



## Land Swap Between USFS & San Manuel Would Give Tribe Choke Point Control Of Region's Water Supply

By Anthony Serrano & Mark Gutglueck

After discussions that have gone on for more than four years, the San Manuel Band of Mission Indians, now known as the Yuhaaviatam Nation, is on the brink of swapping seven parcels consisting of 1,533.92 acres it owns in the San Bernardino National Forest at various altitudes ranging from approximately 5,200 feet to 7,000 feet in the San Bernardino Mountains for two parcels of federal land consisting of 1,475.90 acres located near the Arrowhead Springs Hotel at the approximate 2,000 foot elevation in the San Bernardino Mountain foothills.

The land the tribe will acquire under the agreement lies at a crucial juncture in the foothills above the San Bernardino and Highland city limits, from which it could divert to its own use much of the Inland Region's water resources. According to Dave Anderson, the special uses and lands program manager for the San Bernardino National Forest, "The tribe initially approached the forest with a proposal for the land exchange. At some time before 2019 the tribe was advised by the Forest Service to first acquire (or acquire the option to purchase) properties that had previously been identified by the United States Forest Service as high-value parcels with respect to location and resources within our congressional boundary. The tribe did so and returned to the forest with a more complete proposal." Anderson said, such a swap is potentially beneficial to the forest and the Forest Service.

"From the forest perspective, land exchanges are undertaken to acquire important resources, to fill inholdings and other gaps in the forest boundary, and/or to reduce the burden of administration on the forest. The tribe has explained that they wish to regain some of their ancestral lands. This is not a prerequisite of the land exchange and—as with our other two land exchange projects—the feasibility of the exchange is more dependent upon the qualities of the parcels rather than the motivation of the proponent."

As federal land is subject to federal regulations, the environmental certification for the exchange will involve the National Environmental Policy Act, which requires federal agencies to assess the environmental impacts of their proposed actions prior to making decisions. This policy requires the federal government to use all practicable means to create and maintain conditions conducive to maintaining nature's "productive harmony." Section 102 in Title I of the act requires federal agencies to incorporate environmental considerations in their planning and decision-making through a systematic approach. Specifically, all federal agencies are to prepare detailed statements assessing the environmental impact of and alternatives to major federal actions significantly affecting the environment. Under the federal system, the most exacting of these examinations is an environmental impact statement. A less intensive environmental impact examination under the federal system is an environmental assessment.

Both San Bernardino County Third District Supervisor Dawn Rowe and her predecessor as Third District supervisor, James Ramos, on January 24 sent letters addressed to the Forest Service endorsing the swap.

For various reasons, however, a substantial cross section of local residents has expressed concern about the potential long-term implication of the land exchange, and how it will play out with regard to a multitude of basic and quality of life issues. At the forefront of these is the impact on local water availability.

If the trade is made, the tribe will take possession of land that could serve as a crucial diversion point for water that feeds what is commonly known as the Bunker Hill Water Basin.

The Bunker Hill Basin covers approximately 92,000 acres and is located at the top of the Santa Ana River watershed and receives all the surface water runoff from the headwaters of the Santa Ana River, Mill Creek, Lytle Creek, and other tributaries.

The Bunker Hill Basin is located on the northwest by the San Gabriel Mountains, on the northeast by the San Bernardino Mountains, on the south by the Crafton Hills and Badlands, and on the southwest by the San Jacinto Fault. The Bunker Hill Basin stores approximately 5 million acre-feet of water, of which 1.2 million acre-feet are easily accessible. An acre-foot of water – the amount of water that would cover one acre to a depth of one foot or 43,560 cubic feet or 325,851.43 gallons, is roughly enough water to meet the domestic use needs of a family of four for one year. The Bunker Hill Basin provides water to approximately 650,000 people in the cities of Redlands, Highland, San Bernardino, Loma Linda, Colton, Rialto, Bloomington, Fontana, Grand Terrace, and Riverside, and portions of San Bernardino County, and is used to sustain the water needs for business operations in those areas.

An investigation of the Bunker Hill Basin from 2020 to early 2022 that was prepared by the San Bernardino Valley Water Conservation District with a publishing date of March 1, 2022 found that the annual change in storage for the Bunker Hill Basin for the preceding water year – from Fall 2020 to Fall 2021 – entailed a negative, 93,946 acre-feet, that is a decrease or depletion of 30,579,853,209.78 gallons, that is, nearly 20.6 billion gallons. Furthermore, according to the study, the accumulated change in storage of the Bunker Hill Basin as of the last day of the preceding water year on June 30, 2021 over the previous eight years, running from July 1933 and June 2021, was a negative 580,031 acre-feet, that is, the amount of water stored in the water table was 580,031 acre-feet less in the summer of 2021 than it had been in the summer of 1993.

