

SANTA YNEZ BAND OF CHUMASH INDIANS

www.santaynezchumash.org

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December 9, 2020

Amy Tong
Chair, California Broadband Council
Director, California Department of Technology
1325 J Street, Suite 1600
Sacramento, CA 95814
cbroadbandcouncil@state.ca.gov

Re: Request for Tribal Input on the California State Broadband Action Plan

Dear Chair Amy Tong and California Broadband Council Members,

The Santa Ynez Band of Chumash Indians (“Tribe” or “Chumash”) would like to thank the California Broadband Council (“Council”) for the opportunity to provide comments on the development of the California State Broadband Action Plan (“Plan”). As you are aware, there is an urgent need to close the digital divide in California, particularly with respect to Native American tribes throughout the state. The Tribe has reviewed the draft Plan and provides the following written comments in response to the Request for Tribal Input sent on November 23, 2020.

The Santa Ynez Band of Chumash Indians

The Santa Ynez Indian Reservation was established in Santa Barbara County, California, in 1906 by an agreement between the federal Indian Agent and the Catholic Church. In exchange for quieting title to 11,000 acres of land deeded to the Church for a seminary called the College Rancho, the Santa Ynez Band of Chumash Mission Indians received 99 acres of land on either side of the Zanja De Cota Creek just south of the Town of Santa Ynez. In the 1970s, another 38 acres were added to the Reservation for a HUD low income housing project to increase its size to 137 acres. In 2014 an additional 6.9 acres were annexed by fee-to-trust transfer for a Chumash Heritage Hall and Museum and Cultural Center just north of the Reservation. In 2010, the Tribe purchased 1,400 acres of land three (3) miles east of the Reservation for 143 new home sites which was called “Camp 4.” The Tribe fought for 9 years to get such land annexed to the Reservation which finally happened by Congressional legislation in 2019. www.chumashea.com, Final EA, Vol. 1, Figure 1-2. Collectively, these lands will be referred to as the “Chumash Reservation.”

The Chumash Reservation lands are in Santa Barbara County, California, with Santa Barbara County as a whole currently earning only a “D” for broadband, according to a recent statewide broadband coverage/capacity study entitled California Broadband Infrastructure Report Card (Central Coast Broadband Consortium, Steve Blum & Associates, 2020). Broadband speed and capacity countywide is well below that needed for a good quality of life in today’s technological environment.

The Chumash Reservation, especially the residential portions of the Chumash Reservation being addressed by this grant application are either underserved (current housing area) or are undeveloped and completely unserved (recently acquired lands put into trust for new housing and commercial). Basic everyday living requires reliable, high-speed internet connections for remote healthcare, telework, entrepreneurship activities, remote learning, and tribal and business communications, service which is not adequate or not currently available to Chumash tribal residents.

Does your Tribe have broadband access?

The Chumash Reservation is made up of three areas: the original reservation comprised of 139 acres, a 1400 acre parcel of trust land known as Camp 4, and a 6.9 acre parcel of trust land.

1. Original Reservation

There are approximately 242 residents in 100 homes on the original reservation. While the Tribe has access to broadband for a portion of the original reservation, the residential area lacks adequate broadband and cellular coverage to support many of the technological platforms that are needed in everyday activities, such as home security systems, remote irrigation controls, internet-based distance learning, remote business meetings, wireless telecommunications, and other web and cloud based systems that require strong broadband or cellular connections. The lack of adequate broadband and cellular coverage also hinders the work of security personnel and first responders to the Chumash community, who are oftentimes challenged in meeting emergency and law enforcement needs by weak signal strength and hampered communications.

The original reservation is also home to the Chumash Learning Center, which is the hub of academic and career development for approximately 1800 Chumash tribal community members. However, the ability to provide services remotely is impeded by a lack of robust connectivity.

2. Camp 4

Camp 4 is comprised of just over 1400 acres of land that was recently taken into trust that will provide 143 residences for tribal members and their families. The land is completely unserved by broadband. This lack of connectivity will prevent residents on Camp 4 from participating in many aspects of modern life including access to educational and professional opportunities and significantly limiting their ability to obtain information. The lack of connectivity will also limit Camp 4 residents from obtaining emergency services.

