

From: [Jim Bray](#)
To: [CEO Redistricting RES](#)
Subject: Fwd: Redistricting Comment Letter
Date: Friday, November 12, 2021 8:29:22 PM
Attachments: [Latino Opposition to Communities of Interest Map 70305.pdf](#)

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-----Original Message-----

From: fromero@solutions-plus.net
To: Jim Bray <jimdenbray@verizon.net>; ctrosky@gmail.com
Sent: Fri, Nov 12, 2021 1:26 pm
Subject: FW: Redistricting Comment Letter

Dear Commissioners Bray & Trosky,

Please see the submittal below that was submitted prior to 5pm yesterday per the website & agenda guidelines. Due to Veteran's Day I was informed that this letter may not be submitted to the Commissioners timely. I wanted to be sure that all Commissioners received this in advance of today's meeting because nearly 100 Latino residents who business owners, authors of maps that have been submitted to this Commission, & are fully engaged in this process have signed this letter to inform your Commission of their desires & to ensure that their voices are considered in your on-going decision-making process & deliberations.

Thank you,

Frances

Cell 805.720.1120

Frances Romero

237 Town Center West #156

Santa Maria, CA 93458

From: fromero@solutions-plus.net <fromero@solutions-plus.net>
Sent: Thursday, November 11, 2021 11:19 AM
To: 'redistricting@countyofsb.org' <redistricting@countyofsb.org>
Cc: 'Glenn Morris' <glenn@santamaria.com>
Subject: Redistricting Comment Letter

Dear Chairperson Morris & Commissioners,

Please confirm receipt of the attached comment letter for your Commission's review & consideration.

Thank you for your service on this very important task.

Warm regards,

Frances

Cell 805.720.1120

Frances Romero

237 Town Center West #156

Santa Maria, CA 93458

November 11, 2021

BY ELECTRONIC MAIL

Mr. Glenn Morris, Chairperson
& Commissioners
Santa Barbara County Independent Redistricting Commission
Redistricting@countyofsb.org

Re: **A Community Letter In: (1) Objection To Proposed United Communities Plan Submitted By C.A.U.S.E (#70305) And Public Plan # 129**

Dear Chairperson Morris & Commissioners:

The undersigned – roughly 100 individuals and groups that represent a broad spectrum of citizens of Santa Barbara County – offer these comments on the publicly available Maps and Plans presented to the Commission. We have been participants and monitors of your Commission's efforts to carry out the task entrusted to you by Santa Barbara County voters to conduct a process leading to the adoption of Supervisorial Districts for the 2020-decade. Your task, as provided in Section 2-10.9A.(3) of Ordinance No. 51, the We Draw the Lines Ordinance, is to:

- (a) Proceed through an open, transparent and independent process enabling full public consideration of and comment on the drawing of district lines;
- (b) Draw district lines according to the redistricting criteria specified in the Federal Voting Rights Act of 1965, and the California Voting Rights Act of 2001, and specified in this article; and,
- (c) Conduct [your]selves with integrity and fairness.

You have arrived at the time to select the five plans submitted by the public for final review and determination, scheduled for December 8, 2021 and not later than December 15, 2021. One of the principal plans before you for consideration on November 12, 2021, includes the plan submitted by the Central Coast Alliance United for a Sustainable Economy (CAUSE (#70305) – the United Communities Plan).

The “United Communities Plan” and Public Plan 129 Dilute, Not Maximize, Latino Voting Opportunities and Should be Rejected

1. The “United Communities Plan”

The undersigned believe that the “United Communities Plan” fails to meet the broad requirements of the Federal Voting Rights Act and the California Voting Rights Act, and accordingly the Commission should not adopt that plan nor include it in the 5 plans you submit for further consideration on November 12, 2021 or future discussions.

The “United Communities Plan” in a nutshell, packs Latinos in the Cities of Santa Maria and Guadalupe and surrounding unincorporated areas into a single draft Supervisorial District #5, with an 83.5% Latino population and a 79.5% Latino Citizen Voting Age (“LCVAP”) population.

“Packing” minority voters into a district in order to reduce their influence (or even the opportunity to constitute a majority in other districts) is considered one of the cardinal gerrymandering techniques. (See, e.g., Brennan Center for Justice, “Gerrymandering Explained,” Aug. 10, 2021, < <https://www.brennancenter.org/our-work/research-reports/gerrymandering-explained> > [“Packing is the opposite of cracking: map drawers cram certain groups of voters into as few districts as possible. In these few districts, the “packed” groups are likely to elect their preferred candidates, but the groups’ voting strength is weakened everywhere else.”].

Such “packing gerrymander” plans often lay bare other violations of redistricting principles and inconsistencies with laws such as the Federal Voting Rights Act.

The “United Communities Plan” does not comply with section 2 of the Federal Voting Rights Act, which promotes the creation of majority minority districts where such districts can be drawn without violating other redistricting principles. Also, the “United Communities Plan” fails to draw districts most compliant with the Voters First Act in District #5 and others. For example, the “United Communities Plan” pairs the eastern portion of the Santa Ynez Valley including Solvang, Santa Ynez and Ballard with Montecito and Carpinteria, which do not share the same communities of interest. Similarly, it includes Isla Vista and UCSB in proposed District #3 and pairs it with portions of Lompoc with which those areas do not constitute a community of interest, and splits more [#] “places” (i.e., cities and other communities of interest] more often than other public plans.

2. Public Plan #129

Public Plan #129 shares many of the defects of the “United Communities Plan.” Like the United Communities Plan, Plan #129 packs Latinos in its Proposed District # 5, which contains 82% Latino residents and 63.8% LCVAP. In addition, Plan #129 places Cuyama in proposed District #1 with Carpinteria and Montecito, with which public testimony has unanimously panned as combining Cuyama’s rural and agricultural community with those high income and suburban communities that are completely unconnected and non-contiguous with Cuyama. Similarly, Plan #129 includes Isla Vista and UCSB in proposed District #3, and splits more [#] “places” (i.e., cities and other communities of interest] more often than other public plans.

Both Plans Fail to Comply With Federal and California Voting Rights Acts

Both the “United Communities Plan” and Public Plan #129 fail to comply with the Federal Voting Rights Act, section 2, by failing to draw two Latino majority districts that fully meet the three Gingles criteria, specifically, (1) the minority population must be large enough and compact enough to constitute a majority of citizen voting age population in a single member district; (2) the minority group must be politically cohesive; and (3) the majority population must normally vote as a bloc to defeat the minority’s preferred candidates. *Thornburg v. Gingles*, 478 U.S. 30, 47 (1986). All of these factors are present in Santa Barbara County. With respect to the third *Gingles* criterion, Santa Barbara County’s electoral history demonstrates the existence of “racial bloc voting” in which Latino voting opportunities have been impacted by “racial bloc voting.” See, e.g., *Ruiz v. City of Santa Maria*, 160 F.3d 543, 549 (C.A.9 (Cal.), 1998).

The Voters First Act also requires plans to comply with the California Voting Rights Act, which provides a special lens with which to assess compliance with *Gingles* in the context of racial block voting. “The Act also diverges from the federal Voting Rights Act in ways consistent with the Legislature’s intent to provide a broader cause of action for vote dilution than the federal law provides. (*Sanchez v. City of Modesto* (2006) 145 Cal.App.4th 660, 667.)” *Yumori-Kaku v. City of Santa Clara* (2020) 59 Cal.App.5th 365, 395.

Although this letter is not the occasion for a “searching examination of ‘racial bloc voting’” to establish the “totality of the circumstances” with respect to “racial bloc voting,” among the evidence supporting the history of racial bloc voting are the findings in the *Ruiz* case with respect to “racially polarized voting” history, and the settlements agreed to by the county’s two major cities, Santa Barbara in 2015 and Santa Maria in 2018, to convert from at-large to by-district council districting under the California Voting Rights Act. The claimants had alleged the cities were violating the California Voting Rights Act (CVRA) by continuing with at-large city council elections, with a history of racially polarized voting.

Conclusion

As Citizens of Santa Barbara County, Latinos, business owners, life-long residents, authors of maps submitted to this commission, and engaged participants; it is our hope that our voice is heard in this letter now, and throughout the remainder of this independent redistricting process.

Thank you for your time and consideration.