Moreover, the total groundwater production from the Bunker Hill Basin for the preceding water year, from July 1, 2020 to June 30, 2021, was 173,171 acre-feet.

According to the study, the estimated annual change in the amount of water stored in the Bunker Hill Basin for the then-current water year, running from July 1, 2021 to June 30, 2022 was a negative 79,759 acre-feet, a decrease of 25,989,584,205.37 gallons or something under 26 billion gallons.

The study also estimated the annual change in the amount of water stored in the Bunker Hill Basin for the ensuing water year, that one running from July 1, 2022 until June 30, 2023 as a negative 5,943 acre-feet, a decrease of 1,936,475,618.49 gallons, that is, more than 1.9 billion gallons.

The study also pegged the average annual change in Bunker Hill Basin storage for the immediate past ten water years running from 2011 to 2021 at a negative 32,822 acre-feet, a decrease each year of 10,694,767,415.46 gallons, that is, nearly 10.7 billion gallons per year.

According to the survey, the estimated amount of water drawn from the groundwater supplies and used for agricultural purposes within the district boundary for the ensuing water year, July 1, 2022 to June 30, 2023, was 9,503 acre-feet. The estimated amount of other water to be drawn from the groundwater supplies for other than agricultural use, during the ensuing water year from July 1, 2022 to June 30, 2023 was 95,690 acre-feet. The estimated amount of water necessary for surface distribution for the ensuing water year from July 1, 2022 until June 30, 2023 for the Bunker Hill Basin and the district was 77,235 acre-feet. The estimated amount of water necessary for surface distribution for the ensuing water year running from July 1, 2022 to June 30, 2023 within the district boundary alone was 54,552 acre-feet.

The amount of water that is necessary for the replenishment of the groundwater supplies of the Bunker Hill Basin and the district for the ensuing water year from July 1, 2022 to June 30, 2023 was estimated at 131,381 acre-feet.

The amount of water which is necessary for the replenishment of the groundwater supplies within the district alone for the ensuing water year from July 1, 2022 to June 30, 2023 was estimated at 111,163 acre-feet.

According to the report, due to the imbalance between groundwater recharge and production since 1983, the Bunker Hill Basin's storage is 580,031 acre-feet below the level which is considered full for purposes of the investigation. That is below the available water reflected in the 2021 report due to the decreased availability of native and State Water Project water for recharge.

To reach a state of full recharge by June 30, 2023, the aquifer below the Bunker Hill Basin would need, according to the report, during the ensuing water year from July 1, 2022 to June 30, 2023, to experience an influx of 788,196 acre-feet of water. This recharge quantity would be needed to attain the 1993 storage level that is considered full.

The Basin Technical Advisory Committee recommended in the report that a maximum of 282,600 acre-ft in Mill Creek and Santa Ana River Basins.

"The district must continue to take all necessary steps to maintain and enhance its capability to conduct recharge operations," the report stated. "These steps may include maintenance and repair of existing, diversion facilities, canals, dikes, basins, roads, and other water recharge facilities."

Water cascades down from the San Bernardino National Forest and the San Bernardino Mountains both above and below the surface and reaches the two parcels to be transferred to the tribe. Since a good amount of the water from the National Forest fills the water table within the Bunker Hill Basin, many residents have misgivings that they and the entities that serve as water purveyors in the region which are considered downstream beneficiaries under the California water law, including the East Valley Water District and the San Bernardino Water District, could become disenfranchised by the tribe's assertion, as a sovereign entity unrestricted by California law, of a claim to that water.

