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To: Humboldt County Board of Supervisors Chairperson, Ryan Sundberg  
825 Fifth Street, Room 111  
Eureka, CA. 95501

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Kathy Hayes, Clerk of the Board  
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December 27, 2013

**RE: General Plan Update Proposed Land Use Designation of Tribal Lands to our Property ASMT 515-311-020-000**

To Humboldt County Board of Supervisors Chairperson, Ryan Sundberg,

Given the growth of Tribes and Rancheria's land base, government and economic development over the past 25 years, we understand the County's commitment to honor their Land Use Plans and Polices.

The County's proposed Land Use Designation of Tribal Lands does indeed honor the Tribes and Rancheria's Land Use Plans and Polices but it does not respect and protect the rights of private property owners designated as non-tribal fee land.

My husband and I own 4.33 acres of undeveloped property in the unincorporated area of Humboldt County which borders the City of Trinidad and the Trinidad Rancheria. Our property has access from Pa- Pah- Lane and neighbors several residences.

In October 2011 we sent an Application for General Plan Designation and Related Zoning to county staff requesting our property be Zoned Residential with a Land Use Designation of Residential Estate. This would have brought our property into consistence with the neighboring property within County Jurisdiction APN 515-151-11. We also presented this Application before the Humboldt County Planning Commission's November 2011 meeting.

Despite our request county staff sided with the Trinidad Rancheria's request (at the December 2011 Humboldt County Planning Commission meeting) to designate our property Tribal Lands and that no zoning be recommended.

County staff is well aware of the Trinidad Rancheria's long term plans for our property to be developed in part with the Rancheria's proposed Highway 101 Interchange. This proposed plan has not change as acknowledged by county staff as recently as December 5, 2013. Further, county staff could not comment on the Trinidad Rancheria's Land Use Plan and Policies that would allow the Rancheria to take our property for the development of their Highway 101 Interchange Project with or without just compensation.

The Trinidad Rancheria has had ample opportunity to purchase this property for their long term plans. Before the Trinidad Rancheria sold this parcel in 1968, they allowed their members the opportunity to purchase it themselves but they chose not to. Instead it was sold to a private property owner with the proceeds from the sale being distributed among the Rancheria members. Later in 1987 the owners listed the property for sale. The Trinidad Rancheria had an opportunity to purchase back the property they original sold in 1968 but chose not to.

Along with my father and mother we purchased this property in 1988. My father Axel Lindgren II was contacted by the Trinidad Rancheria staff in 1996 with the interest of looking at our property with the intent to purchase it. Although the Rancheria was interested in our property no offer was made. Later in 2000 we were contacted by Chairperson Carol Ervin to meet with her and staff to discuss the possible of purchasing our property. During that meeting she offered \$25,000.00 for our property. This offer was \$200,000.00 below our asking price of \$225,000.00.

In addition, the Trinidad Rancheria's staff and members have attempted to stop us from accessing our property through direct threats, acts of violence, denial of access via the through road, and by dumping garbage on our property (that included furniture and household trash) that we had to pay to have removed. At one point an individual member went as far as brandishing a gun as we walked onto our property while yelling threats of violence at us. Other times they would throw rocks and yell obscenities at us. We have also found some of our Redwood trees had been cut down by the neighboring Trinidad Rancheria members without our consent.

We were instructed by the Trinidad Rancheria staff that we could no longer use their roads to access our property (There is no other access to this parcel). So, I contacted Humboldt County and learned that County Public Works received a request from the United States Government to relinquish Te-Pah-Lane, Cher-Ae Heights Lane, Ma-We-Mor-Lane, various drainage and non vehicular access easements back to the United States Government Bureau of Indian Affairs. This request was initiated by the Trinidad Rancheria.

In June 2002 the Humboldt County Board of Supervisors by Resolution No. 02-57 quitclaimed these roads and drainage easement to the Bureau of Indian Affairs. This quitclaim was done without our knowledge and the County did not provide us a right of way easement to our property as they did for PG&E, Pacific Bell and the City of Trinidad. The drainage easement that was part of this transfer is located on our property and as it turns out is an important component to the Trinidad Rancheria's long term plans including the Highway 101 Interchange Project.

In 2006 we were contacted again by Trinidad Rancheria staff, who said they were instructed by Chairperson Garth Sundberg to inquire the possibility of purchasing our property. They stated

their interest was, in part, due to their plans to develop an Interchange along Highway 101 including additional Drainage Projects. We hired an appraiser to appraise our property and an attorney to handle the transaction of the sale. The Trinidad Rancheria staff went so far as to conduct an independent appraisal of our property in the approximate amount of \$287,000.00, but no offer was made. Later, we were told by staff that the Trinidad Rancheria was no longer interested in purchasing our property instead the Rancheria had decided to develop their Community Plan around the property they already owned.

In early 2011 we listed our property for sale with a local realtor in Trinidad, Ca. for \$300,000.00. The Trinidad Rancheria staff contacted our realtor in June of 2011 and requested information regarding our property (title report) and stated that the Rancheria was interested in purchasing our property. Our realtor provided the Rancheria with the information they requested. Later in September 2011 our realtor was contacted again by the Trinidad Rancheria staff to discuss our property, but no offer was made.

Instead of purchasing our property, the Trinidad Rancheria is using Humboldt County's General Plan update to gain jurisdiction over this parcel. The purpose is to implement the Rancheria's proposed projects outlined in their Community Plan. They have demonstrated through direct contact with myself, my immediate family and our realtor that they want this property, but are unwilling to pay for it. When attempting to purchase our land for an obscenely low price didn't work, they instead began tactics to bully and scare us off our land. Once that did not prove successful, they saw another way was to utilize a quieter method of manipulating the General Plan update. Our property is the only non-tribal fee land being proposed by the county to be designated Tribal Lands for the Trinidad Rancheria. As a Yurok Tribal Member I understand and support the County's commitment to collaborating with the local Tribes. I also understand the desire to honor the Trinidad Rancheria's Land Use Plans and Policy. However, the County has an obligation to protect the rights of private property owners as well. To let the General Plan update be manipulated in this way is disturbing. I sincerely hope you take the decision you are faced with seriously, as this is a decision that will cost me hundreds of thousands of dollars.

The Trinidad Rancheria has had ample opportunity to purchase the parcel in question. In fact, it is currently available for purchase. I strongly request the Humboldt County Board of Supervisors do not vote in a manner that will allow the misuse of this effort to collaborate with the Trinidad Rancheria. I am requesting the Board of Supervisors postpone their vote on this issue, and allow the county's staff time to better address the rights of private property owners in this proposed land designation. Furthermore, 5<sup>th</sup> District County Supervisor Ryan Sundberg was a Trinidad Rancheria Council Member during the years of events stated above and should abstain from voting over my parcel in particular due to conflict of interest.

Thank you,

  
Kelly Lindgren