Sincerely,

Jose Valenzuela
Resident, Cuyama
District 1

Colleen Estrada
Resident, Santa Ynez
District 3

Claudia Hernandez
Resident, Guadalupe
District 3

Erik Vasquez
Resident, Santa Barbara
District 2

Julian Estrada
Resident, Santa Ynez
District 3

Angela Barriga
Resident, Guadalupe
District 3

Lupe Alvarez
Former Mayor, Guadalupe
District 3

Alejandro Madrigal
Resident, Guadalupe
District 3

Maria Ensico
Resident, Guadalupe
District 3

Frances Romero
Former Mayor, Guadalupe
District 3

Esperanza Baro
Resident, Guadalupe
District 3

Jaime Flores
Resident, Orcutt
District 4

Rickey Lara
Resident, Guadalupe
District 3

Josie Rivera
Resident, Guadalupe
District 3

Joseph Borjas
Resident/Business Owner
District 4

Tony Gonzalez
Resident, Orcutt
District 4

Carolina Camacho-Barbo
Resident, Orcutt
District 4

Jesus Chavez
Resident, Orcutt
District 4

Lauren Coffman
Resident, Orcutt
District 4

Ami Padilla
Resident, Orcutt
District 4

Mishila Garcia
Resident, Orcutt
District 4

Robert Garcia
Resident, Orcutt
District 4

Tony Padilla
Resident, Orcutt
District 4

Nancy Gonzales
Resident, Orcutt
District 4

Felix Esparza
Resident, Orcutt
District 4

Reese Padilla
Resident, Orcutt
District 4

Steven Gonzales
Resident, Orcutt
District 4

Benito Ariazaga
Resident, Orcutt
District 4

Valerie Padilla
Resident, Orcutt
District 4

Armando Colon
Resident, Orcutt
District 4

Edgar Gascon
Resident, Orcutt
District 4

Heather Rodriguez
Resident, Orcutt
District 4

Lauren Nunez
Resident, Orcutt
District 4

Kevin Guerro
Resident, Orcutt
District 4

Ismael Rodriguez
Resident, Orcutt
District 4

Dan Oliveras
Resident, Orcutt
District 4

Sam Pacheco
Resident, Orcutt
District 4

Ramon Alvarez
Resident, Orcutt
District 4

Christina Oliveras
Resident, Orcutt
District 4

Frank Morales
Resident, Orcutt
District 4

Vince Meza
Resident, Orcutt
District 4

Steven Funkhouser
Resident/Business Owner
District 5

Monica Zepeda
Resident, Orcutt
District 4

Anjanette Ordonez
Resident, Orcutt
District 4

Tom Martinez
Boys and Girls Club
District 5

Luz Elena
Resident, Orcutt
District 4

Daniel Chavez
Resident, Orcutt
District 4

Rafael Franco
Resident, Santa Maria
District 5

Angela Reynoso
Resident, Santa Maria
District 5

Juan Barajas
Resident, Santa Maria
District 5

Mark Hernandez
Resident, Santa Maria
District 5

Robert Reynoso, Jr.
Resident, Santa Maria
District 5

Nico Alfara
Resident, Santa Maria
District 5

Uriah Morales
Resident, Santa Maria
District 5

Ramon Elias
Resident, Santa Maria
District 5

Danny Hernandez
Resident, Santa Maria
District 5

Joe Razo
Resident, Santa Maria
District 5

Frank Perez
Resident, Santa Maria
District 5

Denise Hernandez
Resident, Santa Maria
District 5

Helen Razo
Resident, Santa Maria
District 5

Shilo Perez
Resident, Santa Maria
District 5

Caleb Hernandez
Resident, Santa Maria
District 5

Joe Perez
Resident, Santa Maria
District 5

Ruben Vega
Resident, Santa Maria
District 5

Evan Hernandez
Resident, Santa Maria
District 5

Jaime Sanchez
Resident, Santa Maria
District 5

Antonio Avalos
Resident, Santa Maria
District 5

Donna Rodriguez-Dart
Resident, Santa Maria
District 5

Jaime Macias
Resident, Santa Maria
District 5

Jesus Garcia
Resident, Santa Maria
District 5

Gloria Ramirez
Resident, Santa Maria
District 5

Gary Campos
Resident, Santa Maria
District 5

Kevin Garcie
Resident, Santa Maria
District 5

Ray Acosta
Resident, Santa Maria
District 5

Jennifer Campos
Resident, Santa Maria
District 5

Jose Gudino
Resident, Santa Maria
District 5

Jessica Castillo
Resident, Santa Maria
District 5

Angel Ibarra
Resident, Santa Maria
District 5

Cesar Garcia
Resident, Santa Maria
District 5

Martha Morales
Resident, Santa Maria
District 5

Jamar Tell
Resident, Santa Maria
District 5

Justine Rodriguez-Tell
Resident, Santa Maria
District 5

Annie Verdin-Thomas
Resident, Santa Maria
District 5

Rudy Correa
Resident, Santa Maria
District 5

James Thomas
Resident, Santa Maria
District 5

Jose Uriarta
Resident, Santa Maria
District 5

From: [Lindsey Baker](#)
To: [CEO Redistricting RES](#)
Subject: SBCIRC 2021 11 12 Public Comment
Date: Friday, November 12, 2021 10:37:04 AM
Attachments: [SBCIRC 2021 11 12 LWVSB letter.docx](#)

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Lindsey Baker
Director of Observer Corps
League of Women Voters Santa Barbara
805-705-7651

From: [Lindsey Baker](#)
To: [CEO Redistricting RES](#)
Subject: LWVSB resubmittal public commentPlease
Date: Friday, November 12, 2021 11:07:23 AM
Attachments: [SBCIRC 2021 11 12 re submittal.docx](#)

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Please accept this public comment instead of comment previously sent. Only difference additional banner. Thank you.

Lindsey Baker
Director of Observer Corps
League of Women Voters Santa Barbara
805-705-7651



November 10, 2021

Santa Barbara Citizen's Independent Redistricting Commission
County Executive Office
105 E. Anapamu Street, Suite 406
Santa Barbara, CA 93101
Via email: redistricting@countyofsb.org

SUBJECT: Request again that you operate in an open, public and transparent process

Dear Commissioners,

Since the start of the redistricting process the League of Women Voters of Santa Barbara (LWVSB) has urged your commission to act in an open, public and transparent manner. We continue to do so.

We have commented numerous times about the problems with the public being able to access accurate and useable data to use in the presentation of public maps. Today, the day before the deadline to submit maps, this is still the case. It is still impossible for many people to use the Maptitude program and the DistrictR program does not provide Citizens of Voting Age Population.¹ This information is critical to understanding how a proposed district boundary change will comply with the Voting Rights Act of 1965, and its broad remedial purpose of eliminating racial discrimination in voting.

¹ CVAP is the applicable measurement of a minority population for purposes of assessing a claimed violation of § 2 of the Voting Rights Act. *Romero v City of Pomona*, 883 F.2d 1418, 1425 (9th Cir. 1989), *abrogated on other grounds by Townsend v. Holman Consulting Corp.*, 914 F.2d 1136 (9th Cir. 1990). *Luna v. Cnty. Of Kern*, 291 F. Supp. 3d at 1011 n.6

The ability of your consultants can produce the information on maps that have been submitted is not a substitute for the public having access to this data when they are drawing their maps.

In the most recent Kern County federal voting rights Case *Luna v. County. of Kern*, 291 F. Supp. 3d 1088, 1101 (E.D. Cal. 2018), the Court noted that "... Maptitude was unable to load [available] citizenship data ..., including age, income, education, and citizenship, from a sample of the population. ... For this reason, [it] was unable to calculate the Citizens of Voting Age Population ("CVAP") of the County or any of the supervisorial districts therein."

We are baffled that the County's consultants have not provided this information to the public. We note that both Ventura and San Luis Obispo County use DistrictR, and has the CVAP easily available and understandable to the public.

Too, many members of the League of Women Voters and public are confused about the concept of "majority/minority" districts. We looked forward to the presentation by your voting rights expert at your last meeting, but this has been deferred. We are not aware if your consultants have prepared any type of racially polarized voting study. This type of data is critical to understanding and protecting the rights of minority voters.

We again urge you to operate in an open, public and transparent process, and provide the public with the information necessary to comment on draft maps. We also urge you to add as many additional meetings as necessary for you to give a full review of all the community drawn maps and defer any narrowing of options until all the public maps have been fully reviewed – along with the map drawer's reasons for the choices made.

The League of Women Voters was a strong advocate for the establishment of the independent Redistricting Commission, and we hope you are successful in creating fair maps for the County of Santa Barbara. It would be most unfortunate if the County or others had to petition the Superior Court to approve a map, or if a Commission-approved map is challenged in court.

We acknowledge the tremendous task you have ahead of you within a very short time period. We suggest that you consider adding additional meetings and possibly subcommittee meetings to allow you to thoroughly review and understand the choices available to you.

Sincerely,

Vijaya Jammalamadaka, President **LWVSB**

Lisa Thornhill, President, **LWVSMV**

From: [John Duncan](#)
To: [CEO Redistricting RES](#)
Cc: [John Duncan](#)
Subject: Comments Accompanying District R Map 80240
Date: Friday, November 12, 2021 11:12:06 AM

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Comments Accompanying District R Map 80240

This is the Final Revision of a series of revisions to District R Map 76847.

The comments I previously submitted for Map 76847 should be attached to this map along with the notation that Maps 80240, 80143, and 79829 are all minor revisions of map 76847.

Since those maps, and particularly 76847, have been posted to the public gallery longer, members of the public may be more familiar with them and the commission and the public should know that references to those maps also apply to this map.

This map has a 3.77 Total Deviation.

