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Soboba Indian Reporter

SOBOBA INDIAN REPORTER: ERNIE C. SALGADO JR., PUBLISHER/EDITOR

2017

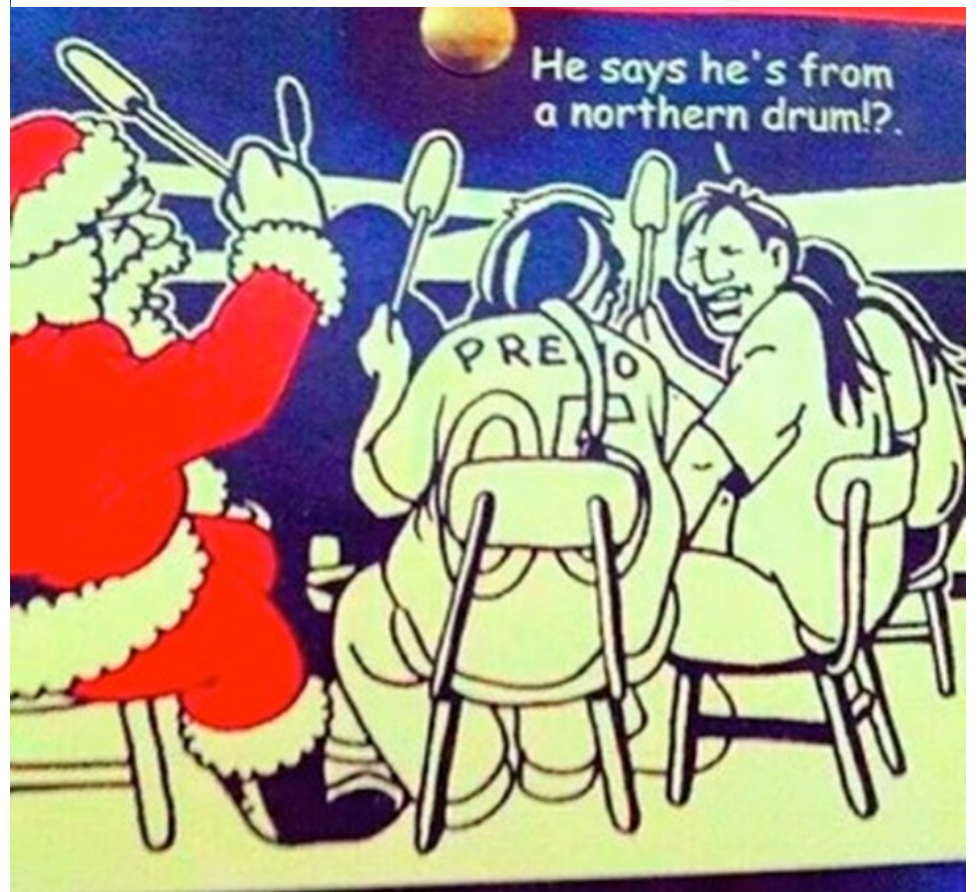


Happy New Year

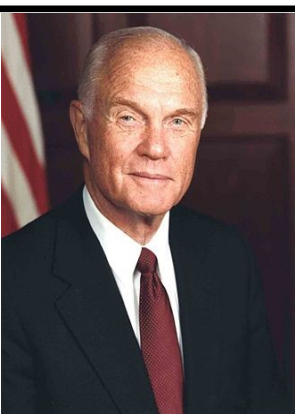
Happy New Year! It's that time of year again for us to wipe the slate clean and make all those promises to ourselves that we subconsciously know we have no intention on keeping. But it so much fun to eat all those See's Nuts and Chew or those Dark Milk Chocolates and lets not forget that extra serving of dressing or that sliver of pumpkin pie with a dash of whipped cream. No problem we got it covered with the New Year's resolution to drop that extra 30 pounds.

Here are some promises you Should Make & Keep.

- 1) Life is short so be kind to others, smile and enjoy Gods blessings.
- 2) Love your family and let them know you love them.
- 3) Hug your wife, husband or life partner everyday and don't forget your kids.
- 4) Call your parents (*If you're lucky to still have them*) everyday to let them know you are OK. Just because you are an adult going to college, working or have your own family you are still you parents babies.
- 5) If you drink don't over do it and don't drive if you drink.
- 6) Stay away from harmful drugs and people that use them.
- 7) Take responsibility for you actions.
- 8) Believe in God and in Jesus Crist our Lord sand Savior.
- 9) Stay informed
- 10) Protect our Sovereignty



PRESIDENT ELECT, TRUMP'S NATIVE AMERICAN COALITION



Former astronaut and U.S. Sen. John Glenn passed away on Dec. 8, 2016 at the age of 95.

He was a politicians, astronauts, educators and others repeatedly called him a hero with many mentioning the phrase that first sent him into orbit.

John Glenn Jr. was a famed Marine Corps aviator who was selected as one of the military test pilots for the American space program in the late 1950s and the 1960s.

