

**MORONGO  
BAND OF  
MISSION  
INDIANS**



**A SOVEREIGN NATION**

**TESTIMONY OF CHAIRMAN ROBERT MARTIN  
MORONGO BAND OF MISSION INDIANS**

**SENATE COMMITTEE ON INDIAN AFFAIRS  
OCTOBER 7, 2015**

**H.R. 387**

***“THE ECONOMIC DEVELOPMENT THROUGH TRIBAL LAND EXCHANGE ACT”***

Chairman Barrasso, Vice-Chairman Tester and members of the committee, I am Robert Martin and I serve as the Tribal Chairman of the Morongo Band of Mission Indians. Our reservation straddles Interstate 10, just west of Palm Springs in Southern California. I appreciate the chance to provide testimony on this important issue and thank you for your willingness to consider H.R. 387, a land exchange bill that has been introduced by Dr. Ruiz and Col. Cook. In summary, this bill is intended to address a series of issues pertaining to lands within the Morongo Tribe's reservation, impacting the Tribe, the City of Banning and a non-Indian landowner.

The bill itself addresses three land management problems in our area. First, Mr. Fields, a non-Indian California based businessman, owns a 41-acre parcel of fee land (Parcel A – Fields Lands) that is encircled by tribal trust lands that he would like to develop to its highest and best use, which requires improved access. In an effort to address this problem the bill seeks to have the Fields Lands exchanged with an identically sized 41-acre parcel of tribal trust land (Parcel B – Morongo Lands) adjacent to other nearby lands already owned by Mr. Fields. The exchange of these lands will accomplish two objectives: It provides Mr. Fields with superior access to his existing lands, potentially opening up the entire parcel for new economic development opportunities; at the same time, the parcel exchange consolidates our reservation's trust lands by eliminating the checkerboard effect in that area. The topography, physicality and value of the parcels of land to be exchanged are virtually identical in every respect.

Second, the bill would address a pair of land use issues between the Morongo Tribe and the City of Banning. The primary access route to the Reservation, a controlled entrance, is situated near the beginning of Malki Road, a road that extends into the Reservation for approximately two miles. However, when Riverside County abandoned that roadway years ago, because the section line runs down the middle of the road approximately the first half mile of the western side of this road became owned by the City of Banning (Parcel C – Banning Lands) while the east side is held in tribal trust by the United States. However, the City of Banning does not perform any maintenance on the road. The Tribe is interested in having the Banning Lands placed into tribal trust so as to allow for better maintenance and management of the Malki Road in its entirety.

Finally, the legislation addresses a desire by the City of Banning to locate a road and related utilities, such as water and sewer lines, that would enable development of property on the City's eastern edge. As the lands in which the City is interested in locating this road (Parcel D- Easement to Banning) are held in trust by the United States on behalf of the Tribe, an easement for the City to use the land must be approved by the federal government.

Under the terms of the bill, the Secretary of Interior would be directed to execute a number of changes: the Morongo Lands, currently held in trust status for the tribe, would revert to fee simple status and would be transferred to Mr. Fields; the Fields Lands and Banning Lands would be placed into federal trust status; and finally, the easement to Banning would be effectuated.

We have provided the Committee with letters of support from all three of the parties and we have worked with the Bureau of Land Management to secure a land exchange map, as referenced in H.R. 387.

With the enactment of this bill, Congress will help to resolve a series of issues that have evolved over a number of years and which can only be resolved with the involvement of the Federal Government. From my Tribe's perspective, the consolidation of our lands is vitally important. From the perspective of Mr. Fields, he will secure direct access to lands that are currently non-performing. And with this bill, the City of Banning will now have the opportunity to extend a critically important road and related utilities to properties within the city limits that are currently underserved, thus making commercial development of those properties possible. This legislation is a true win-win-win for our entire community, and will provide for future private economic development opportunities that will create jobs, housing and revenues for the region.

Finally, I want to thank Senator Boxer and Senator Moran for their willingness to work in a bi-partisan spirit to help our entire community by introducing a companion bill in the Senate, S. 175. While we are grateful the Committee has decided to take up the bill already approved by the House, we are nonetheless thankful for their efforts.

I would be pleased to answer any questions you might have regarding my testimony.

# Morongo Band of Mission Indians Land Exchange

June 2, 2014

This map prepared at the request of Representative Raul Ruiz