From: acaciola@aol.com
To: [CEO Redistricting RES](#)
Subject: Redistricting maps
Date: Friday, November 12, 2021 11:44:45 AM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear Commissioners,

I am a resident of the Santa Ynez Valley. I have been studying the "Draft Maps" for redistricting. I prefer the following maps in the following order;

1. 121
2. 407
3. 128
4. 401
5. 116
6. 118 (+ B and C)
7. 402

Thank you,

Angelo Caciola
2200 Hidden Hills Rd.
Ballard, CA 93463

From: [Sullivan Israel](#)
To: [CEO Redistricting RES](#)
Subject: Comment on Redistricting Maps
Date: Friday, November 12, 2021 1:05:41 PM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Hello. My name is Sullivan Israel and I am currently a Junior at a UC. I grew up in Santa Barbara, and went to SBCC for a semester.

I would just like to say that I think that maps 404 or 407 are the best options. These maps place UCSB and SBCC in the same district, which makes sense. They also put UCSB in the same district as most of Goleta and the City of Santa Barbara. This makes much more sense than the current map, in both an economic, social, and geographical sense. UCSB has little to do with the Santa Ynez Valley, especially when compared to Goleta and SB proper. Most students who don't live in Isla Vista live in Goleta or around SBCC. Most professors and staff of the university also live along the coast, not on the other side of the mountains.

Overall, Isla Vista, UCSB, and SBCC should be in the same district.

Thank you,

--Sullivan Israel

From: [Sullivan Israel](#)
To: [CEO Redistricting RES](#)
Subject: Comment on Maps
Date: Friday, November 12, 2021 1:07:38 PM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Hello. My name is Sullivan Israel and I am currently a Junior at a UC. I grew up in Santa Barbara, and went to SBCC for a semester.

I would just like to say that I think that maps 404 or 407 are the best options. These maps place UCSB and SBCC in the same district, which makes sense. They also put UCSB in the same district as most of Goleta and the City of Santa Barbara. This makes much more sense than the current map, in both an economic, social, and geographical sense. UCSB has little to do with the Santa Ynez Valley, especially when compared to Goleta and SB proper. Most students who don't live in Isla Vista live in Goleta or around SBCC. Most professors and staff of the university also live along the coast, not on the other side of the mountains.

Overall, Isla Vista, UCSB, and SBCC should be in the same district.

Thank you,

--Sullivan Israel

From: michelle@dewerdfamily.com
To: [CEO Redistricting RES](#)
Subject: FW: Redistricting - 3rd District, Mr. Kaseff and Mr. Bradley
Date: Friday, November 12, 2021 3:15:44 PM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

May I submit a public comment request for Agenda Item 5, for today's meeting November 12, 2021?

Thank you!

From: michelle@dewerdfamily.com <michelle@dewerdfamily.com>
Sent: Friday, November 12, 2021 12:15 PM
To: 'redistricting@countyofsb.org' <redistricting@countyofsb.org>
Subject: Redistricting - 3rd District, Mr. Kaseff and Mr. Bradley

Dear Citizens Independent Redistricting Commission,

As you state, your primary goal when developing election districts is to draw lines that respect neighborhoods, history, and geographical elements. I hope your commission will consider the boundaries for all neighborhoods.

District boundaries should be drawn to represent all communities best. For example, we have lived in Los Olivos, in the Santa Ynez Valley, zoned Agriculture, on Foxen Canyon Road for 21 years. We farm grapes, raise livestock including goats, chickens, pigs, and horses, and assist a 4-H high school student, providing pasture land to breed and raise his cattle.

We adore the bucolic, quiet setting and life that enjoys the close connections we have with our neighbors. We moved here to raise our two daughters, who attended schools in the Santa Ynez Valley since pre-school and now have the pleasure of the addition of our first grandchild.

I also serve as a Trustee for the Santa Barbara County Board of Education, representing District #4. To be clear, I speak for myself and not the County Board. The county schools are also going through a redistricting process. District schools are unique concerning their neighborhoods, communities, demographics, and geographical elements; for example, many school districts in my district are in rural communities and have significant issues with internet access.

Since we moved here, we could not comprehend why the third supervisory district boundary would include a densely populated college town?

How can our third district supervisor adequately represent the interests of the college town residents and students and the rural Santa Ynez Valley residents?

When I was in my twenties, I lived in the populated college town of Westwood while attending UCLA. I was a 20-year-old student. The issues related to my college town were significantly different than a rural neighborhood.

Common sense, I hope, will guide you to the conclusion that the current 3rd district boundary line that includes both the college town of Isla Vista and the rural Santa Ynez Valley does not respect communities of interest, history, or geographical elements.

I appreciate your consideration to realign boundaries that respects these three important Independent Commission goals.

All the best,

Michelle de Werd

Michelle de Werd
P.O. Box 277
Los Olivos, CA 93441
Cell (805) 350-0300
Home (805) 688-0553

From: [Gwat Bhattacharjie](#)
To: [CEO Redistricting RES](#)
Subject: Response to Redistricting of Santa Barbara County. My preference for the 400 series, preferably for #407.
Date: Friday, November 12, 2021 4:31:13 PM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

I am a 45 year resident of Santa Barbara County and have voted in every election. I am aghast that my District 1 has Cuyama thrown in which is rural, agricultural, with oil interests and is neither contiguous nor has common interests with the rest of the area. Such gerrymandering does not serve the interests of the population.

Now we have a rare chance to set boundaries that are thoughtful and will serve the population's interests more honestly and meaningfully. We have a large burgeoning transient student population in Santa Barbara at SBCC, and more specifically at UCSB. Geographically UCSB and SBCC are coastal institutions with young populations concentrated on enjoying what Santa Barbara has to offer. The young students at UCSB have very little common interests with the older, rural generation living inland with agricultural interests, a quieter, more family oriented lifestyle in the Santa Ynez valley and its surroundings.

Wouldn't it be logical to take the Isla Vista and UCSB communities out of District 3 and put the UCSB community closer to the SBCC community? I heartily recommend that you consider this wonderful opportunity to rectify a mismatch and arrive at a logical, more sensible solution! Thank you for your consideration!

Gwat Bhattacharjie

From: [John Duncan](#)
To: [CEO Redistricting RES](#)
Cc: [John Duncan](#)
Subject: Truncated Public Comment, Follow up
Date: Friday, November 12, 2021 5:18:01 PM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Commissioners,

Thanks for the opportunity to speak this afternoon. Because my comments were limited to two minutes I was unable to make an important point in my discussion regarding the Third District, where I have lived for 32 years.

Because the district is largely made up of small communities in the unincorporated area they must be connected to an urban population. Historically UCSB and Isla Vista have provided that population for numerous reasons which have been pointed out.

The alternative population that the Valley could be connected to, is Lompoc, but putting Lompoc in the Third District would dilute the influence of its minority population.

The current configuration of the Third District that includes the small communities surrounding Lompoc but not Lompoc itself, actually serves to concentrate and empower the minority vote in the Fourth District.

I have drawn a draft map that ceded that part of the Third District that lies west and northwest of Lompoc, from Guadalupe to Point Conception, to the Fourth District in exchange for the population of Lompoc to the Third. The result is that the Third District gobbles up Lompoc's minority vote and their influence is diminished.

I would also like to make a general comment regarding the danger of stereotyping our county's multi-faceted population and communities and dividing them based on those stereotypes.

It is both impossible and ill-advised to try and divide all renters from homeowners, all ranchers from students, all young people from the elderly, etc.. Our communities benefit from being multi-generational, rural and urban, agricultural and commercial.

Here in the Santa Ynez Valley, there are many renters who live on ranches, students young and old, farmers and businesses. The South Coast is similarly multi-dimensional.

Thank You for your consideration,
J. Lansing Duncan

From: [John Duncan](#)
To: [CEO Redistricting RES](#)
Subject: Draft Map Evaluation Incorrect
Date: Friday, November 12, 2021 5:40:38 PM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Commissioners,

I can now see where my District R map # 76847 was posted and renumbered #816.

There appears to be an error however in your evaluation of split places. You list 6 split places.

I see S.B, Goleta, Lompoc, Orcutt and Santa Maria. 5 split places.

This is consistent with the existing districts that I was careful to follow, and the addition of Orcutt.

If there is some miniscule overlap in another area, please inform me. I would be glad to remedy it.

Thank You,

J. L. Duncan

From: [Denice Spangler Adams](#)
To: [CEO Redistricting RES](#)
Cc: [Williams, Das](#); [Hart, Gregg](#); [Hartmann, Joan](#); [Lavagnino, Steve](#); [Nelson, Bob](#)
Subject: Public comment: request public display of maps in each community; map 404 keeps college students and renters together; who's in charge of Redistricting staff? CAO Mona or ??
Date: Friday, November 12, 2021 5:48:16 PM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Commissioners:

Keep UCSB, IV, Goleta together with SBCC. These students share much in common including one neighborhood: several SBCC students choose to live in IV. More non residents SBCC students are expected to move into IV. Do not put Santa Ynez valley in with UCSB, that's night and day incompatibility.

Please, after narrowing down the options from 110 maps, put on public display those remaining maps with accompanying comments from person or organization submitting the map along with public comments and demographics.

Elders like me cannot figure out zoom to access charts and graphics. Therefore, in-person meetings are essential.

Today's in-person meeting structure was not welcoming or structured for public input. It was staffed by only one technician and one interpreter at the distant conference table (so understaffed). I viewed the meeting hostile compared to the many public meetings I attend monthly, and have for the last 41 years here. No one was available to answer questions or give direction to the 5 community members who went to the cost and made time to attend. I had no idea who was in charge. However, I assumed the public is not wanted because this is staff driven exercised to provide visuals.