Apart from being the first American to orbit Earth and the fifth person in space, he was a distinguished fighter pilot in both World War II and Korea. For his service in 149 combat missions in

two wars, he received numerous honors, including the Distinguished Flying Cross (six occasions) and the Air Medal with eighteen award stars.¹

John Herschel Glenn Jr. (July 18, 1921 – December 8, 2016) was an American aviator, engineer, astronaut, and United States Senator from Ohio.

In 1962 he became the first American to orbit the Earth, circling three times.



He was one of the "Mercury Seven" group of military test pilots selected in 1959 by NASA to become America's first astronauts. On February 20, 1962, Glenn flew the *Friendship 7* mission and became the first American to orbit the Earth and the

fifth person in space. Glenn received the Congressional Space Medal of Honor in 1978, and was inducted into the U.S. Astronaut Hall of Fame in 1990.

Glenn resigned from NASA in 1964 and announced plans to run for a U.S. Senate seat from Ohio. A member of the Democratic Party, he first won election to the Senate in 1974 where he served through January 3, 1999.

He retired from the Marine Corps in 1965, after twenty-three years in the military, with over fifteen medals and awards, including the NASA Distinguished Service Medal and the Congressional Space Medal of Honor.

In 1998, while still a sitting senator, he became the oldest person to fly in space, and the only one to fly in both the Mercury and Space Shuttle programs as crew member of the *Discovery* space shuttle.

He was also awarded the Presidential Medal of Freedom in 2012.

President elect, Donald J. Trump announce the formation of his Native American Coalition. These women and men are grassroots leaders and men are elected on relevant issues with the Native American tribal community.

The Chair of the Native American Coalition, U.S. Representative (R-OK) and tribal member of the Cherokee Nation, Markwayne Mullin, had this to say: "The daily flood of new federal regulations keep the Indian Country from becoming self-sufficient. Local tribal decisions, not federal bureaucrats, are the best way to improve our communities. As both an enrolled member of Cherokee Nation and a Member of Congress, I will stand with Donald Trump in supporting tribal sovereignty and reining in federal over-regulation."

Honorary Chair Fleming Begaye, Sr., one of American's revered Navajo Code Talkers, said, "Native Americans need a federal government that gets out of the way of small business. As an independent and a successful small businessman, I crossed the line this week and voted for Mr. Trump."

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"As a local elected official, I am outraged that Indian Country is prevented from harnessing our own energy resources by ever-increasing regulations." says New Mexico (R-NM) State Representative of the 4th District and tribal member of the Navajo Nation, Sharon Clachischillage. "The Trump Administration will ease restrictions on American energy reserves worth trillions of dollars. Together we will block the bureaucrats holding Native American businesses back and bring new jobs into our communities."

Ross Swimmer is the former Principal Chief of the Cherokee Nation and Special

cial Trustee for American Indians at DOJ: "Hillary Clinton's war on coal interferes with our sovereign right to develop energy on a new traffic cop so the federal government stops playing gatekeeper with Tribal economies."

Former Poarch Band of Creek Indian Chairman Eddie Tullis finished by saying: "Hillary Clinton favors union bosses over Tribal authority in labor matters. Instead, native communities should be treated like state governments when it comes to labor."

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SOUTHERN CALIFORNIA TRIBAL CHAIRMEN'S ASSOCIATION TO ATTEND TRUMP'S PRESIDENTIAL INAUGURATION

Several Southern California Tribal Chairmen will be attending the Presidential Inauguration in Washington D.C. on January 20, 2017. The Tribal delegation has also scheduled a private meeting with the President on January 24, 2017.

The Tribal Chairmen are planning to meet with Department of Interior and BIA officials during their visit to the Nations Capital.



Andrea



DISCLAIMER: Ernie C. Salgado Jr. The primary purpose of this newsletter is to provide tribal information to the general membership of the Soboba Band of Luiseno Indians. The *Soboba Indian Reporter* is based strictly on my humble opinion of the numerous tribal matters and issues. It is not intended to represent the views or positions of the Soboba Tribal Council or any individual member of the Council other than my own. As a private and personel newsletter it will be distributed at my own expense by U.S. mail, e mail and my websites. Any reproduction or posting of any data herein in any form or social media is strictly prohibited and any violation will be subject to legal action.



Soboba Indian Reporter



C.A.S.A. At Soboba



The undated Christmas photo above was provided by Charlene "Valenzuela" Ryan.

Mrs. Elizabeth "Elisa" Mojado is pictured with her granddaughter, Fawn Basquez, grandson, Richard "Dungee" Pachito and on the far left is Francis Pablo a neighborhood youth.

Mrs. Mojado and was the sister of Raphael Arrietta and Claudia "Arrietta" Mesa. She was the wife of Anthony Mojado Sr., a long time Tribal Chairman of the Soboba Band of Mission Indians as it was know before it was changes to the Soboba of Luiseno Indians. They had five (5) children, Marcus "Max" Mojado, Melinda Vega, Bernice "Bernie" Barones, Mary "Vita" Basquez ("Vita" was the mother of Fawn Basquez and Richard Pachito), and Anthony "Byer" Mojado Jr.

