

TESTIMONY OF GENE FISHER, SUPERVISOR,
LA PAZ COUNTY, DISTRICT 1

Chairman Pombo and Members of the Committee on Resources:

Good morning, my name is Gene Fisher and I am a La Paz County Supervisor. I represent District 1 which includes the CRIT Reservation.

Thank you for scheduling this hearing on H.R. 2941. This bill is designed to correct an error that happened in 1915 regarding the southern boundary of the Colorado River Indian Tribes Reservation. I support H.R. 2941 and I hope that after hearing the facts regarding this bill you will support it as well.

An analysis dated October 15, 1974 by the Area Director of the Bureau of Indian Affairs seems clear that the original intent of including these lands as part of the reservation was for the protection of the tribe from outsiders who wanted to benefit from the tribe's land. Surveys were needed to clearly mark the reservation so that non Indians would not encroach on tribal lands for personal gain.

Three surveys are at the heart of this debate. The facts appear to be indisputable that the Stover survey used to justify the Executive Order signed by President Wilson on November 22, 1915 was in error as evidenced by the fact that the survey was never adopted by the General Land Office. Conversely, the survey completed by Mr. Robbins in 1875 and retraced and resurveyed by Mr. Harrington in 1912 was approved December 16, 1915 by the General Land Office. Again, the Stover survey was never approved.

The lands that are being requested to be returned to CRIT were part of their reservation for almost 40 years prior to the 1915 Executive Order. This is not a request to expand the reservation; it is a request to restore the reservation based on accepted surveys by Mr. Robbins and later by Mr. Harrington.

I maintain that this hearing should decide whether the facts of this case support the restoration of these lands to the Colorado River Indian Tribes. However, I realize that this is a political process and consequently other concerns must be considered that are of a political nature. I would like to address those concerns that are of a political nature during my testimony this morning.

Quartzsite is the nearest incorporated town to this proposed restoration. Concerns have been voiced that restoring this land to the Colorado River Indian Tribes will negatively effect future development within the town or effect the town's ability to annex additional lands in the future. The town's incorporated area is already 36 square miles and the population is only slightly more than 3500 residents. The town has not asked BLM to consider making these lands available to the town for future economic development in spite of the fact that Quartzsite has been aware of the Tribe's desire to restore these lands to the reservation at least since 1993 and was again made aware of this desire in 2000. In January of 2000 the Quartzsite Town Council was invited and Mayor Patty Bergen attended a tour of these lands along with all three members of the La Paz County Board of Supervisors. Later in the year a meeting was also held in Quartzsite so that Tribal Chairman Daniel Eddy Jr. could hear the concerns of local residents regarding these lands. I checked again yesterday (April 19, 2004) with the BLM office in Lake Havasu City as well as the Yuma office to inquire if Quartzsite had asked BLM to consider any lands to the west for future annexation by the town. The answer was no. The town has discussed possible expansion to the north of town but nothing to the west. This restoration would still leave approximately six miles of land between Quartzsite town limits and the reservation. This includes land on both sides of I-10 for development should councils in the future truly desire to annex more land to the west of their present boundaries.

In 1993, the La Paz County Board of Supervisors voted unanimously to adopt Resolution No. 93-10 which supported the restoration of these lands to CRIT. In 2000, the Board of Supervisors (consisting of myself, Supervisor Edey and Supervisor Barker; Supervisor Edey and Supervisor Barker were elected to office in Nov. 1996) were invited and toured the area with Quartzsite Mayor Patty Bergen and members of the Colorado River Indian Tribes. The La Paz County Board of Supervisors did not readdress this issue in 2000.

The two other Supervisors now representing La Paz County (Supervisor Edey and Supervisor Howe) have sent individual letters opposing this restoration not based on facts but rather on potential future economic development of the county. The allegation that Ehrenberg will be "sentenced to a slow strangulation" is simply a myth at best. The truth is that with this land restored to the reservation the unincorporated town of Ehrenberg will still have more than five miles of land along I-10 as well as numerous other sections of land that do not border I-10 that could be considered for annexation should the residents of that community decide to incorporate in the future. The majority of land proposed in this restoration as well as other lands along of I-10 between Ehrenberg and Quartzsite are rugged terrain. Much of this land will never be developed, not because of who owns it but because of its unique physical characteristics.

The Town of Parker has opposed this restoration based on jurisdictional issues that they would like Congress to address. This proposed restoration is more than 35 miles from their incorporated boundaries! I am at a loss to understand how opposing this bill could in any way help the Town resolve issues between the Town Council and the Tribal Council but apparently the Town Council felt that opposing this bill would ultimately lead to better relations with the Tribe. I represent the majority of the residents in the Town of Parker as well as all the residents, tribal and non tribal, on the CRIT Reservation. It is important to me to do what I can where I can to help further good relations between the Town and CRIT. It is in their best interest as well as that of the County to have a good relationship. The Tribal Council, through its Casino, is the major sponsor of events in our area. The community as a whole benefits by this relationship. Our major off road race takes place, in part, on tribal land. Tribal government is a major employer in our County. Almost 80% of the agriculture in our County is on CRIT land. The La Paz Regional Hospital, the high school football field, the local tennis courts, our skate park and baseball fields are all on CRIT land. The sewage treatment plant for the Town of Parker is on CRIT land and is operated by a Joint Venture Board that includes City and Tribal Council members. The relationship between Parker and CRIT is undeniable. Building a strong positive relationship between these two entities will absolutely benefit the entire area but it will not, in my opinion, get better because of the Town opposing this bill.

Future economic development is a phrase used over and over when debating the issue of whether or not CRIT should have this land restored to their reservation. As I stated earlier I believe it is about the facts surrounding this property but I also want to leave no doubt, I too am in favor of economic development for our County. Whether it is in Parker, Ehrenberg, Quartzsite, Salome, Wenden or on the CRIT Reservation. We all know that private property is taxable and tribal land is not but the term economic development is not interchangeable with "taxable property". Economic development encompasses so much more. It is the direct jobs it creates as well as all the indirect jobs and services that are created by the company or industry locating in a particular area. The new homes and shops that are needed because of new jobs created in an area.

Our County needs more deeded land; we need some of the federal land to remain open to off road use as well as hunting and in other cases for mining. However, it is wrong to deny this land to the tribe because of anyone's position that others could possibly benefit from this land in the future. Our County is more than 4400 square miles in area. Most of it federal land. The County's future and that of our towns and unincorporated communities will not depend on whether or not Congress approves this restoration to CRIT. This bill should be considered on the facts surrounding the case, not on who would or could gain if the land is not restored to CRIT.

Thank you for allowing me to testify regarding this bill, H.R. 2941