Lastly, the comment I heard from the masked male staffer advising the Commission was in clear violation of the Redistricting process, and law. The Constitution is clear: districts are determined by census data. Related SCOTUS rulings are clear.

You can require better of staff. There are more public meetings scheduled.

Thank you for your laborious work as volunteers. The four Commissioners attending today's meeting were each alert, attentive and making notes of comments. Some speakers were cut off others to ramble far beyond the 2-minutes allocated. H

Denice Spangler Adams
District 1 Resident, 41 years
CallDSA@gmail.com
805683939

From: [Peter Marcuse](#)
To: [CEO Redistricting RES](#)
Cc: [Jennifer Fitzgerald](#)
Subject: Re: Request made through the Santa Barbara Independent Redistricting Commission Contact Page
Date: Saturday, November 13, 2021 3:53:45 PM
Attachments: [Marcuse2020Chap17GerrymanderingToComandering.pdf](#)

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

To the Santa Barbara Redistricting Commission:

Attached is the published version of my proposal for redistricting to end partisan gerrymandering.

Peter Marcuse

On Wed, Nov 10, 2021 at 12:22 PM Jennifer Fitzgerald <jenf@tripepismith.com> wrote:

Mr. Marcuse, I would invite you to send your full proposal relative to “social mandering” to the official email address for the Santa Barbara Independent Redistricting Commission which is redistricting@countyofsb.org

Thank you, Jennifer Fitzgerald, Tripepi Smith

in: Andrea Kahn and Carol J. Burns (eds.), *Site Matters: Strategies for Uncertainty through Planning and Design* (New York: Routledge, 2020), pp. 252-266.

From Gerrymandering to Co-Mandering: Redrawing the Lines

Peter Marcuse

Gerrymandering – the partisan practice of drawing congressional district lines in ways that deliver a voting advantage to the majority party at the expense of the minority – is of paramount concern to our national politics. Since congressional districting structures electoral college voting, partisan influence on how these district lines get drawn effects the governance of our nation at every level. Essentially a spatial planning process, gerrymandering should be of particular concern to those who fix lines to determine land use. Yet few planning and design professionals are trained to consider how their work intersects with districting procedures and their wide-reaching social, economic, and political ramifications.

Established under the United States Constitution, congressional districting practices came under intense scrutiny following the 2016 presidential election and will do so again following the 2020 census. Heightened awareness of inequities resulting from the gerrymandering of districts has focused broader attention on redistricting, with an eye toward ensuring social justice. This essay goes beyond offering further critique of gerrymandering to recast redistricting as a constructive practice – one that concerned professionals from all fields, but importantly from the design profession, might actively participate in to effect positive change.

This essay argues that a process here called “*co-mandering*” – a democratic decision-making process involving committees with broad expertise, convened to insure the equitable layout and use of space – could progress from the grassroots level up, to address local districting issues and to ultimately impact national ones. Although the Supreme Court has largely washed its hands of the redistricting problem beyond considering the constitutional issue of one person one vote, recent state level decisions suggest that committee oversight may point the way forward. While still marred by partisanship, this development holds promise. More specifically for this essay’s audience, it presents opportunities for planners and designers to participate actively in securing social and economic justice through their work.

Districting as Line Drawing

Districting – the generic process of drawing lines to define spaces – occurs at multiple scales and for multiple purposes throughout the United States. Lines drawn to form discrete physical and conceptual entities compartmentalize land and its occupants in the service of a particular goal, such as the provision of a service or the structuring of a process. Districting grounds the social, economic, political, or environmental regulation of many forms of organized human activity and administration. Spaces large and small set aside for any of a variety of purposes, from high-rise construction to wildlife preserve, police precinct to transportation hub, constitute a *district*.

Ranking districts in a hierarchy of scale poses little challenge. Table 17.1. Coordinating activity among scales, however, can prove difficult. Boundaries frequently cross and districts lines overlap, simultaneously uniting and dividing constituents across jurisdictions formal and informal, public and private, legal, political, and social. In every instance, locating lines in space is a value-laden proposition. Decisions as to where these lines get drawn, who determines their location, what the resulting boundaries include (or exclude), and how the resulting area is used or serviced all have real-life consequences.

Districts defined as political and legal largely parallel each other in practice; state legislatures draw congressional district lines, for instance, while local legislative bodies subject to state-established rules draw zoning lines and establish permitted uses. Districts defined as service-oriented are drawn by diverse interest groups and professionals, taking into account a wide array of standards. Disparities are resolved through legal procedures established by a variety of entities (procedures not always well suited to address the particular goal to be accomplished). A whole body of law, known as Conflicts of Laws, deals with a complex subset of scale-level differences.

Table 17.1 Customary hierarchy of scales

Sites
Study areas
Areas of concern
Neighborhoods
Communities
Service districts
Municipal voting districts
Municipal (defined by land use regulations)
Municipalities (bounded as political entities)
State legislative and voting districts
Congressional districts
State voting districts
States (bounded as political entities)
Nation

Links among the hierarchies of scale and social value, however, are seldom recognized – or if they are, they are not generally dealt with directly. Instead, they are by and large handled discretely by professionals of disparate disciplines, each functioning under its own set of laws, standards, and measures.

Among those involved are urban and regional planners, urban designers, architects, social scientists, and environmentalists, who share a productive role in how districts are formed. Their work relating to spatial planning, urban development, redevelopment, infrastructure, and community building are instrumental in shaping the space – if not the boundaries – of any given district. And yet, while these professionals are trained to provide services that improve the quality of life and the environment in which they build, rarely are they focused on the political consequences of their work from a districting perspective – that is, how their planning or design respects or impinges upon, reifies or disrupts, the multiple existing district boundaries inscribed upon the site.

With an eye toward raising questions and suggesting further avenues for research across all scales of districting, this essay focuses on drawing lines at one particular scale – the congressional district. Whereas all lines that function as boundaries shape spaces, and all spaces shape communities, activities, and relationships, nowhere in this country do district lines have more pronounced political ramifications. The drawing of congressional district lines is an unavoidably political action, with the legitimacy of any boundary making it a logical magnet for local debate. But the partisan practice of drawing congressional district lines in ways that deliver a voting advantage to the majority party at the expense of the minority party – a practice known as *gerrymandering* – has raised concern to a national level. By examining this particular scale of districting, this essay hopes to insert the planning and design professions into the heart of a heated and highly consequential political debate.

A Brief Introduction to Gerrymandering

Gerrymandering is considered politically unfair because it uses line drawing around congressional voting districts to advantage one particular political party over another. In the United States, gerrymandering occurs most consequentially at the federal Congressional scale; it is less important at most other levels of government, since it applies only to “single member” and “winner-take-all” elections, rather than slates, panels, or multimember bodies. National electoral results in the Electoral College, which was established by the United States Constitution, are tabulated according to legislative districts determined by each individual state legislature. This opened the door to a process in which the members of political parties holding power set the size and boundaries of districts to their own partisan advantage.

If voting for state-level candidates happens statewide, rather than by district, Congressional district lines function only as a matter of convenience, enabling individual voters to know in which district their ballot will be counted. This means that ballots are effective statewide. If, however, ballots are effective by districts – that is, aggregated as

separate units to produce the state results – election results can turn out to be quite different. For example, if one party has a clear majority overall in a four-district state, but another party has a majority in a small area, one district might be drawn to encompass only that smaller area, giving the minority party one legislator. Using boundaries for partisan political purposes, as gerrymandering does, to manipulate electoral outcomes creates problems that go back ~~more than a~~ centuries.

The term *gerrymandering* has a long and interesting history. It originated in the early 19th century, the result of merging the surname of Elbridge Gerry, governor of Massachusetts, with the word *salamander*. It was coined to call out a perceived similarity in shape between the newly created voting district (felt to favor the governor's party) and the amphibian. A map, drawn while the governor was in office and first published in 1812 in the *Boston Globe*, depicts the salamander-shaped district as a dragon, replete with claws, wings, and fangs.¹ Since that time, US politicians have become notorious for mobilizing the practice of gerrymandering to increase concentrations of existing power and inequality. Donald Trump won the presidency in 2016, despite receiving only a minority of votes, because gerrymandering tipped several state legislative districts in his favor. Similarly, dozens of congressional seats were captured. Over time, countless public electoral decisions – concerning school districts, tax districts, transportation routes, sports activities, the allocation of public police and fire services, and the distribution of subsidies – have been influenced through gerrymandered voting; likewise nonelectoral decisions such as boundaries for specific land uses, in which Congressional district lines often play a role.

Many such decisions and outcomes end up being challenged in the courts; gerrymandering's history can thus be traced through this litigation. US Supreme Court treatment might suggest that the only significant consequence of gerrymandering is the unfair electoral advantage gained by one party over another. That is not the case. Gerrymandering raises many other issues concerning fairness and the prioritizing of values. Even a cursory examination of key Supreme Court decisions illuminates the complexity of this problem. Fairness is seen by the Supreme Court mainly as a problem of fairness in voting, with fairness defined simply as “one citizen, one vote” (1:1).

