



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #ABQ-03-023

### **Title: Support for the Soboba Band of Luiseno Indians' Water and Land Rights Settlement Negotiations and Support for the Passage of Settlement Legislation**

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**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, the Soboba Band of Luiseno 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 16<sup>th</sup> 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 20<sup>th</sup> 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 dammed 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 108<sup>th</sup> 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 NCAI does hereby support the ongoing negotiations between the Soboba Tribe, the Eastern, and Lake Hemet Municipal Water Districts, the Metropolitan Water District, and the Department of Interior for a water and land settlement that is consistent with federal law.

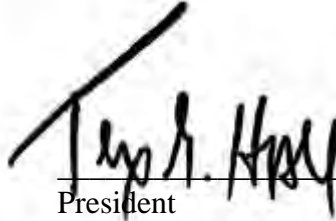
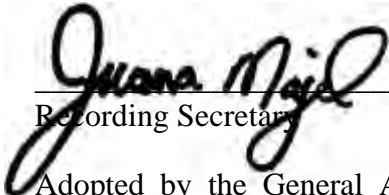
**BE IT FURTHER RESOLVED**, that the NCAI encourages the full support of the settlement legislation by the Department of Interior and urges the passage by Congress of the Soboba Tribe's settlement legislation.

**BE IT FURTHER RESOLVED**, that this resolution shall be the policy of NCAI until all terms of the Soboba Tribe's settlement legislation have been carried out.

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

The foregoing resolution was adopted at the 60<sup>th</sup> Annual Session of the National Congress of American Indians, held at the Albuquerque Convention Center, Albuquerque, New Mexico, on November 21, 2003 with a quorum present.

  
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President**ATTEST:**  
\_\_\_\_\_  
Recording Secretary

Adopted by the General Assembly during 60<sup>th</sup> Annual Session of the National Congress of American Indians, held in Albuquerque, New Mexico, from November 17-21, 2003.