Of note, last year, the California Department of Water Resources was conducting hearings on whether BlueTriton Brands, Inc., the current bottler of Arrowhead Spring Water, had the right to perpetuate the drafting of water from Strawberry Canyon, located at the 5,200-foot elevation level in the San Bernardino Mountains within the San Bernardino National Forest. That hearing was focused on BlueTriton's disputed claim that it has an entitlement under both California and United States federal regulations to withdraw that water utilizing a series of tunnels, boreholes and horizontal wells at the headwaters to Strawberry Creek which it had acquired in 2021 from Nestlé Waters of North America. Ultimately, those hearings were aimed at settling whether the company's assertion of water rights in the National Forest is valid, together with determining whether a draft cease and desist order issued by the State Water Resources Control Board against BlueTriton Brands, Inc. to reduce the amount of water drafted from Strawberry Canyon by 184.74 acre-feet (60.196 million gallons) per year from 192 acre-feet (62.56 million gallons) annually to 7.26 acre-feet (2.366 million gallons) per year should be upheld. Alan Lily, the water rights and environmental law attorney who served as the hearing officer for those hearings, requested that the tribe allow himself, State Water Resources Control Board staff and the advocates on both sides in the dispute to have access to the springs located further down the mountains in the foothills above San Bernardino not too distant from the Arrowhead Springs hotel where the tribe owns land and which was alleged by those contesting BlueTriton's water claims to be the actual historic source of the water bottled by the Arrowhead Spring Water Company's corporate predecessors in the early part of the 20th Century upon which the company's actual water rights were based. In response to Lily's request, the then-chairman of the San Manuel Band of Mission Indians, Kenneth Ramirez, refused to provide access to the property for surveying purposes, based upon the claim that the property was ancestral Indian land, telling Lily that a video of the property taken by tribal members would have to suffice as the survey of the property needed for informing the State Water Resources Control Board's decision-making process.

The San Manuel Band of Mission Indians is considered to be a sovereign nation independent of both U.S. and California law and governance. This has given rise to concern among local residents that if the tribe is granted ownership of the two parcels through which a significant amount of water flows into the Bunker Hill Basin, at some future date the tribe could divert that water for its own purposes or otherwise dam the water to prevent it from reaching the basin.

Indeed, an incentive for the tribe to engage in such a diversion exists following the 2017 expansion of the San Manuel Tribe's Casino operation, which included a resort-style 500-room hotel, expanded gambling facilities, a 4,000-seat performance venue, a spa, restaurants, retail shops and a 2,200-vehicle stall parking structure. Moreover, the tribe since 2019 has been pursuing the construction of upwards of 30 mansions intended as the domiciles for many of its members on graded hillside property on and adjoining the San Manuel Reservation in the foothills north of the northeasternmost portion of San Bernardino and the northwesternmost corner of Highland.

One of those residents, Amanda Frye of Redlands, encapsulated six issues she believes need to be addressed before the trade is ratified. The assertion that the two expanses of land contained on the 1,475.90 acres located near the Arrowhead Springs Hotel to be obtained by the tribe are San Manuel Ancestral lands is not supported by the historical record, according to Frye.

"In a January 9, 2023 U.S. Forest Service letter File Code: 5430, the exchange proposal is referred to as the 'San Manuel Ancestral Land Exchange,'" Frye stated. "There has been no proof that the U.S. Forest land is or was uniquely San Manuel Ancestral Land. The Yuhaaviatam of the San Manuel Nation, previously listed as the San Manuel Band of Mission Indians in California or the San Manuel Tribe of the Sorrano Indians, published its history on the tribe's website, which never mentions or claims that the San Bernardino National Forest land proposed in the 'land exchange' was their ancestral land nor any connection to the Yuhaaviatam tribe."

She cited <https://sanmanuel-nm.gov/culture/history> and the passages contained in the document Our History | San Manuel Band of Mission Indians.pdf posted on that website as the basis for her assertion.

"The history mentions that the Serranos moved from the mountains near Big Bear and settled near Harlem Springs," she said. "Other historical sources concur that the tribe was located in the mountains near Big Bear and moved later to the San Bernardino Valley to settle near Harlem Springs, not the Arrowhead Hot Springs. Multiple sources indicate that the San Bernardino National Forest land proposed to be given to the tribe in the land exchange was in ancestral lands of the Quachama, who were thought to move toward West toward Los Angeles in the early 1800s, and later the Cahulla Tribe, now known as the Cahulla Band of Indians, with the San Manuel Tribe moving into the valley years later near Harlem Springs."

She cited the online document <https://cdm15952.contentdm.oclc.org/digital/collection/p15952col4/search/searchterm/San%20Bernardino>, in asserting, "Other references make no mention of Indians at Arrowhead Springs."

According to Frye, "The Mormons and other early pioneers have many historical claims to this area that the San Manuel tribe wants to take from the San Bernardino National Forest."