In reviewing cases involving gerrymandering, the courts have focused mainly on how the districting process may violate the one person, one vote rule, read into the US Constitution. But that reading of this rule is too simple; each voter may get one ballot, and each voter's ballot may be counted, but this is not enough. Does a voter in every district cast a vote that carries the same force as every other in the same district? The techniques used to give some voters a partisan advantage are nicknamed “cracking” and “packing.” Their purpose is to dilute the voting power of the opposing party's supporters by assigning them to districts in which they form a minority (49 percent or less); as a result, their votes will not have the power to change the overall outcome of an election. Alternatively, voters for one party can be “packed” into as many voter districts as possible to create a majority (51.1 percent) so that their votes will guarantee success in that district and will not be “wasted” in districts where that party holds a large majority.²



Figure 17.1 Natural and Political History of the Gerry-mander! In Two Chapters. Published circa 1820, this broadside reprinted the original 1812 newspaper article and cartoon illustrating the first use of the term **Gerry-mander**. Map reproduction courtesy of the Norman B. Leventhal Map & Education Center at the Boston Public Library.

(Courtesy of the Norman B. Leventhal Map & Education Center, Boston Public Library)

Gerrymandering gives the dominant party's voters maximal impact and the minority party's voters minimal impact. Ingenious but devastating, this process relies on statistical analysis of voter location to permit the drawing of lines to allocate each party's vote to the desired area. Sophisticated computer algorithms make it appear simple: relevant figures, entered into a computer, allow software to differentiate between the "effective" votes needed to produce the dominant party's overall majority and the "wasted votes" that opposition candidates may safely receive. Opposition voting blocks are cracked, and dominant voters are packed, geographically.³ Votes no longer have equal bearing on the election: they are of unequal significance.

The Supreme Court, after stating the 1:1 rule, has examined the particular boundaries presented in multiple legal cases to determine compliance. Of course, no set of boundaries will result in mathematically exact equality of voting power for

each individual, at least for long. Real life moves fast: populations shift, immigrants become naturalized, children come of age, people die. Even the most elaborate computer programs would need to constantly recalculate to account for such demographic change. Behind this practical issue, however, hides an ethical one: If gerrymandering is fundamentally unfair, should it ever be deployed as a tool in redistricting, a process designed to remove an unfair advantage? Gerrymandering gives more weight to votes cast by some voters than by others, leading some to argue that any plan will violate (at least to some small extent) the 1:1 constitutional requirement. It is for this reason that the courts, and ultimately the Supreme Court, have decided that *some* degree of leeway must be allowed for election officials to draw their district lines. While the courts generally agree on the need to question the effects of gerrymandering, cases vary widely in terms of what is considered unfair under the 1:1 rule.

In allowing exceptions to the 1:1 rule, courts also offer a variety of justifications. One of these involves intent. Lines explicitly drawn for partisan advantage are unacceptable. But proponents justify lines resulting in a deviation by appealing to other standards. For example, they may claim that the lines in question will result in more compact districts or improve access to voting locations or avoid crossing other jurisdictional or historically established lines. The Supreme Court's formulation that lines must be justified by an "overriding legitimate purpose" leaves its precise meaning open to interpretation, to be decided on a case-by-case basis. Also at issue is how much leeway can be considered allowable. While recent rulings suggest that a consensus of 5 percent variation from the desired 1:1 ratio is tolerable under most conditions, cases have gone back and forth on what constitutes an acceptable degree.

It is worth considering whether accepting some degree of inequality – by drawing somewhat unequal districts or favoring one set of values over another when drawing district lines – is inevitable. If so, can only a rigid rule such as 1:1, enforced by the courts, provide some limit or standard of fairness? What other rules could the Supreme Court possibly establish?

Facing endless possibilities, the courts continue to disagree on standards. Who should be empowered to draw district lines? Under what procedures should lines be drawn? What values should these lines reflect? Is intent actually relevant in accessing fairness? These questions have not yet been answered.⁴ In this context it is no wonder that the courts so often have difficulty passing judgment on the cases before them and frequently come to conflicting results. Court decisions are typically focused narrowly, limited to whatever particular facts justify an immediate decision. This leaves the underlying philosophical and public policy questions for later resolution, aided by the passage of time. One can have some sympathy with the courts.

The Forms of (Re)Districting

Where does this bring us? The process of laying out congressional districts is politically fraught. Regardless of intent, the drawing of lines is inherently and necessarily unfair. It thus follows that any set of lines will be considered unfair by some group or other. What

does not follow, however, is that all forms and degrees of unfairness, for all groups – rich or poor, black or white – are of equal concern within a democracy. Nor does it follow that all procedural approaches for defining boundaries of electoral districts are equally unfair. One can imagine a wide variety of forms of purposefully setting district lines – of “mandering” – that are not partisan *gerrymandering*.

Districting need not necessarily result in one party receiving an unfair advantage over another. This process could instead be viewed as an opportunity – to improve land-use patterns; to establish a social context for spatial planning at all levels of government; to inform, make transparent, and democratize public decision-making relative to issues such as the uses of free speech and free assembly; and even to raise fundamental questions about social and political values in a democracy. These opportunities extend well beyond the need to insure partisan neutrality.

Consider the many ways locally drawn lines for use in public decision-making have come to be created and used in the past, exclusive of gerrymandering:

- *Constitutional (re)districting*, a process by which electoral boundaries are changed with no purpose other than meeting the mandatory requirement of reestablishing district boundaries every ten years following the decennial census, subject to two agreed-upon constitutional requirements: that each district has approximately the same number of people and that each voter has an equal say with their vote (1:1)⁵
- *Redistricting*, by which existing divisions are changed for the sole purpose of enabling voters to most conveniently cast their ballots
- *Simple redistricting*, a process by which existing boundaries play a major role in assessing the appropriateness of new lines
- *Voluntary redistricting*, by which electoral district boundaries are changed to take into account demographic change (used specifically to reverse or adjust the effects of gerrymandering)
- *Natural districting*, by which district boundaries are established following some perceived “natural” or plausible topographic lines of territorial division (the opposite of gerrymandering)⁶

Other possibilities, while not currently in use, are worthy of consideration, if only to stimulate thought regarding the real purpose and effects of districting approaches:

- *Justlymandering*, a process by which lines focused on increasing social justice are drawn
- *Jennymandering*, by which lines are drawn with a feminist sensibility
- *Un-obamandering*, by which lines are drawn reflexively, deleting lines drawn under the Obama administration
- *Black or ethnicmandering*, perhaps *affirmativemandering*
- *Naturalmandering*, by which lines are drawn based on the location of natural geographic features
- *Marketmandering*, by which lines generated by market forces are simply accepted.

- *Affirmative gerrymandering*, as opposed to gerrymandering, a process favoring balance between opposing sides
- *Comishmandering*, by which district lines are drawn by a publicly appointed commission
- *Co-mandering*, a process by which a community-based, democratically developed, professionally informed group draws district lines through an open, participatory process to meet logical standards of fairness

Of the many alternatives to gerrymandering, *co-mandering* is presented here as the potentially fairest way of drawing lines in space to regulate its use. The term reflects ideal standards and decision-making processes while giving explicit recognition to power relations and vested interest. As a process, it holds great promise for accommodating the full range of relevant social, political, economic, and environmental values.

The Supreme Court has tangentially – indeed, gingerly – touched on a few other issues that might be allowed to be taken into consideration. But for the Court to formulate a remedy for gerrymandering, it must resolve many more issues. Listing those likely faced in any controversial districting process makes it apparent that most will also arise in any thoughtful planning or design process. These issues include the following:

Political neutrality: Other than in voting results, can we consider real-world nonpartisanship?

Diversity: By itself, diversity is an unhelpful abstraction. Is it diversity of ethnicity? Of class? Of age or experience? Is it diversity itself or the desirable scale of diversity with which we need to grapple? Is it diversity primarily in political interaction? Are we concerned with ordinary citizens talking to each other about issues of common concern? Or with local representatives talking to each other? Or with committees at different scales, formed for public or group discussion or to make recommendations? Or formal negotiations among officially constituted entities (e.g., zoning boards, police commissions, weather bureaus)? Can such diversity be achieved through districting procedures?

Solidarity and reinforcement of community: Community reinforcing actions have negative side effects. They neglect others who do not belong or are not in solidarity with the group. Even involuntary spatial clusters (e.g., ghettos) have some solidarity effects among some groups but can create hostility toward outsiders. Does formalization of the constitution of groups (e.g., registering, official recognition, incorporation) help? Or is community formation best left to purely informal action? Should there be formal regulations (e.g., prohibitions) against racial discrimination within these communities?

Political Consequences: The relationship between political boundaries and community boundaries can prove tricky. The way lines are drawn to determine political boundaries (e.g. voting, electioneering, locations for public gatherings and organizing) can influence the likelihood that a given

plan will meet with legislative approval. It can also have long-lasting effects on the political strengths and weaknesses of parties and groups.

Historical traditions: To what extent should different values (e.g., inequalities, ethnic and economic differences, ideological positions, historical experiences) be honored? Can standards be formulated for distinguishing among traditions, and if so, by whom and how should they be enforced?