3. 6.9 Acres

The 6.9 acre parcel of trust land is home to the Chumash Heritage Hall, which will host Tribal community events, and construction is underway on a Chumash Museum to help preserve the Tribe's history and culture for future generations. There is only intermittent fixed and mobile broadband service available on this parcel. However, in order for the venues located on this land to be successful, it is critical that this parcel have robust broadband connectivity.

What is the most valuable use of the Internet for your Tribe – telehealth, distance learning, telework?

There is no “most valuable use of the internet” for the Tribe as its Internet needs are extensive. Access to broadband would provide the Tribe with the ability to use technology for current and future tribal residents located on the reservation as well as the Camp 4 property. It would enable telework and promote business and entrepreneurship for tribal members and descendants as well as support distance learning from K-12 and higher education. A majority of tribal members are older and broadband would provide access to telemedicine, which has been shown to be invaluable during the current COVID-19 pandemic.

There is also a safety need for reservation residents as some areas of the property have spotty cell service and capacity is not available throughout the reservation to support security systems for the home. Additionally, first responders are hampered by poor communication coverage resulting in tribal residents being subjected to delays or less-than-effective emergency or law enforcement support. With adequate broadband, cell phone coverage would be assured, enabling calls for help as well as efficient communications between first responders and/or headquarters.

How can the state be the most helpful in advocating for your Tribe’s broadband needs?

The Tribe recommends that the State undertake a comprehensive strategy for broadband deployment and support to tribal lands. This should involve assessing the current state of broadband capabilities, including current gaps and needs in the tribal community. In identifying broadband infrastructure needs, the State should create a future topology of broadband infrastructure for tribal lands and create a technology map that describes what exists, current gaps, and potential future applications. The State should also create an investment strategy to acquire tools and technologies for development of future capabilities for tribes.

The State should continue to seek tribal feedback so that it is better able to understand the needs of tribal communities throughout the state. The State should also recognize that many tribes have historically been removed to remote locations and make all efforts to bring broadband access to these tribes. This would include providing funding for building out the infrastructure needed to accomplish this goal, such as expanding existing fiber cable and running conduit to residences.

FCC Rural Tribal Priority Window

This State needs to also be aware of and support the acquisition of now available tribal spectrum anticipated to be awarded to the Chumash through the FCC’s Rural Tribal Priority Window offering 2.5 GHz (key midband) spectrum to American Indian tribes.

[2.5 GHz Rural Tribal Window | Federal Communications Commission \(fcc.gov\)](https://www.fcc.gov/2.5ghz-tribal-priority-window)

Prior to the September 2, 2020 application deadline, the Tribe applied for spectrum through the 2.5 GHz Rural Tribal Priority Window, an opportunity for tribes in rural areas to directly access unassigned spectrum over their Tribal lands. The 2.5 GHz band is suitable for both mobile coverage and fixed point-to-point uses and is currently used to provide broadband service by legacy educational licensees and commercial providers that lease the spectrum.

The opportunity for spectrum through the FCC's 2.5 GHz Rural Tribal Priority Window was both unplanned and unexpected and at the highest level, the Tribe is not yet educated on the potential of this opportunity. The opportunity for State support allows the opportunity to acquire the requisite expertise and resources without having to interrupt the current business and develop a new competency. In addition, budgets, planning, and allocations take time and review and, there are limited internal funds available to leverage this new opportunity.

Additional Comments

On page three of the Plan, there is a breakdown of groups that are "under-adopting" with respect to broadband. Two of the groups listed are Spanish-speaking Latinos and Asian Americans. We recommend the State determine the percentage of Native Americans in California who are under-adopting. This would help provide a better understanding of the extent to which there is a need for Native Americans to access broadband.

The Tribe supports the State's goal of eradicating the digital divide to make California a place where everyone can thrive regardless of his or her circumstances and we believe it is critical to continue to receive tribal feedback on this important issue.

Thank you for the opportunity to provide comments on the development of the California State Broadband Action Plan. Should you have any questions regarding our comments, please feel free to contact me or Sam Cohen, Government Affairs and Legal Officer [REDACTED]

Sincerely,



Kenneth Kahn
Tribal Chairman

CC: Christina Snider, Governor's Tribal Advisor (by email)
[REDACTED]