Mrs. Mojado was also a skilled basket maker.

Soboba Indian Reporter NOTICE

Effective February 1, 2017 due to the escalating cost of postage and handling we will no longer be able to provide the free mailing of the Soboba Indian Reporter. Our monthly mailing and cost has exceeded our financial limits.

The Soboba Indian Reporter will be available at your Tribal Office and other tribal outlets. (At No Cost) - On Line at the **Indian Reporter** web site (At No Cost)

The Soboba Indian Reporter can be e mailed to you if you provide us with your e mail address. (At No Cost)

Should you wish to have the Soboba Indian Reporter mailed to you by the U.S. Postal Service for the 2017 calendar year please send us a check in the amount of \$25 and make it payable to **Soboba Indian Reporter**. Please mail your check and the completed information form below to the

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WE WANT YOUR NEWS FOR THE

SOBOBA INDIAN REPORTER

KEYERA "FLORES" CAMERON SUPER BOWL BOUND

Keyera "Flores" Cameron a fourth grade student at Ramona Elementary in Hemet will represent the San Diego Chargers at the LI 51st Super Bowl in the girls 8-9 year old division of the Pass, Punt and Kick competition.

This is Keyera's second year in the competition. After not placing well in the 2016 Pass, Punt and Kick local competition her mother, Maria Flores contacted Bobby Salgado a friend of her late father.

After only a few month under the intense coaching

by Bobby her skills and attitude exceeded even his expectations. She is currently the top seeded in her division in the nation and a heavy favorite to win the National NFL 2017 Pass, Punt



and Kick contest at the Super Bowl in Houston, Texas on February 5, 2017.

Keyera is the daughter of Maria Flores and the granddaughter of the late Martin Flores a former football standout at San Jacinto High School in the early fifties.

Maria, a single mom said "it's just us two and I'm so proud of her." When asked about travel and lodging expenses Maria said, "The

Chargers pay for everything we just have to have our own spending money."

Go Keyera and bring home the bacon



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RONALD PHILIP ANDRADE

MAY 14, 1947 – DECEMBER 9, 2016



Ronald Philip Andrade was born on May 14, 1947 and began his Great Journey on December 9, 2016. Ronald, more affectionately known as “Ron” was first and foremost a dedicated father to his children, a politician, a philanthropist, and an American Indian activist. He was a member of the La Jolla Band of Luiseño Indians, where he also served as a member of the tribal council.

After graduating from Hueneme High School in 1965, Ron joined and served in the United States Marine Corps from 1965 to 1970 and further continued to serve as active duty for the reserves. After his service, Ron dedicated his entire working career to the advancement of American Indians across the country. In 1972, he, along with his older brother Daniel Andrade, started the San Diego Indian Center and began their own consulting firm in 1975.

Between 1977 and 1978, Ron served as the Executive Director of the San Francisco Indian Center. Between 1980 and 1983, Ron served as the Executive Director of the National Congress of American Indians. There, he worked with a variety of tribes including but not limited to the Lumbee Indians of North Carolina where he acted as a consultant to the tribal government as well as serving as a guest judge for their annual pageant.

For a year, in 1984, Ron served as Staff Assistant to the Assistant Secretary for Indian Affairs of the California Indian Task Force at the

Department of the Interior. From 1986 to 1987, he was an American Indian Affairs Specialist of the Equal Opportunity Office in the Department of Agriculture. In May 1988, Ron was appointed by President Ronald Reagan as a member of the National Advisory Council on Indian Education.

After these prestigious positions and appointments, Ron returned to California to begin and finish his career as the Executive Assistant of the Los Angeles City/County Native American Indian Commission, where he served for twenty years. There, he helped bring millions of dollars of needed resources into the Los Angeles American Indian community, served as a policy watchdog on issues ranging from Indian child welfare to sacred sites protection issues, and was a passionate and unwavering advocate for the community throughout the state and country.

Ron’s work has spanned decades and has had profound effect on the people he served. Ron is preceded in death by his daughter Nancy Andrea Cherie Andrade, his father Louis Andrade, his mother Annie Andrade, and his brothers Ernest Andrade and Daniel Andrade.

He is survived by his children: Ronda Thomas, Adrian Lowry, Gavin Lowry, Elizabeth Lowry, Stephanie Andrade, Emma Andrade, and Ronald Phillip Andrade, Jr “Paach,” as well as his brother Arthur Andrade, his sisters Rachel Yakel and Louise Andrade, and his grandchildren: Ryan Thomas, Tyler Thomas, Tory Thomas, Riley Thomas, Jolen Lowry, Jocelen Lowry, Julia Lowry, and Haylee Lowry, as well as a host of family, friends and relatives.

Visitation for Ron were held at Garcia Mortuary, 629 South A St., Oxnard, CA 93030, on Friday, December 16, 2016 from 4 pm to 10 pm.

