify the treaties and Congress extinguished the California tribes' land claims in the California Land Claims Act of August 3, 1851,* ***t****he tribes* ***lost claims to their entire aboriginal homeland totaling more than 70,000,000 acres. Today the tribal land base in California is just over 400,000 acres (about 0.6% of the aboriginal land base)****, with an additional 63 acres of land held in individual land allotments."* Final Report, Advisory Council on California Indian Policy, Pursuant to P.L. 102-416, Executive Summary, p. 25 (September 1977).

[2] John R. Johnson, Chumash Social Organization: An Ethnohistoric Perspective. Ph.D. dissertation, University of California, Santa Barbara (1988); John R. Johnson, The Chumash after Secularization (1995), California Mission Studies Association, no pagination; John R. Johnson, personal communication with Kathleen Conti (Feb. 8, 2008).

3 Reproduced with permission from Professor John R. Johnson, personal communication, http://www.sbnature.org/research/anthro/chumash/local.htm.
Map prepared by John R. Johnson in collaboration with Chester King, Kathryn Klar, Sally McLendon and Kenneth Whistler. From Sally McLendon and John R. Johnson (editors), Cultural Affiliation and Lineal Descent of Chumash Peoples. Report submitted to the Archaeology and Ethnography Program, National Park Service, Washington, D.C., 1999.

[4] Robert F. Heizer, THE EIGHTEEN UNRATIFIED TREATIES OF 1851-1852 BETWEEN THE CALIFORNIA INDIANS AND THE UNITED STATES GOVERNMENT (1972), reprinted at http://www.maidu.com/maidu/maiduculture/bibliography/historyofthe18.html