



## INTERIOR BOARD OF INDIAN APPEALS

Anne (Nancy) Crawford-Hall v. Pacific Regional Director, Bureau of Indian Affairs

60 IBIA 44 (02/26/2015)



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
801 NORTH QUINCY STREET  
SUITE 300  
ARLINGTON, VA 22203

ANNE (NANCY) CRAWFORD-HALL,	)	Order Docketing and Dismissing
Appellant,	)	Appeal
	)	
v.	)	
	)	Docket No. IBIA 15-046
PACIFIC REGIONAL DIRECTOR,	)	
BUREAU OF INDIAN AFFAIRS,	)	
Appellee.	)	
	)	February 26, 2015

Anne (Nancy) Crawford-Hall, in her personal capacity and as authorized representative of San Lucas Ranch LLC, and Holy Cow Performances LLC (collectively Appellant), appealed to the Board of Indian Appeals (Board) from a Finding of No Significant Impact for the Proposed Santa Ynez Band of Chumash Indians Camp 4 Fee-To-Trust Project (FONSI), issued on October 17, 2014, by the Pacific Regional Director (Regional Director), Bureau of Indian Affairs (BIA). At the time the Regional Director issued the FONSI, BIA had pending before it a request from the Santa Ynez Band of Chumash Mission Indians (Tribe) for BIA to accept into trust for the Tribe approximately 1433 acres of land, known as the “Camp 4 Property,” located in Santa Barbara County, California. The Notice of Availability for the FONSI states that it is “a finding on environmental effects, not a decision to proceed with an action.” Notice of Appeal, Nov. 21, 2014, Ex. A. Upon receipt of the appeal, and in the absence of a decision by BIA on the Tribe’s request, the Board ordered briefing on (1) whether Appellant has standing to appeal the FONSI; (2) whether the FONSI constitutes “a final administrative action or decision” by BIA, within the meaning of 43 C.F.R. § 4.331; and (3) whether the appeal from the FONSI is ripe.

On December 24, 2014, subsequent to the filing of this appeal, the Regional Director issued a decision (Decision) to approve the Tribe’s request for the fee-to-trust acquisition for the Camp 4 Property. Appellant appealed to the Board from the Decision.<sup>1</sup>

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<sup>1</sup> On February 9, 2015, the Assistant Secretary – Indian Affairs assumed jurisdiction over Appellant’s appeal from the Decision, pursuant to 25 C.F.R. § 2.20(c).

In response to the Board's order, while disagreeing on whether this appeal should be dismissed for lack of standing, lack of final BIA action, or lack of ripeness, the parties agree that Appellant may raise her challenges to the FONSI or other environmental review process as part of her appeal from the Decision. The parties also agree that this appeal may be dismissed without prejudice to Appellant, and without a need to address the issues raised by the Board.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board docket and dismisses this appeal.

I concur:

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// original signed  
Steven K. Linscheid  
Chief Administrative Judge

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//original signed  
Thomas A. Blaser  
Administrative Judge