



## H.R. 4841 – SOBOBA BAND OF LUISENO INDIAN SETTLEMENT

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### FLOOR SITUATION

H.R. 4841 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Mary Bono Mack (R-CA) on December 19, 2007. The House Committee on Natural Resources approved the bill, as amended, on April 30, 2008.

H.R. 4841 is expected to be considered on the floor of the House on May 18, 2008.

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### SUMMARY

H.R. 4841 ratifies the June 7, 2006. settlement agreement entered into by the Soboba Band of Luiseno Indians and the Metropolitan Water District of Southern California, the Eastern Municipal Water District, and the Lake Hemet Municipal Water Districts, for issues involving these Water Districts' interfering with the Sobobas water rights and for damages resulting from these alleged interferences. The legislation confirms the terms of the settlement and ratifies all agreements made.

The legislation establishes the San Jacinto Basin Restoration Fund to pay for costs associated with the construction, operation, and maintenance of the basin recharge project for accommodating supplemental imported water to the reservation. Also, the bill creates the Soboba Band of Luiseno Indians Water Development Fund for costs associated with constructing and maintaining water-related development projects.

Additionally, the settlement includes each Water District's payment of \$180 million in damages to Soboba. The bill authorizes \$21 million in federal funds to be used exclusively to pay or reimburse costs associated with constructing, operating, and maintaining water and sewage infrastructure, and other water-related development projects related to the Soboba Water Development Fund.

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### BACKGROUND

The Soboba Band is a federally recognized tribe whose 6,000 acre reservation is to the east and north of the San Jacinto River in Riverside County, California. The reservation was created by Executive Order on June 19, 1883, and has been enlarged by several subsequent Executive Orders and Acts of Congress. The Soboba have had several disputes over water rights with the Metropolitan Water District of Southern California, the Eastern Municipal Water District, and the Lake Hemet Municipal Water District. The Soboba Band claims that the Water Districts interferes with their water resources, rendering much of their land useless for habitation, livestock, and agriculture.

In April of 2000, the Soboba filed a lawsuit in the U.S. District Court in California against the Metropolitan Water District of Southern California (Soboba band of Luiseno Indians v. Metropolitan Water District of Southern California) for these alleged interferences, and sought damages caused by the Metropolitan's construction and operation of the San Jacinto Tunnel. This Tunnel is a part of the Colorado River Aqueduct.

Additionally, the Soboba have filed claims against the Eastern Municipal Water District and Lake Hemet Municipal Water District, which are located just adjacent to the Soboba reservation. In these claims, the Soboba have sought to secure their water rights and collect damages caused by Eastern Municipal and Hemet Municipal's respective interferences with the reservation's water supply.



# LEGISLATIVE DIGEST

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These suits were settled, and H.R. 4841 establishes the resulting agreements between the Soboba and the Metropolitan Water District of Southern California, the Eastern Municipal Water District, and the Lake Hemet Municipal Water District.

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#### COST

The Congressional Budget Office did not have a cost estimate available for H.R. 4841 as of May 16, 2008.

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#### STAFF CONTACT

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