Frye noted, "The Cahullas did not appear to be notified in the public notices provided by the U.S. Forest Service. Historical writings mention the Cahulla and ancient Quachama tribes associated with the state Geological Landmark #977, otherwise known as 'The Arrowhead.' The internet-based website

<http://ohp.nparks.ca.gov/Lists/Default.aspx?ListID=977> states, the Arrowhead was referred to as the 'Ace of Spades' by early pioneers David Noble Smith in his possessory claim and John Brown Jr. in recorded court testimony."

Furthermore, according to Frye, "The San Bernardino National Forest was founded on February 25, 1893 as the 'Forest Reserve' to protect the water supply for the surrounding communities. The proposed land exchange harms all San Bernardino Valley residents that rely on waters that the San Bernardino National Forest was founded to protect. This proposed land exchange is not for benefit or in the interest of the public as required by law. This proposed land exchange only benefits a few people of a sovereign nation in the small, but the extremely wealthy Yuhaaviatam of San Manuel Nation, referred to as a tribe and formerly recognized as the San Manuel Band of Mission Indians. In fact, this land exchange violates 43 United States Code §1716 (a), as the proposed tracts of San Bernardino National Forest land to be given to the tribe include many water sources for San Bernardino Valley's Bunker Hill Basin, including multiple perennial and intermittent streams. The land exchange is illogical, as it harms millions of members of the public by taking their water supply which the San Bernardino National Forest was founded to protect in 1893."

Frye referenced the yet unresolved matter pertaining to the tentative cease and desist order against BlueTriton Brands and the need to have closure on the issues it involves prior to any decision with regard to the land exchange being made.

"A current State Water Board issue which involves lands and water in the proposed San Bernardino National Forest is still ongoing," Frye said. "The State Water Board Enforcement Branch Administrative Hearing Office is still in the process of releasing its rulings in the draft cease and desist order against BlueTriton Brands, Inc., and this issue will then proceed to the State Water Board. Some of the proposed exchange land in T1N R3W R4W are part of this State Water Board issue. Furthermore, during the hearing it was revealed that the Yuhaaviatam of San Manuel Nation, formerly recognized as the San Manuel Band of Mission Indians, was receiving unauthorized diversions from BlueTriton Brands, Inc. Although the tribe is not a formal party to the case, it is indirectly involved through relationships with BlueTriton Brands Inc. and Arrowhead Bottled Water operations.

Also, one of the non-federal land parcels in this proposed land swap was formally owned by the Arrowhead Bottled Water Company owners before it was laundered through the U.S. Forest Service and the tribe-supported Southern California Mountain Foundation and sold given to the tribe. Again, this proposed land exchange is not in the public interest, violating 43 United States Code §1716 and 35 Code of Federal Regulations § 254.35."

Frye said, "42 USC §1716 (d) requires an appraisal of lands within 90 days of initiation of the agreement. No appraisal of lands within the 90-day timeline after the United States entered into the agreement to initiate an exchange of lands with the 'San Manuel Tribe' or Yuhaaviatam of San Manuel Nation, formerly recognized as the San Manuel Band of Mission Indians. According to documents received from a Freedom of Information Act request, this initiation of land exchange started in 2021. There is no land appraisal. This appraisal should have been done within the 90-day timeline that started in 2021. This violation should nullify this land exchange proposal."

Frye asserted that "An infographic by BlueTriton Brands, Inc. revealed an unauthorized secondary diversion to the tribe at their private investment property, Arrowhead Springs. This unauthorized diversion was confirmed at the administrative water board hearing on January 22, 2022. This unauthorized diversion from Strawberry Creek was metered and read by the tribe as seen in the picture and hearing record. The tribe has failed to report this unauthorized diversion to the State of California or any agency. The tribe's diversion is not separately reported to any public agency and was not submitted to the San Bernardino Valley Municipal Water District for recordation, nor the San Bernardino Valley Water Conservation District, as confirmed during the administrative hearing for BlueTriton Brands, Inc. In the picture, the Tribe can be seen reading the meter, demonstrating complicity in the water diversion and thus liability in the unauthorized water diversion of BlueTriton Brands, Inc. There was no evidence submitted regarding how the Tribe is using the water or if the Tribe is further diverting the unauthorized water. There is no evidence authorizing the respondent's secondary diversion of Strawberry Creek headwater springs on San Bernardino National Forest lands at T2N R3W sec 30 and 31 to the tribe nor any evidence that this diversion is authorized by riparian rights."