Participation: To what extent should concepts of citizen participation, particularly at the local level, be integrated with setting spatial boundaries?

Communication: Techniques of communication and interpretation for conveying nuance, reinforcing or challenging stereotypes, or simply providing information can vary greatly. They also can produce very different results, some desirable (e.g., a fully informed citizenry, transparency in public affairs, appropriate outreach) and others less so (e.g., invasion of privacy, inequity).

This list contains only issues that arise if the Supreme Court confines itself to a 1:1 analysis. Each crosses disciplinary boundaries and critical value debates and calls out for further thought and research. All should be of concern to anyone struggling with aspects of planning sites, study areas, areas of interest, and any spatial-boundary-defining permitted, desired, or prohibited uses, and they merit the involvement of experienced planning and design professionals.

What else might then be considered? The right of assembly, for example? For the possibilities listed in Table 17.2, evidence of good faith and the absence of intent or partisan motivation would be a prerequisite.

The National Council of State Legislators has prepared a widely respected list of standards appropriate for use in legislative redistricting, including a set seen as constitutionally mandated. It has also made its own recommendations. While largely overlapping with those cited previously as currently in use by the courts, these include two standards of major interest for our purposes: the preservation of communities of interest, and the preservation of existing political communities.⁷ These standards may refer to the simple, practical necessities for any efficient voting system (e.g., accessibility of polling places, letting voters know where to find their polling location, making intuitive sense in relation to other known lines and borders, and building on existing infrastructure).⁸ They may refer to the simple, practical, political necessity of finding criteria that could meet with majority approval and permit enactment into law (e.g., reinforcing a role for major political parties, avoiding contests between incumbents). Alternatively, such standards may implement the core of democratic decision-making, whether based on constitutional provisions relating to democratic governance or court decisions having that concern (e.g., 1:1). Adopting language like *communities of interest*, *political communities*, and *preservation* could open the door to co-mandering. But first we must ask, what is implied by using the concept of community in this context? And why speak of existing political communities?⁹ Phrased this way, it may seem that using the term *political* aims to preserve existing distributions of power. This would include gerrymandering (as it is explicitly designed to preserve the power of those already politically dominant),

Table 17.2 Further desirable rules for districting lines, limiting the 1:1 rule

Less than 10% de minimis threshold required for 1:1 equality
Justification by the State for any deviation from full equality of the given percentage
"As nearly as is practicable," one person's vote in a congressional election is worth as much as another's
Compactness of district boundaries
Respect for municipal boundaries
Preservation of the cores of prior districts
Rectification of adverse impacts on minority groups
Avoidance of bizarre shapes
Approval of a legitimate public commission
Following of topographic lines
Respect for the practical requirements of running an election
Avoidance of contests between incumbents
Responsiveness to ballot initiatives
Preservation of counties and other political subdivisions
Avoidance of crossing county, city, town, or other political subdivision boundaries
Good faith efforts to draw districts of equal population
Evidence of political neutrality, non-partisanship
Use of total population rather than just eligible voters

and no respectable organization, politically partisan or not, would want to be seen as defending gerrymandering.

The language of preserving political *communities* can also be understood as speaking to the wishes of voters rather than those of political organizations. Further, this could include preserving communities of voters of political parties not currently in power – communities of losers as well as of winners. In the context of concerns about gerrymandering, *communities* presumably refers to areas – such as neighborhoods of a city or regions of a state – where the residents have common political interests that do not necessarily coincide with the boundaries of a political subdivision (such as a city or county) and may or may not mean the existing leadership of a two-party system.

And what of the phrase “preservation of communities of interest?” Invoking communities here introduces another set of values and concepts; it suggests the drawing of lines as an instrument for achieving goals other than efficiency or democracy. “Communities” can encompass groups of many kinds – ethnic origin, language, occupation, sexual preference, aesthetics, historical ties, recreational priorities, age, immigration status – each vital to a full definition of democracy but not normally recognized in any formal legal way. Beyond that, and central to the argument put forward here, “preservation of communities of interest” suggests a proactive role for line-drawing during redistricting, not to simply reflect preset values or effectuate preset goals but instead to establish a process whereby goals and values can be debated and set.

Solutions

By setting standards that should be met when delineating a voting district, co-mandering has the potential to rationalize and democratize the planning and decision-making process for governments and citizens. By their location – the boundaries they produce and the communities they recognize, create, or reinforce – redistricting lines affect what happens on the ground in communities. Line-drawing helps define our communities. And yet, thus far, planning professionals have largely remained absent from line-drawing processes. Involving planners in redistricting debates would be a healthy move. Not only would it expand the contribution of planning beyond its conventional concerns, it would also improve the logic of the gentrification debates by introducing into them the experience and knowledge of planning.

Imagine transforming the redistricting process to make it part of a routine governmental process concerned with effective planning. Deployed this way, redistricting could support the complex set of values of society as whole, not just the value (albeit an essential one) that each voter has an equally effective vote. *Co-mandering*, in this sense, refers to planning for the use of space in all communities, without discrimination, using the best of accumulated experience and research transparently to create “a more perfect union” – one that indeed best serves the entire community and each of its members equally.

One possibility regarding the business of drawing district lines is to delegate and help empower commissions to undertake that task. Typically, legislatures appoint commissions, and legislative work involves neither the judicial branch of government nor the executive. This leaves open the standards that should be applied in establishing a commission to undertake line-drawing tasks. Who should sit on such commissions? How should qualified members be selected? What qualifications should be required? What interests should be represented? How much power should be given to these bodies? How are the results to be judged?

Finding answers to these fundamental questions is extremely difficult. Neither the historical record of such commissions nor the existing theoretical debate about their tasks and functioning is very extensive. Even the National Conference of State Legislators, otherwise so helpful, says little on the topic. That said, civil society groups, professionals, and activists – those experienced in dealing with the use of space generally, as well as the planning processes for making decisions about space in the public interest – should be affirmatively engaged in the process. Planners in particular, already wrestling with these questions at the various scales outlined at the beginning of this essay, should be called upon to contribute to the public discussion. Planners should be informing communities and interest groups of all kinds about how their interests could be represented in the process of co-mandering, clarifying what difference drawing lines at this location or that would make. Commissions’ work should be part of the regular process of redistricting, which is after all a spatial process at its core, but at the same time a critical social and political and economic and environmental process.

Co-mandering should be seen as a matter for participants in or concerned with the existing formal processes of planning – spatial and land use and social and

formal planning – to help define and implement democratically decided decisions regarding the use of space in our society.

The gerrymandering of voting districts is at heart planning, but it represents a very undesirable way of doing it.

So how could the line-drawing that underlies gerrymandering be used generally to promote positive planning, from sites to congressional districts?

The Supreme Court – having limited its role in the process to a simple review of whether plans meet the 1:1 rule as it interprets it and having bypassed efforts to explore other standards for either constitutionality or fairness – is of little help. The formation of citizen's commissions, implementing publicly made decisions in coordination with the tools of redistricting for social purposes, represents the best way to go to implement co-mandering and avoid partisan gerrymandering.

Recently, state court decisions in a number of states have ruled on the constitutionality of redistricting maps, with arguments invoking the First to the Fourteenth Amendments. The most general rule to emerge seems to be one used in an Ohio case, where the judges adopted three criteria: whether map drafters intended to hobble their opponents, whether they succeeded, and whether there was any other justification for the maps having been drawn as they were. Concluding that the maps failed all three tests, "opponents" for that purpose were considered the disadvantaged political party. Nothing was said of the consequences if the map failed only one criterion. Nor was any attention paid to possible other justifications to support the map as drawn, despite its constitutional problems.

Following these general rules, the courts have required the party drawing the challenged unconstitutional map – typically a state legislature – to prepare and submit to the court a map that would meet the constitutional standards, avoiding embedding partisan advantage to one or the other of the major US political parties. Where the responsible party, presumably the state legislature, was unable to agree on such a map, courts have required that it set up a commission to establish appropriate boundaries. In at least one case, the court has itself set up a district-drawing commission.¹⁰ In Ohio, voters adopted a ballot initiative that required a new plan to pass both House and Senate by a 50 percent majority. If they fail to agree on a constitutional map, a commission draws the maps.¹¹

Such court-dominated resolutions of the issue of gerrymandering have two fatal flaws and present a major missed opportunity. The first, an obsession with partisanship, derives from the assumption that the only defect of gerrymandered district lines is that they create a partisan advantage for one of two existing political parties over the other, with partisanship defined as the interests of the Democratic or the Republican Party. Bipartisanship is not political neutrality; it legitimates the two dominant political parties.

It might further be noted, perhaps with a bit of tongue in cheek, that the reliance on the participation of *the* Republican Party and *the* Democratic Party, in some of the legal formulations of remedies in play today, is very questionable. Whether either party represents a coherent unitary ideological entity speaking even for all of its own members, in this day and age, is dubious. Nor is the exclusion of other parties logically

defensible. That is further reason to question the appropriateness of spelling out the individual private political entities entitled to be involved in any decision-making as to the acceptability of particular district lines.