NORTH SAN DIEGO INDIAN TRIBES END 65 –YEAR WATER RIGHTS BATTLE

North County San Diego County Tribal water rights dispute that had been stuck in federal court for decades was officially put to rest last week, along with part of an even older case.

The two settlements were included in a larger package of water resource and infrastructure legislation approved earlier this month by the House of Representatives and the Senate and signed by President Barack Obama.

One case involved a 1951 three-pronged lawsuit over water rights to the Santa Margarita River that at one time had nearly 7,000 defendants. Much of that case continues, but some

of the major players — including a handful of water districts and the Pechanga Band of Luiseno Indians — have reached a settlement covered by the legislation.

The other case involved a 1969 lawsuit accusing the United States, the Vista Irrigation District, and the city of Escondido of acting in the 1920s to illegally divert 90 percent of San Luis Rey River water to an aqueduct — even though five North County Indian tribes relied on the water to supply their lands. The water was stored at Lake Henshaw and the Warner Ranch basin and eventually transported via

Warner Ranch basin and eventually transported via canals and pipes to Vista and Escondido, making farming possible in far off valleys but leaving North County reservations mostly dry.

A settlement in that case was reached in 2014, but Congress wasn’t allowed to act after the Congressional Budget Office labeled the deal as having a fiscal impact because it would enable the tribes to fully deplete a fund created in the late 1980s that was specifically earmarked for ending the dispute. That was ironed out this year, with several amendments to the bill.

The big breakthrough in the 1969 suit came in the mid-to-late 2000s when parts of the All-American Canal and the Coachel-

la Canal — which both bring water from the Colorado River to parts of Southern California — were lined to stop about 100,000 acres feet of water from seeping into the ground each year. The first 16,000 acre feet of the captured water will be set aside for the tribes, under the 2014 settlement, to make up for the river water taken from them years ago. Because there’s no pipeline to carry water from the canal to tribal lands, the agreement allows the tribes to pull the water from the San Luis Rey and the canal water to offset that amount.

The settlement also requires the Vista Irrigation District and Escondido to share the costs of under grounding part of the canal that runs through the San Pasqual

reservation. Escondido City Attorney Jeff Epp, who has been involved in the litigation for the past 20 years, said it’s gratifying to see the case finished.

“It’s a great sense of accomplishment for everybody involved,” he said. “It resolves a long-standing problem and rights a wrong when the federal government gave away the water twice.

In 2014, when it appeared the settlement was about to be finalized, Rincon Tribal Chairman Bo Mazzetti said it was sad that virtually all the tribal leaders who started the fight to reclaim the water have since passed away.

“They didn’t get to see it finished,” he said. “That’s the greatest disappointment. On the other

hand, we finally got there. It’s been a long, long fight.”

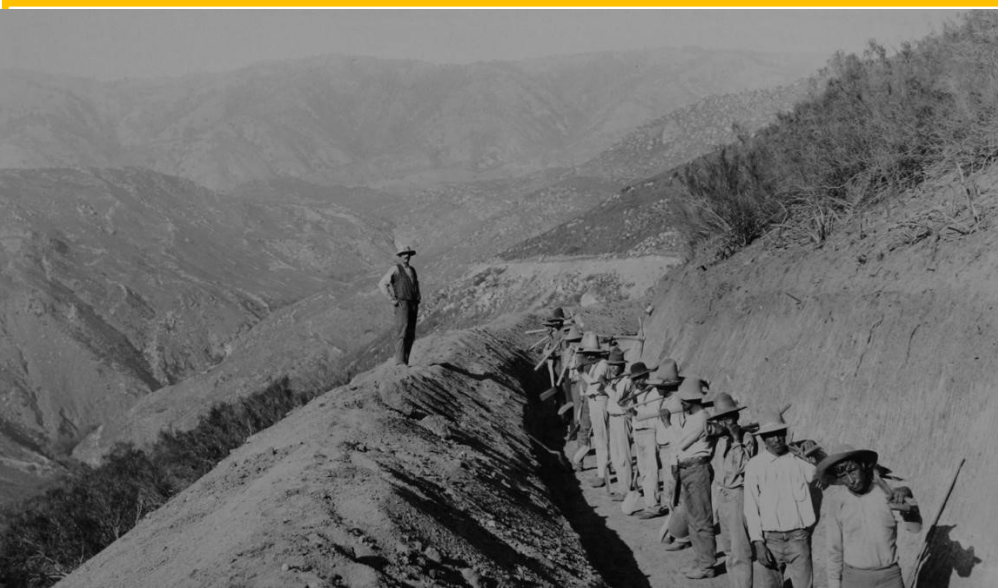
The other water dispute that was partially resolved last week had been going on since 1951, making it the oldest civil lawsuit in the county. Commonly referred to as “the Fallbrook case,” the 65-year-old lawsuit involves water rights to the Santa Margarita River. Though complicated beyond belief, the three-pronged case essentially deals with rights granted nearly a century ago to two large properties downstream — one of which became Camp Pendleton. The legislation included the Pechanga Band of Luiseno Indians Water Rights Settlement Act, which ratifies a settlement between Pechanga, the United States, the Rancho California

Water District, the Eastern Municipal Water District and Metropolitan Water District that was first reached in principle eight years ago.