"Frye said, "BlueTriton giving away forest water to the San Manuel Band of Mission Indians appears to be a back door deal to take the forest water which would have flowed to the Bunker Hill Basin and injure the forest and at least half-a-million people in the surrounding communities."

Frye contended "The United Forest Service had identified water rights associated with the Arrowhead Springs Property. The name Arrowhead Water and Power is not a legal entity and the current owners, the San Manuel Tribe, have not changed the name in the State Water Board's Electronic Water Rights Information Management System nor reported any groundwater take from any of the said wells associated with the property, according to record requests to the San Bernardino Valley Municipal Water District. There is still an active State Water Board case for the waters and properties in the proposed land exchange."

Citing three studies or surveys of the water quality in the Bunker Hill Basin – those being <https://doi.org/10.3133/w77129> and <https://doi.org/10.3133/w694203> as well as <https://doi.org/10.3133/of1086>, Frye contended, "The United States Geological Survey has documented the role of the San Bernardino National Forest streams and the Bunker Hill Basin Water Supply from the early 1900s to present. There are many United States Geological Survey historical and present documents which show that much of the water in the Bunker Hill Basin originates in the San Bernardino National Forest. The non-Forest lands appear to recharge a different water basin. The Bunker Hill Basin provides water for a half-a-million to millions of people. The local water agencies which are responsible for the Bunker Hill Basin were not noticed of this land exchange either."

Frye said the unwillingness of the tribe to cooperate with the State Water Resources Control Board in ascertaining the actual extent of or limitations on BlueTriton's water rights during last year's hearing process when the tribe's then-chairman, Kenneth Ramirez, refused access to the tribe's property near the Arrowhead Springs hotel demonstrated that the tribe would not be likely to respect the existing water rights that apply to the property downstream of the acreage the tribe is seeking to acquire in the land swap.

"The tribe has publicly stated that it is not willing to follow the rules or orders from the State Water Resources Control Board, thus confirming the devastating impact this proposed land exchange would have on the water supply, which the founding of the San Bernardino National Forest Reserve was supposed to protect," Frye said. "The law and case law do not align with the tribe's opinion expressed in this letter, but the letter reflects the tribe's attitude and what will most likely happen if this land exchange is allowed to proceed."

Other local residents have said that the Forest Service and the tribe have failed to give adequate legal notice of the intended land trade to the San Bernardino Valley Municipal Water District, the San Bernardino Valley Water Conservation District, the East Valley Water District and the California State Water Resources Control Board's Tribal Beneficial Uses office.

Some of those residents and others have questioned whether the exchange and terms under which the exchange is to take place are in compliance with provisions contained within California Water Code § 75560-75561, which applies to the Bunker Hill Basin. Under § 75560, "The district shall annually cause to be made an engineering investigation and report upon groundwater conditions of the district."

Under § 75561, "The engineering investigation and report shall include all of the following: a) Information for the consideration of the board in its determination of the annual overdraft information.

(b) Information for the consideration of the board in its determination of the accumulated overdraft as of the last day of the preceding water year.

(c) A report as to the total production of water from the groundwater supplies of the district for the preceding water year.

(d) An estimate of the annual overdraft for the current water year and for the ensuing water year.

(e) The amount of water the district is obligated to purchase during the ensuing water year, and a recommendation as to the quantity of water needed for surface delivery and for replenishment of the groundwater supplies of the district for the ensuing year.

(f) Such other information as the district desires."

Water Code § 75574 pertains to a water district's authority or water conservation district's authority to levy on local water users a water replenishment fee above and beyond charges for specific water use.

Under Water Code § 75574, "The board shall, before the levy of the groundwater charge, find and determine all of the following:

(a) The average annual overdraft for the immediate past 10 water years.

(b) The estimated annual overdraft for the current water year.

(c) The estimated annual overdraft for the ensuing water year.

(d) The accumulated overdraft as of the last day of the preceding water year.

(e) The estimated accumulated overdraft as of the last day of the current water year.

(f) The estimated amount of agricultural water to be withdrawn from the groundwater supplies of the district for the ensuing water year.

(g) The amount of water other than agricultural water to be drawn from the groundwater supplies of the district for the ensuing water year.

(h) The estimated amount of water necessary for surface distribution for the ensuing water year.

(i) The amount of water which is necessary for the replenishment of the groundwater supplies of the district.

(j) The amount of water the district is obligated by contract to purchase."

The proposed land exchange will provide the tribe with property over which, upon which and under which water descending from the San Bernardino Mountains naturally flows into the Bunker Hill Basin and will thereby enable it, if it so chooses, to divert a considerable amount of that water to its own use and deprive the Bunker Hill Basin of natural water recharge it would receive.

