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U.S. House of Representatives  
Washington, DC 20515-0552

July 6, 2007

Mr. James J. Fletcher  
Superintendent, Southern California Agency  
Bureau of Indian Affairs (BIA)  
1451 Research Park Dr, Suite 100  
Riverside, CA 92507-2154

Dear Superintendent Fletcher:

I am writing to provide comment on an application submitted to the BIA by the Barona Group of the Capitan Grande Band of Mission Indians of California (Tribe) to place land into trust, commonly referred to as San Diego Country Assessor's Number 329-090-03-00. I also wanted to thank you for providing me with the opportunity to submit these remarks after official notification regarding the submission deadline was delivered to my office at the wrong address.

As you know, obtaining access to safe and reliable water supplies remains a significant challenge for communities all over Southern California, particularly those in my home district of San Diego County. The current trust application under consideration is part of a larger effort by the Tribe to obtain access to San Vicente Reservoir for the purpose of building a pipeline with the capability of transporting water from the reservoir to the reservation. Throughout my tenure in Congress, I have endorsed and supported several different approaches throughout the region to identify and pursue alternatives that will result in greater water availability and reliability for my constituents.

The Tribe's efforts at San Vicente Reservoir are unique in the sense that they are occurring in the midst of an ongoing dispute between themselves and local residents regarding low groundwater levels. Surrounding neighbors of the Tribe claim that their groundwater supply has diminished significantly following the Tribe's construction and daily operation of a premier golf course at their hotel and casino resort. As a result, these residents have strongly indicated to me directly that they believe any government assistance provided to the Tribe for this pipeline project should be approved only with the understanding that the water needs of the neighboring community be addressed as well. Likewise, the Tribe has indicated to me with equal conviction their dispute of any allegations indicating that their golf course has created adverse affects on local groundwater supplies.

As the elected representative for the entire community, my goal has been to help identify a solution that will provide a benefit to all involved and I have extended assistance whenever possible to achieve this goal, including providing both parties with contact information for several local mediators that may be useful in resolving this matter. Unfortunately, this common community solution has yet to emerge and the ongoing debate remains. As a result of these unresolved issues, I have significant concerns regarding this application to place additional land into trust at this time and I do not believe federal action to allow this project to move forward

should occur until the entire community endorses an approach that meets the needs of all its residents.

I would like to reiterate, I do not oppose the overall goals of the Tribe to build a pipeline to the reservoir. On the contrary, I believe it will serve a great benefit toward meeting some of the water needs of our local community. It is for this reason that I supported passage of federal legislation, the Native American Technical Corrections Act of 2004 (P.L. 108-204), placing prior parcels into trust for the Tribe for the purpose of advancing this same project. During floor consideration of this bill, however, I made it specifically clear that Congress' intent with this legislation was to provide assistance in creating a water resource for the entire community, not just the Tribe, to which former Congressman Richard Pombo, then Chairman of the House Resources Community, concurred.


I have provided my position to both parties on several occasions, including most recently when the Tribe requested that I assist legislatively with their efforts to lease the Colorado River water rights from another California tribe. To ensure fairness to all involved, I have made it clear, both through correspondence and in personal meetings, that my support for any endeavor is contingent upon a common solution being reached by the whole community; an action I feel is definitely possible but, unfortunately, has not yet occurred.

Thank you again for your consideration of these comments. I would respectfully request, and recommend, should the BIA make the decision to proceed forward on this application, that a groundwater study of the reservation and the surrounding community be incorporated into any federal environmental examination that occurs for purposes of placing this land into trust. To ensure the most benefit to all interested parties, this study should seek to accurately determine current groundwater levels, what relation existing levels has with past levels, why a difference occurred and how future action might affect this supply either adversely or beneficially.

In the meantime, I would appreciate your office promptly making me aware of any course of action that occurs in this matter. Likewise, if you have any questions, or require additional information, please do not hesitate to contact me directly, or have your staff contact Michael Harrison in my office at (619) 448-5201.

With best wishes.

Sincerely,



Duncan Hunter  
Member of Congress

DH/mrh

Cc: BIA, Sacramento Area Office  
Senator Dianne Feinstein  
Chairwoman Rhonda Welch-Scalco, Barona Band of Mission Indians  
Mr. Bob Bowling, Old Barona Road Association  
San Diego County Supervisor Dianne Jacob