

TWENTY-NINE PALMS BAND OF MISSION INDIANS

RESOLUTION # 020504

Title: Resolution of Support for the Soboba Band of Luiseño Indians' Water and Land Rights Settlement Negotiations and Support for the Passage of Settlement Legislation

WHEREAS, the Twenty-Nine Palms Band of Mission Indians ("Tribe") is a Federally-recognized; and

WHEREAS, Tribe believes that it is important to protect and promote the tribal sovereign governmental rights, the cultural identity, and the interests of federally recognized tribes;

WHEREAS, the Soboba Band of Luiseño Indians (Soboba Tribe) has lived in the area alongside the San Jacinto River in California where their reservation now exists since long before the Spaniards first arrived in the vicinity in the 16th century; and

WHEREAS, the Soboba Tribe built the first irrigation ditch in the San Jacinto Valley, and when American settlers entered the valley in the 1860s, the Soboba Tribe possessed a self-sustaining agricultural economy, built upon the Tribe's rich water resources; and

WHEREAS, the Soboba Tribe's water supplies began disappearing when the newcomers diverted water from the San Jacinto River and built dams in upstream tributaries; and

WHEREAS, by the dawn of the 20th century there was starvation in what had been a lush region of grape vineyards, rows of melons, beans and corn, and extensive orchards of peaches, pears, apricots, and oranges; and

WHEREAS, in the 1930s the Metropolitan Water District of Southern California dug a 13-mile tunnel through the San Jacinto Mountains, about 3.5 miles northwest of the Soboba Tribe's reservation, which pierced underground faults and fractures in the mountains that damned large amounts of water underneath the reservation, causing groundwater to flood into the tunnel and causing the springs, creeks, and wells on the reservation to dry up; and

WHEREAS, in 1950 the Tribe sued the federal government in the Indian Claims Commission for failing to protect it from the effects of the San Jacinto tunnel, as well as from the groundwater pumping and upstream diversions of surface water that depleted the reservation's water resources; and

WHEREAS, the United States government settled the aforementioned lawsuit in 1991 and joined with the Tribe in attempting to negotiate an overall resolution of the reservation's water-related claims; and

WHEREAS, such negotiations involved the Eastern and Lake Hemet Municipal Water Districts, the Metropolitan Water District, the Department of Interior, and the Soboba Tribe; and

WHEREAS, the parties expect to finalize the terms of the settlement of the land and water claims by the end of 2003 and expect to introduce settlement legislation in the 108th Congress; and

WHEREAS, the terms of the settlement for the Soboba Tribe include: an adequate and secure future water supply; funds from local water districts for economic development; funds from the United States for water development; and 128 acres of replacement land for commercial development.

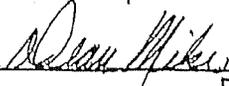
NOW THEREFORE BE IT RESOLVED, that the Tribe does hereby support the resolution of the ongoing negotiations between the Soboba Tribe, the Eastern and Lake Hemet Municipal Water Districts, the Metropolitan Water District, and the Department of Interior in order to reach a water and land settlement that is consistent with federal law; and

BE IT FURTHER RESOLVED that the Tribe encourages the full support of the settlement legislation by the Department of Interior and urges the passage by Congress of the Soboba Tribe's settlement legislation.

CERTIFICATION

The foregoing resolution was adopted by the General Council of the Twenty-Nine Palms Band of Mission Indians by a vote of 7 in favor and 0 opposed with 0 abstaining at a duly-noticed meeting of the General Council at which a quorum was present on February 5, 2004.

Chairman:



Dean Mike

Secretary-Treasurer:



Dineen Lane