The only other defect recognized by the court is the implication of redistricting on race. If a plan favors blacks over whites, this is also not allowed, usually with particular reference to the Voting Rights Act or the Thirteenth Amendment. If, however, a plan unfairly benefits one class over another, one religion over another, one historical claim over another, or provides an environmental advantage to one group over another, that defect finds no place in the court's discussion. We should ask: To what extent are such advantages justified?

The second flaw in the recent resolutions related to gerrymandering involves the limited remedial powers of courts where unconstitutionality is found. Court orders only apply to the defendants directly subject to court order in the particular lawsuit. That will often be the very legislature that adopted the gerrymandered map. Those defendants are not likely to be broadly concerned with how the legal flaws found in the gerrymandered map are achieved. And the courts, even if they wished, will have no authority to order, for instance, a city planning commission to prepare alternate maps, nor to hold public hearings on such alternatives. Nor is it clear that a court would have the necessary power to order the legislature to pass any legislation it might find desirable to implement the court's decisions. Calling the issues political rather than legal is a way a court recognizes its limitations.

Passing the buck to commissions, presumably neutral but actually more simply ~~bi-partisan~~, retains the political party obsession and lets representatives of the Democratic and Republican Parties make decisions that ought to be fully part of an open democratic process. Even in dealing with partisanship, that concept remains narrowly limited. Typically, as in the Ohio initiative, the commission is to be composed of the governor, two other state officials, and two Democratic and two Republican lawmakers, surely a very constrained definition of what *neutral* means in a vibrant democracy¹² and possibly an inappropriate delegation of powers.

A Missed Opportunity

A new redistricting plan could use the tools of redistricting to positive ends, seeing it as part of a public planning process pursuing social ends with democratic means, relying both on expert advice and on open public participation in the actual drawing of preferred redistricted lines. Approaching it like a jigsaw puzzle, such a plan might proceed from design of the pieces to design of the whole. The constitutional requirement of setting districting lines for the boundaries of congressional voting could be used to great public benefit. It could be undertaken, in a manner of speaking, from the inside out. One could begin by considering just what we want to do with the multiple sites that comprise the general territory subject to redistricting. Perhaps we could discuss the existing space of the region and decide what we want to have happen in that space. Starting within the smallest scale – that of the available sites where changes

are desired – we could plan new development or modifications to existing ones. Then we could put those pieces together and, working outward, construct the picture at the congressional district scale.

The process would be complex, of course. But the tools with which it could be undertaken are known, and there are well-established professions that have extensive experience with them, from architecture and the design of structures to environmental evaluations of different uses of land, to economic growth assessments and social cost evaluations of alternative proposals, to tying together the multiple goals and potentials in various combinations through the well-developed processes of planning, already existing at multiple scales in addition to that of the congressional district.

The difference between playing with a jigsaw puzzle and solving real-world planning issues is that in the real world, the puzzle pieces are far more complex and three-dimensional. We have the power to determine the shape of each individual piece ourselves. Each piece, each decision we make will influence the size and nature of each other piece, from the smallest legal lot to the largest urban development site, perhaps even ultimately extending beyond the boundaries of city and state to affect nations. What we do will then determine the whole picture – the livability of the whole planet – once the pieces are all in place.

So what might the next step be? Perhaps it would be to concretize, both in practice and in theory, a process of co-mandering, of forming the organizations and the legal forms of planning for sites at the most local level and for coordinating their work at increasingly higher levels; of making decisions as to distributing control and, yes, power over the nature and forms of development of land and its uses to give maximum democratic control, including the power to implement what is decided over the process of drawing lines in space and in law; of implementing a cooperative process of pursuing goals that are publicly and openly and continuously debated. Perhaps we could use the opportunity presented by the obligation to redistrict as the lever to explore the best means of implementing a process of co-mandering, thereby turning gerrymandering on its head and remaking it into a process for social good, instead of private or partisan advantage, while at the same time tackling its implications for the distribution of power that must be an inseparable part of the process.

Co-mandering instead of gerrymandering is a daunting challenge indeed, but one worthy of our efforts.

Notes

- 1 Erick Trickey, "Where Did the Term 'Gerrymander' Come From?" *Smithsonian Magazine*, 20 July 2017, <https://www.smithsonianmag.com/history/where-did-term-gerrymander-come-180964118/>.
- 2 For more, see Trickey, "Where Did the Term 'Gerrymander' Come From?"
- 3 On cracking, see <https://en.wikipedia.org/wiki/Gerrymandering>. On algorithms, see Emily Moon, "Can Algorithms Put a Stop to Partisan Gerrymandering?," *Pacific Standard*, 4 October 2017, <https://psmag.com/news/can-algorithms-put-a-stop-to-partisan-gerrymandering>.

- 4 For an excellent overview of the court's decisions, see <http://www.ncsl.org/research/redistricting/redistricting-and-the-supreme-court-the-most-significant-cases.aspx>. For a critical discussion, see <https://www.brennancenter.org/analysis/7-things-know-about-redistricting>.
- 5 See <https://www.brennancenter.org/analysis/7-things-know-about-redistricting>.
- 6 See Trickey, "Where Did the Term 'Gerrymander' Come From?"
- 7 The National Conference of State Legislators; see <http://www.ncsl.org/research/redistricting/redistricting-criteria.aspx>.
- 8 It might be tempting to claim that locating polling to facilitate interaction among communities of voters might encourage discussion of common interests in politics, but that argument is dead on arrival, since in the majority of cases electioneering is specifically forbidden within a specified distance of polling places.
- 9 It is not clear why they are singled out for preservation. Perhaps the suggestion may help the legislators' recommendation to be taken seriously in actual political practice, where the key decision ultimately will be made.
- 10 In November 2018, a three-judge panel of the US Court of Appeals for the Fourth Circuit demanded that the state of Maryland redraw its congressional district map due to unacceptable partisan gerrymandering. Writing for the majority of the panel and joined by District Judge George L. Russell III, Circuit Judge Paul V. Niemeyer wrote, "When political considerations are taken into account to an extreme degree, the public perceives an abuse of the democratic process." See <https://www.baltimoresun.com/opinion/op-ed/bs-ed-op-1115-congressional-districts-20181114-story.html>.
- 11 See [https://ballotpedia.org/Ohio_Issue_1,_Congressional_Redistricting_Procedures_Amendment_\(May_2018\)](https://ballotpedia.org/Ohio_Issue_1,_Congressional_Redistricting_Procedures_Amendment_(May_2018)). For other instances of voters attacking gerrymandering but still adopting remedies suffering from both these flaws, see https://www.washingtonpost.com/national/voters-are-stripping-partisan-redistricting-power-from-politicians-in-anti-gerrymandering-efforts/2018/11/07/2a239a5e-e1d9-11e8-b759-3d88a5ce9e19_story.html?utm_term=.d56d008d6b25.
- 12 In California's well-regarded Voters First Act, Proposition 11, the membership of the commission is required to be made up of 14 members: five Democrats (see [https://en.wikipedia.org/wiki/Democratic_Party_\(United_States\)](https://en.wikipedia.org/wiki/Democratic_Party_(United_States))), five Republicans (see [https://en.wikipedia.org/wiki/Republican_Party_\(United_States\)](https://en.wikipedia.org/wiki/Republican_Party_(United_States))), and four from neither major party. It would be important to review exactly who the parties are that are the defendants and directly subject to the judgments of the court in the recent cases, those who are obligated by the court to take action to execute the courts' judgments.

From: [Susan Bott](#)
To: [CEO Redistricting RES](#)
Subject: Redistricting of Santa Ynez Valley, Third District
Date: Sunday, November 14, 2021 11:15:52 AM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

November 14, 2021

Dear Santa Barbara County Redistricting Commission,

We are very much concerned that redistricting could change the Santa Ynez Valley for the foreseeable future. We here in the SY Valley may have our differences about some issues, but we all identify with each other as valley residents.

We do not feel such a connection with the larger cities throughout the county. The rural nature of the Santa Ynez Valley is precious to us and we want to keep that identity in the future.

With your selection of the supervisorial districts our fate is in your hands. Please maintain the Santa Ynez Valley and the Third District as close to its present configuration as possible. We feel Map #816 will accomplish that goal. Thank you.

Sincerely,

Susan and Bob Bott

susanbott@aol.com

160 Willow Drive

Solvang, CA 93463

(805) 708-6337

From: [John Duncan](#)
To: [CEO Redistricting RES](#)
Cc: [John Duncan](#); [Daniel Phillips](#)
Subject: Public Comment and Request for Map Amendment by Staff
Date: Sunday, November 14, 2021 11:30:29 AM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear Commissioners,

11/14/21

Many members of the public have gone to great pains to take part in the redistricting process. Understanding the criteria used for redistricting, exploring and mastering the software provided, and directing citizen submittals to the right place at the right time, have all been challenging, to say the least.

Some of the information necessary to draw accurate maps has only just become available to the public. I have found Maptitude impossible to use and informed your commission of that circumstance a month ago. Although I have been able to draw maps on DistrictR it does not have Citizen Voting Age Population for us to access and the Data Layers are extremely limited. It will show the existing Supervisorial District boundaries but not the City Limits or boundaries of townships and areas that the consultants have told you must be considered.