“We are deeply thankful for the final passage of our water rights settlement,” said Pechanga Chairman Mark Macarro in a prepared statement. “Generations of tribal leaders have fought from the courts to Capitol Hill to protect this vital resource for future generations.”

U.S. Rep. Ken Calvert, R-Corona, said the settlement came after decades of litigation and collaborative deliberation” by all those involved. “I am proud to be participating in the process to bring a final solution to a long standing issue,” he said.

PECHANGA WINS WATER SETTLEMENT



Congress has approved a settlement agreement with the Pechanga Band of Luiseño Indians that protects the tribe’s access to groundwater in the region and provides the tribe with more than \$30 million in federal funding to pay for water storage projects.

The agreement — which took the form of legislation introduced by Rep. Ken Calvert, R-Corona — settles competing claims involving the Rancho California Water District and the Eastern Municipal Water District, which both draw from the large aquifer in the region that stretches 750 square miles from Southwest Riverside County to north San Diego County.

“It’s really good, just for certainty in the region as a whole,” said Meggan Valencia, spokeswoman for the Rancho California Water District, who added that the district has been working on the agreement for the last eight years.

In a release, Pechanga Chairman Mark Macarro said the tribe is “deeply thankful” for the final passage of settlement.

“Generations of tribal leaders have fought from the courts to Capitol Hill to protect this vital resource for future generations. Today, it is almost a reality,” Macarro said in the release.

Under the 1908 Indian Water Rights Settlement, the federal government pledged to provide sufficient water resources to tribes that were forced to live on reservations.

In recent years, as Southern California found the reliability of its water deliveries compromised by legal battles involving the Sacramento-San Joaquin Delta, the Pechanga tribe stepped up negotiations with Rancho Water and the Eastern Municipal Water District to hash out claims to groundwater in the Santa Margarita River basin.

Numerous legislators, including former U.S. Rep. Mary Bono, took a crack at a settle-

ment but those efforts failed, in part due to new requirements that called for extensive federal oversight of water rights settlements.

The federal funding in the agreement will be used to make sure Pechanga has physical access to water supplies roughly equal to the amount they were awarded in a mid-1960s federal court order called the Fallbrook Decree, which amounts to about 5,000 acre-feet of water a year.

An acre-foot of water equals 326,000 gallons, about the amount two families use in a typical year.

According to the Congressional Budget Office, the agreement would establish the Pechanga Settlement Fund and authorize the appropriation of about \$3 million to be deposited into the fund to construct a storage pond. The bill also would authorize the appropriation of about \$26 million, with about \$4 million in construction overrun costs, to build “interim and permanent capacity for water storage.”

In addition, Rancho will end up providing more water from the Wolf Valley Basin — the aquifer under the tribe’s land — and other sources, including imported water from the much larger Metropolitan Water District. In exchange for that water, money from the settlement fund will be tapped by Rancho to build the pipeline that will carry water from Metropolitan sources to the Pechanga reservation and reimburse the district for recycled -water ponds that have already been built.

“The Pechanga Band of Luiseño Indians, as well as all of the parties to this settlement, deserve to have some certainty on the future of their water supply,” Calvert said in a statement. “I’m grateful we have been able to enact the settlement and ensure all of the stakeholders in the Santa Margarita River Watershed can better shape their future.”

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Sources: Desart Sun



Agua Caliente Indian Water Rights Case Could Set National Precedent

Since May 14, 2013 the Agua Caliente tribe in Palm Springs has argues in the courts that it has a right to groundwater in the Coachella Valley. Their claim is supported by Stanford law professor Barton H. “Buzz” Thompson. Thompson explains how a federal court could soon resolve century-old uncertainties around the issue. The Agua Caliente tribe is pushing for a role in managing groundwater in the region, which has been severely depleted by decades of development.

In Palm Springs, one of the hottest regions in California, precious groundwater has been depleted for decades to build lush golf courses, swimming pools and tract homes. Now the local American Indian tribe is pressing for a right to help manage that water.



Jeff L. Grubbe, Agua Caliente Tribal Chairman

The Agua Caliente Band of Cahuilla Indians is one of the most prosperous tribes in the Nation. The tribe and individual tribal members owns most of the lands within the City of Palm Springs which is leased to developers and businesses. The tribe owns two casinos in the within the area.

The tribe has been buying water for decades from the two government water agencies that manage local groundwater, the Desert Water Agency and the Coachella Valley Water District.

In addition to assisting with the management of the Water the tribe wants to be able to tap into the aquifer itself and help manage it.

At a hearing in October 2016 before the Ninth U.S. Circuit Court, the tribe asserted it has a “**federally reserved**” right to directly access the region’s groundwater, even though it has never exercised that right in the past.