There does not appear to be any arrangement to spell out what future diversions of water will take place nor an effort to put in place any requirement that the tribe be subject to any water replenishment charges for water it diverts at the point of the property that is being conveyed to it as a consequence of the land swap. Given the tribe's status as a sovereign nation, there is concern that it would consider itself or hold itself to be exempt from the water replenishment charges that would otherwise be applicable under Water Code § 75574 to an entity that made such diversions. Local residents want a clear determination as to whether the tribe will agree to either forego making such diversions altogether or waive its sovereign immunity so that it is required to pay replenishment fees to the water districts with jurisdiction within the Bunker Hill Basin if such diversions are made.

Another principle at stake is whether the standard enunciated in the precedent-setting case pertaining to the determination of water rights to the Hallett Creek Stream System in Northern California, which was decided by the California Supreme Court in 1988, applies to the situation regarding the water rights attached to the property to be obtained by the tribe as a consequence of the land trade. The Hallett Creek case pitted the California State Water Resources Control Board, as the petitioner and appellant, against the U.S. Government, as the claimant and respondent, and the Sierra Club, as an intervenor and respondent.

Under the guideline laid down in the Hallett Creek Stream System case, the Water Resources Board was found to have the power to determine "the scope, nature and priority" of the unexercised federally-held riparian [i.e., water] rights consistent with the board's judgment as to what is "reasonably necessary to the promotion of the state's interest in fostering the most reasonable and beneficial use" of its water resources. While that ruling did not authorize the State Water Resources Board to extinguish altogether a future riparian water right, it did grant it authority to prohibit the exercising of such a right if it prevented the beneficial use of that water in a reasonable manner by another party. It was thus that appear that, despite the tribe's sovereignty, if the California Water Resources Board would, under the Hallett Creek Stream System precedent, still have the authority to prevent the tribe from diverting the water that would otherwise flow into the Bunker Hill Basin if it were determined that reclaiming the Bunker Hill Basin constituted "the most reasonable and beneficial use" of the water flowing down from the San Bernardino Mountains at that point.

Since in the Hallett Creek Stream System case the United States did not contest the rule and that its riparian right was unexercised and subject to subordination, it would appear the California Water Resources Board, at least theoretically, may evaluate the proposed use in the context of other uses and determine whether the riparian use should be permitted in light of the state's interest in promoting the most efficient and beneficial use of the state's waters.

In the proposed land exchange between the Forest Service and the tribe, it does not appear that either party has filed an application with the California State Water Resources Control Board in compliance with the standard enunciated in the "in re Water of Hallett Creek Stream System" case.

In addition, there does not appear to be anything put forth so far by either the Forest Service or the tribe to establish the land exchange will result in water use that is compliant with both the Sustainable Groundwater Management Act and Governor Gavin Newsom's October 2021 proclamation expanding the declaration of the statewide drought emergency and the accompanying intensification of water conservation efforts, a number of local residents and environmentalists contend. They want the Forest Service and the tribe to put compliance with both as defined conditions of the exchange.

Residents have complained that Assemblyman Ramos's letter in support of the exchange, done in his official capacity as the Assemblyman representing the San Bernardino Valley in the State of California's lower legislative house, constitutes a conflict of interest. Not only is Ramos a member of the San Manuel Tribe who draws a substantial amount of income from the tribe's commercial operations, including its casino and resort, but prior to his tenure as San Bernardino County Third District Supervisor from 2012 to 2018, which preceded his service in the California Assembly, he was the San Manuel tribal chairman. Supervisor Rowe has likewise found herself chastised for her endorsement of the plan, which was made in a letter dated the same day as Ramos's. In response to protests lodged by a number of her constituents living in the confines of the Bunker Hill Basin, Rowe, in an email dated February 15, 2023, gave indication she, perhaps, had not fully thought the issue through when she made her January 24 recommendation in support of the exchange.

"I sincerely appreciate you bringing this matter to my attention," she wrote. "I have forwarded your concerns to County Counsel for further review."

County Counsel is the San Bernardino County governmental structure's stable of in-house attorneys.

Those wishing to provide input with regard to the proposed land trade can do so by email to [david.anderson@usda.gov](mailto:david.anderson@usda.gov) or [joseph.reichsteiner@usda.gov](mailto:joseph.reichsteiner@usda.gov)

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