The boundaries of these 27 "Places" that we must avoid splitting have only just been superimposed over our DistrictR maps. Some of them are exceedingly counterintuitive. Although I was a Santa Barbara County Planning Commissioner for more than five years I would never expect to find that the "Eastern Goleta Valley" extended as far east as Hope Avenue in San Roque and beyond.

I did not intentionally cross this boundary with my delineation of the First and Second Districts in Map 816 and I am perfectly willing to revise my map to reduce the number of split areas it incorporates. But I am told it is too late to do so. This is an example of how the current process has placed an undue burden on the public without the ability to revise maps based on preliminary review. As other members of the public have commented, a process that incorporated early analysis and feedback would have made much more sense.

Dr. Phillips has informed me however, that I can request that your commission ask the demographers to amend the draft so that the First District does not spillover into the "Eastern Goleta Valley" and the map no longer "splits" the "Eastern Goleta Valley." This would place all of the "Eastern Goleta Valley" within District Two. I respectfully request that you ask the demographers to do so, and extend that request to encompass my "Final" map (DistrictR Map #80240).

This taboo technicality that my draft violates points out the need for your commission to exercise discretion when relying solely on hard and fast criteria that may not be meaningful in specific situations. Obviously, there is a need to balance numerous criteria when considering a task as challenging as the one you face. I am concerned that your extremely busy timeline that necessitates reviewing many maps in a very short period of time, is not adequate to do so.

Finally, I would note that the current Supervisorial District map shows District One spilling into the "Eastern Goleta Valley" in this area but I have never heard anyone complain about it. Perhaps, because it is hard to split the "Eastern Goleta Valley" when you are in San Roque.

Thank you for your consideration and continuing efforts.

J. Lansing Duncan

Solvang

From: [Barbara & Marty](#)
To: [CEO Redistricting RES](#)
Subject: redistricting
Date: Sunday, November 14, 2021 12:53:24 PM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

This is a letter to let you know that to consider dividing Santa Ynez Valley in a redistricting plan would be very unfortunate-

I would also like to remind you that all mayors have not given their blessings to such a plan-

There is political motivation that exists-

Barbara and Marty Goldstein

From: [Nancy Emerson](#)
To: [CEO Redistricting RES](#)
Subject: WE Watch letter regarding Third District and redistricting
Date: Sunday, November 14, 2021 1:30:33 PM
Attachments: [Redistricting Commission111521.docx](#)

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear staff,

Please forward the attached letter from WE Watch, a land use organization focused on the Santa Ynez Valley, to the Redistricting Commission for its consideration.

Thank you,

Nancy Emerson

WE Watch, P.O Box 830, Solvang CA93464



November 15, 2021

TO: Santa Barbara County Redistricting Commission
FROM: WE WATCH, Nancy Emerson, President
RE: Third District

Thank you, Redistricting Commission. You are facing a daunting task between now and Dec. 8. WE Watch represents Santa Ynez Valley residents who have protected the beauty and environment of our Valley for thirty years. We have worked with third district supervisors from both political parties during this time, who lived in our Valley and represented us and the whole county well. We do not agree with those who say the Valley has been disenfranchised.

When one looks at the agreed upon size of a SB County district - 88,000-90,000 - the Santa Ynez Valley's population could not be a district by itself. But it is a community of interest, meaning that those who live here really love this rural valley and want to protect it. It is a unique geographical region with a shared history and watershed and deserves to remain together.

More than other parts of the County, our valley shares economic dependence on tourists, who come for wine, recreation and small town/rural charm. Even though residents do not always share the same solutions for the problems, we share Concerns about the same issues, often unique to our Valley.

Our Valley should not be divided because some political interests would sacrifice it to their own ends. Please evaluate redistricting plans keeping in mind our request that our valley not be divided or placed with urban communities where we would be an afterthought to those who do not sympathize with or understand our concern for preserving our rural environment. Please disrupt the third district as little as possible.

From: [Sharyne Merritt](#)
To: [CEO Redistricting RES](#)
Subject: map selection
Date: Sunday, November 14, 2021 3:45:36 PM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear members of the redistricting committee,

First, thank you for taking this on. This is indeed an act of love for the county on your part

For me, there are too many maps to open and evaluate, but I would like to offer the following goals as you look at them:

- 1 there should be 2 north county seats and 2 south county seats
- 2 Santa Ynez valley should remain intact from Lake Cachuma through Lompoc, Vandenberg Village, Mission hills (speciality crops (cannabis, wine) tourism
- 3 Guadalupe should be in one of the 2 north county districts (more in common w Santa Maria than SYValley)
- 4 UCSB should be in one of the 2 south county districts

That's a lot and I personally was not able to draw a map that accomplished it, but I hope you can keep these criteria in mind

Thank you for your service and for allowing me to comment

Sharyne Merritt
Buellton, CA

From: [E Thornton Caris](#)
To: [CEO Redistricting RES](#)
Cc: [Eileen Caris](#)
Subject: Redistricting
Date: Sunday, November 14, 2021 5:48:50 PM

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

To: County Redistricting Committee

From: Eileen Thornton Caris, Santa Ynez Valley resident

Date: November 14, 2021

To All Committee Members,

When evaluating the redistricting plans, please keep in mind the request that the Santa Ynez Valley not be divided or placed within urban communities where we would be an afterthought to those who do not sympathize with, or understand, our concern for preserving our rural environment. Please disrupt the 3rd district as little as possible.

We want to protect the beauty and unique environment of our valley where tourism, wine, recreation, and small town rural charm are of utmost importance to our residents.

Sincerely,

Eileen Thornton Caris
Santa Ynez Valley resident
We Watch/Protect Our Valley member

Sent from my iPad

From: [Teresa McNeil MacLean](#)
To: [CEO Redistricting RES](#)
Subject: Letter regarding redistricting maps
Date: Sunday, November 14, 2021 6:51:34 PM
Attachments: [TMcMac letter re SBCo Redistricting Maps.docx](#)

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

re: Santa Barbara County Redistricting

To whom it may concern:

I have lived in Santa Barbara County since 1976 and am an almost 40-year resident of Santa Ynez. I have worked in the arts (independently and through Arts Outreach), for the SBCo Library System, and with local environmental organizations, throughout those years & throughout the Santa Ynez Valley and surrounding areas. Having viewed the proposed redistricting maps, my response is that I believe it would be a terrible mistake to place sections of the Santa Ynez Valley in separate districts in order to balance population numbers, or satisfy a few residents. My preferred map is #816. The Valley should remain intact. I would like to make two supporting, related points:

1. The 5 distinct communities of the Santa Ynez Valley, incorporated cities and unincorporated townships, that have grown up together over the past 140+ years along the Santa Ynez River watershed: Santa Ynez, Los Olivos, Buellton, Solvang & Ballard (and also, in a longer, wider view, far-flung Los Alamos, Lompoc, 2 historic once-populated Missions, several historic once-populated indigenous villages, and the Chumash Reservation), share history and a history of certain shared values regarding the SYV's unique rural beauty, history, and life on, and with, this land with its unusual geology visible in hills and ridges that separate us from the rest of the County. Our agriculture, recreation and tourist economies require that we value these aspects of our environment. An example of shared values is the discord and jarring sense of inappropriateness most of us feel when multi-story buildings, common in more urban places the County, are considered here, or when high intensity and unnecessary urban lighting is applied along our semi-rural roadways or in new developments, blinding us and hiding the natural lighting from our night skies, or when lofty rooflines hide daytime views of the hills and big sky that I've marveled at since we built our house here 40 years ago. Our 5 distinct communities have out of necessity worked together for many years to try to solve mutual problems, and to try to balance our need for cautious growth and economic health with our shared natural resources and the need for aesthetic and life-enhancing offerings this Valley provides and will continue to provide only with care and careful oversight, working together.

2. Visuals matter. The redistricting project maps ignore the historic interconnection of the distinct SYV communities by use of almost impossible to see pale grids denoting, and as the only indicator of, the unincorporated townships' locations. Our very few ingress/egress roadways that also make clear our interdependence, are also difficult to see. And although all creeks are well-identified on the maps, neither the existing 3rd District map nor the proposed redistricting maps show the name of the river that allowed and encouraged the settling of the SYV and its communities in the first place, except for one mention inside the blue depiction of Lake Cachuma where, as if 1953's Bradbury Dam didn't exist, one can find "The Santa Ynez River."

Sincerely,
Teresa McNeil MacLean,
Santa Ynez

To: redistricting@countyofsb.org

From: Teresa McNeil MacLean <teresamcneilmaclean@gmail.com>

re: Santa Barbara County Redistricting Project & Maps

To whom it may concern:

I have lived in Santa Barbara County since 1976 and am an almost 40-year resident of Santa Ynez. I have worked in the arts (independently and through Arts Outreach), for the SBCo Library System, and with local environmental organizations throughout those years and throughout the Santa Ynez Valley and surrounding areas. Having viewed the proposed redistricting maps, my response is that I believe it would be a terrible mistake to place sections of the Santa Ynez Valley in separate districts in order to balance population numbers, or satisfy a few residents. My preferred map is #816. The Valley should remain intact. I would like to make two supporting, related points:

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Sincerely, Teresa McNeil MacLean, Santa Ynez