The tribe claims that the two water agencies have damaged the aquifer by depleting it for unsustainable building development and by importing saltier water from the Colorado River to replenish the ground water. The water agencies, in turn, warn ominously that if given a role in managing the groundwater, the tribe could use the water for any purpose it wants, even a water bottling operation, although the

tribe has not stated any particular plans for the water.

The case before the federal appeals court could set a national precedent for tribal access to groundwater. Remarkably, no federal court has ever ruled on the issue.



Barton H. “Buzz” Thompson

To help clarify the tribal legal Water Rights, Barton H. “Buzz” Thompson, an expert on water law, a professor of natural resources at Stanford Law School and a senior fellow at the Woods Institute for the Environment was consulted on the case.

Why is this case significant? Barton H. Thompson: This case is important because it will help clarify what water rights, if any, Indian tribes enjoy in groundwater as a matter of federal law. The federal government has held that Indian tribes enjoy federal rights – what are frequently known as **Winters rights** – to water for use on their reservations (*arising from Winters v. U.S., a 1908 Supreme Court case*). The federal government has also held that other federal reservations, like national parks or national forests, also enjoy a similar form of federal reserved water rights.

The Supreme Court has never explicitly addressed the question of whether any of those rights – either Winters rights or other forms of federally reserved water rights – apply to groundwater. And the states and lower courts have taken divergent positions on that question.

The Water Districts claim the tribe might somehow disrupt responsible management of the region’s groundwater. Is there any reason to be concerned about that? Barton H. Thompson: I have several thoughts on that. Indian tribes around the United States have frequently managed their water quite well. And if that is a concern, then the answer is for the federal government to ensure they have the resources to manage the groundwater effectively. **Legally speaking, does it matter if a tribe has never used its groundwater? Barton H.**

Thompson: No. Winters rights, as well as other federally reserved water rights, are not lost by failure to use it.

The doctrine of prior appropriation in Western states does have a use-it-or-lose-it provision. But that has never been an element of federally reserved water rights. Indian tribes always have the right to begin using federally reserved water, even if they have never used their water before.

law, they enjoyed superior rights to the Indian tribe.

The Supreme Court, however, said that the Indian tribes enjoyed federal rights. And again, those federal rights are superior to any state rights attained subsequent to creation of the reservation. So that permitted the Indian tribe to effectively take precedence over those state water-right holders who were objecting to the Indian tribes withdrawals of water from

al government does not have the authority to waive the tribe’s right. In fact, the federal government has a fiduciary obligation to represent the tribe and to support the tribe. So if the federal government did not protect tribes water rights, it could be sued by the tribe for violating its fiduciary obligations. (*Soboba is one tribe that sued and won.*)

I think we have very little sense of what positions the



The 36-hole Mountain Vista golf course in Palm Desert features expansive greens and lush water features.

A 2007 study by the U.S. Geological Survey showed that the entire Coachella Valley, including Palm Springs, Palm Desert and Indian Wells, had sunk by as much as a foot in some places due to groundwater overdraft. The Agua Caliente tribe now wants a role in managing the region’s groundwater.

What was the significance of Winters v. U.S. in 1908? Barton H. Thompson: In 1908 the U.S. Supreme Court decided by an 8–1 vote that when the federal government set aside reservations for Native American tribes, the federal government also implicitly reserved sufficient water to meet the needs of those reservations.

The tribal “Winters rights” are superior to any and all state-recognized water rights that arose subsequent to the creation of the Indian reservation.

The Winters case dealt with the Fort Belknap Reservation in northern Montana. The Indian tribe had decided to begin new agriculture operations – specifically, growing sugar beets. But there were other water users who claimed state water rights and who were senior to the date when the Indian tribe began to develop its new agricultural system. So those water rights holders claimed that as a matter of state

the river.

It’s interesting that the government, and the Supreme Court, recognized this Indian right to water so early on. Is that because water is essential to life? Barton H. Thompson: I think there were two things that strongly motivated the Supreme Court in the Winters case. The first thing was the recognition that a lot of Indian reservations are useless without water. And so if, in fact, Indian tribes want to develop viable economies, they need water to do it.

The second thing is that I think motivated them is that federal **treaties with Indians are meant to be interpreted in ways which are favorable to the Indian tribes.** And if you stop to ask the question, when Indian tribes agreed to give up large territories in favor of the reservation to which they were relegated, is it really reasonable to assume they gave up the water that was necessary to utilize those reservations? If you stop to think about that, you almost inevitably have to conclude that the tribes would not have given up the water necessary to use those reservations.

Will the change in presidential administration have any influence on this case? Barton H. Thompson: I think that it is unlikely to have any bearing on the case. Because the water rights is the right of the Indian tribe, not the federal government. So the feder-

Trump administration will take with respect to Native American rights. I could easily imagine the Trump administration could be quite supportive of Native American reservations that are interested in developing their natural resources.

I’m thinking specifically of the Crow Reservation in Montana. The Crow Nation has been very interested in developing its coal resources. It seems unlikely that a Clinton administration would have been particularly receptive to the Crow Nation’s interest in developing its coal, because of concerns about climate change. One can imagine the Trump administration being actively helpful to the Crow Nation.

The other thing I would say is, Native American nations are not monolithic in what they want to do, or in their position on various issues. So again, it’s very difficult to think about how President-elect Trump, who is a New Yorker, may approach various Native American issues. I know he has had some experience with Native American nations in connection with gambling casinos. There he probably viewed the Native American nations as competitors. But how he would view a case like this is just, I think, impossible to predict.



Officers of Agua Caliente Band of Cahuilla Indians Tribal Council is pictured on the right.

The Agua Caliente (*Hot Water*) tribe is one of the most progressive tribes in the nation. The majority of the lands the City of Palms Springs is located is owned and leased by the tribe or by individual tribal members. The tribal also has two gaming casinos and resort hotels in the area.



Jeff L. Grubbe
Chairman



Larry N. Olinger
Vice- Chairman



Vincent Gonzalez III
Secretary/Treasurer



Anthony Andreas III
Member



Reid D. Milanovich
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Mark the Dates you Don't want to Be Late!



Soboba Tribal Chairman, Scott Cozart joins with other community leaders in Hemet earlier this week to honor members of our armed



My View—Your View

Ernie C. Salgado Jr

PALA TRIBAL COUNCIL STOPS LANDFILL



Gregory Canyon. Photo: NRDC

A propose landfill project in San Diego County near the Pala Indian Reservation was set side when Robert Smith, Pala Tribal Chairman announced that the Pala Band of Mission Indians is buying part of the land the project that had been designated to be used. The land purchase ends a decades-long fight to protect one of the most ecologically sensitive and culturally important places in the region, including the waters of the San Luis Rey River.

“Gregory Canyon was never a good place for a dump.” Smith told reporters. “A landfill on this beautiful, undeveloped lands near our reservation would have desecrated Native American sacred sites, created traffic hazards, put the local waters at risk, and destroyed threatened and endangered species' habitat.” He added

Gregory Canyon is located adjacent to the Pala Band of Mission Indians reservation, and drains into the San Luis Rey River. The watershed supports critical drinking water sources for thousands of residents and businesses in San Diego County. The proposed landfill site included Gregory Mountain and Medicine Rock, places where the Pala Band and other Luiseno people have prayed and held sacred rituals for hundreds of years.

The proposed landfill would have been threatened the canyon's coastal sage scrublands and woodlands are home to several endangered species and other wildlife, including golden eagles, the endangered southwestern arroyo toad, and the threatened California gnatcatcher.

The Pala Tribal Council and a broad and tireless coalition of San Diego County residents, environmental groups like the NRDC, river advocates and elected officials challenged the Army Corps of Engineers' permit, testified at packed publichearings, and filed a lawsuit to en-

force CEQA review of the landfill's potential greenhouse gas emissions. Tribal Water Rights is currently under siege throughout the Nation by the very Government Agency that is charged with protecting them. Currently Standing Rock in North Dakota is another example of the Army Corp of Engineers and the Environments Protection Agencies disregard for Tribal Water Rights.



Protest at a June 2010 Army Corps of Engineers public hearing (Photo NRDC)

And that's why we are celebrating this announcement as a huge win—a win for the region's sacred Native American sites, a win for San Diego Counties critical sources of drinking water, and a win for the endangered species that call Gregory Canyon home.

This article was originally published by NRDC. Damon Nagami is Senior Attorney and Director of the Southern California Ecosystems Project at the Natural Resources Defense Council.



Photo by NRDC of Gregory Canyon opponents at a February 2013 Army Corps of Engineers public hearing. Robert Smith, Pala Tribal Chairman second from left.

TRIBAL SOVEREIGNTY

Tribal Sovereignty is the U.S. Governments recognition of the power of the a Tribal governments to govern itself. United States Treaties are the agreements between the Tribes and the U.S. Government that granted peace, alliances, trade, and land rights between the two Governments.

Tribal governments used treaties to confirm and retain such rights as the sovereign right of self-government, fishing and hunting rights and jurisdictional rights over their lands. Treaties did not, as is commonly assumed, grant rights to Indians from the United States. Tribes ceded certain rights to the United States and reserved rights they never forfeited.

Tribal sovereignty preceded the development of the United States Constitution. The framers of the Constitution specifically recognized the sovereignty of Indian tribes in Article I, section 8, clause 3 which identified Congress as the governmental branch authorized to regulate commerce with "foreign nations, among the several states, and with the

Indian tribes."

The Supreme Court has repeatedly recognized tribal sovereignty in court decisions for more than 160 years. In what is known as the "**Marshall Trilogy**," the Supreme Court established the doctrinal basis for interpreting federal Indian law and defining tribal sovereignty.

Three bedrock principles resulted from the 19th Century court decisions that continue today to guide the Supreme Court in its interpretation of the respective rights of the federal government, the states, and the tribes:

- (1) by virtue of aboriginal political and territorial status, Indian tribes possessed certain incidents of preexisting sovereignty;
- (2) such sovereignty was subject to diminution or elimination by the United States, by not by the individual states; and
- (3) the tribes' limited inherent sovereignty and their corresponding dependency on the United States for protection imposed on the latter trust responsibility.

DON'T DRINK AND DRIVE!

SENATORS TO PROTECT ILLEGAL IMMIGRANTS AS THE CONSTITUTIONAL & HUMAN RIGHTS OF THE AMERICAN INDIANS ARE IGNORED AT STANDING ROCK, NORTH DAKOTA.

It is January 2017 and it has been over fifty-years since Martin Luther King led Black people to victory for equal rights and we even have the first black President of the United States. But in North Dakota it may as well be 1717 as the American Indians protecting their drinking water from chemical poisoning are set upon with trained guard dogs, baseball bats, water hosed in below freezing weather, shot with rubber bullets, concussion grenades, spread with tear gas, arrested and jailed in dog cages, stripped naked both men and women and left in jail cells. And if that's not enough law enforcement is now refusing to allow Red Cross to provide medical aid and people bringing supplies and provisions are stopped from entering the area. Yet, not one peep nothing from any of the 100 U.S. Senators or the 435 Representatives except North Dakota U.S. Senator John Hoeven supporting the pipeline on the Senate floor and condemning the Water Protectors and the 2,000 American veterans that joined the protest in early December, calling them "Imposters".



But a bipartisan group of senators is now seeking to protect young undocumented immigrants, known as DACA, by extending the illegal status granted to them under Barack Obama's executive action, Deferred Action for Childhood Arrivals program, better known as DACA, that has granted temporary permits to more than 740,000 young undocumented immigrants.

Although, "DACA" is unconstitutional and at some point it needs to go away, preferably because it's been replaced by legislation," Rubio said. "*We don't have anything in the works right now.*"

On Monday, February 16, 2015, almost two year ago Judge Andrew S. Hanen of the US District Court for the Southern District of Texas, Brownsville Division issued a preliminary injunction to temporarily prevent the federal government from implementing the Deferred Action for Parental Accountability (DAPA) and the expanded Deferred Action for Childhood Arrivals (DACA) programs. And on June 23, 2016 the United States of America Supreme Court vote 4-4 in *United States v. Texas*. The tie vote means that decisions by lower courts that temporarily blocked DAPA and DACA+ from being implemented remain in effect.

(NOTE: Usually there are nine Supreme Court justices, but currently there are only eight. Since Justice Antonin Scalia died earlier this year, Senate Republicans have refused to hold confirmation proceedings for Merrick Garland, the man President Obama nominated to fill the vacant position.)

Since Donald Trump's victory in the U.S. presidential election, undocumented immigrants who came to the country as children have feared they might be forced back into the shadows under the incoming administration. Although Trump said shortly

after his election that he will focus on deporting criminals, the president-elect has not walked back his pledge to rescind DACA. Immigration advocates have expressed concern that Trump's administration might use the existing federal list of DACA beneficiaries – which contains their personal information – to deport them.

Senators Lindsey Graham (R) and Dick Durbin (D) said they are crafting legislation to send a message to the president-elect, who made a hardline approach to immigration a centerpiece of his campaign and vowed to repeal Obama's 2012 directive on the first day of his presidency.

Graham (R) and Dick Durbin (D) were key members of a bipartisan group, known as the "Gang of Eight", who crafted a comprehensive immigration reform bill in 2013 that included a pathway to citizenship for the roughly 11 million undocumented immigrants living in the US. The legislation overwhelmingly cleared the Senate at the time but never came up for a vote in the Republican-led House of Representatives amid stiff opposition from conservatives.

Arizona Senators Jeff Flake and John McCain, (RINO) and Senator Marco Rubio, (R) Florida are three of the other Republican member of the Gang of Eight

But the Missouri Senator, Dick Durbin (D) said it was important to be "thoughtful" about young undocumented immigrants who "*have no real connection with the country of their parents.*"

Ok. That's all fine and good but what about our children? The American Indian children whose genealogy can be documented for thousands of years to this continent and to the United States of America since 1776 at a minimum. And as citizens since June 2, 1924.

The **Indian Citizenship Act** of 1924, also known as the **Snyder Act**, was proposed by Representative Homer P. Snyder (R) of New York and granted full U.S. citizenship to America's indigenous peoples, called "Indians" in this Act. The **Indian Citizenship Act** was signed into law by President Calvin Coolidge on June 2, 1924. It was enacted partially in recognition of the thousands of Indians who served in the armed forces during World War I.

While the Fourteenth Amendment to the United States Constitution defined as citizens any person born in the U.S., the amendment had been interpreted to restrict the citizenship rights of the American Indian people.

On December 4, 2016 the Army Corp of Engineers stopped the Dakota Access Pipeline by refusing to allow the pipeline to cross the Missouri River. However, the oil company with the support of the State of North Dakota file an appeal with the federal Court.

Regardless of all the legal actions related to the pipeline, who is going to be held accountable for the Constitutional and Human Rights violations against the "Water Protectors?"



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