

**Responses of the Yuhaaviatam of San Manuel Nation
to Questions for the Record regarding H.R.3925, *Yuhaaviatam of San Manuel Nation
Land Exchange Act*
Legislative Hearing September 9, 2025
2:00 PM**

Questions from Rep. Westerman

1. The San Manuel tribe has previously attempted to resolve this land exchange administratively as contemplated in H.R. 3925.

Question: Has there been any progress made in the administrative process to facilitate this transfer?

Answer: There has been slow progress made on the administrative process for the land exchange over the nearly 8 years the exchange has been discussed. Councilman Joe Maarango recently had a good meeting with Forest Service Chief Tom Schultz and the Acting Regional Forester, who all reaffirmed their commitment to continue with the administrative process. San Manuel also remains committed to the administrative process. But we would still like the legislation H.R.3925 to move forward at the same time as the administrative process because there is still no agreed upon schedule between the parties to complete the land exchange and no guarantee that it will be completed despite the years of effort and significant resources the San Manuel Nation has expended. The person who was Forest Supervisor when this process started represented to the San Manuel Nation that the exchange could be completed within 12 to 18 months. Instead, the administrative process has been unduly burdensome and lengthy, spanning the leadership of three different Forest Supervisors and countless staff since 2017, when we first reached out to the Forest to begin the process for the land exchange. Each change in leadership and staff has led to delay and additional burdens being placed on the San Manuel Nation. Continuing forward with the H.R.3925 will help ensure that the land exchange gets completed in a timely fashion.

2. In the submitted written testimony from the San Manuel tribe, at the direction of the San Bernardino National Forest, the tribe purchased land to pursue this land exchange as contemplated in H.R. 3925.

Question: Can you provide additional details as to what the San Bernardino National Forest said concerning the “no longer desirable” parcels of land the Nation

originally intended to transfer in 2017 and again in 2023.

Answer: In 2017, the San Manuel Nation reached out to the San Bernardino National Forest leadership to discuss exchanging land the Nation already owned for sacred land managed by the Forest that was adjacent to the Nation's Reservation and Arrowhead Springs property. The Forest provided positive feedback and the Nation worked with the Forest to develop a scope of work for the required biological, cultural and other studies, appraisal and title work that would support the formal Request for Exchange that would need to be provided by the Nation. The Nation commissioned such studies and work and developed – with the guidance of the Forest – a formal Request for Exchange. After two years of work, we submitted the formal Request for Exchange with supporting information to the Forest on March 27, 2019. A copy of our March 2019 Request for Exchange with parcel information and maps is attached. As stated in the 2019 Request for Exchange, “The proposed exchange would benefit both parties. It would allow the USFS to acquire land of substantial biological resource value adjacent to existing USFS lands. This includes Southwestern willow flycatcher Critical Habitat and other riparian habitat along Waterman Canyon Creek. It would allow for more cohesive planning and management through consolidating USFS lands by closing an existing gap between USFS lands on either side of State Route 18 and Old Waterman Canyon Road.”

In August of 2019, the Forest without warning or explanation (verbal or written) informed the San Manuel Nation that the land being offered by the Nation for the land exchange in the March 2019 Request for Exchange was no longer desirable by the Forest despite the Forest having originally provided the Nation positive feedback and guidance in developing such Request for Exchange. Instead, leadership of the Forest provided the Nation with a list and map of numerous privately-owned lands within the Forest with color coating to indicate the desirability level of each property to the Forest. The parcels of land on this list and map were divided into two categories: high desirability to acquire, and moderate desirability to acquire. The Forest officials further stated to the San Manuel Nation that if the Nation acquired the “desirable” land based on the list and map provided by the Forest, the land exchange would be expedited by the Forest and completed within 12 to 18 months. The Forest officials never fully informed the San Manuel Nation as to why the original lands we already owned and proposed for the land exchange were no longer desirable. This would be a good question to ask for the Forest Service leadership.

Because of the cultural importance of the land the San Manuel Nation is seeking from the Forest, we were willing to spend considerable time, money and resources to purchase as much of the priority private land the Forest leadership identified in their list and map in hopes this would expedite the land exchange. It took the San Manuel Nation considerable

time (almost 2 years) and money to acquire the now needed “desirable” land and redo the cultural, biological and other studies and title work needed to acquire enough of the “desirable” land and to amend the Request for Land Exchange, which we did in 2021. Indeed, the San Manuel Nation has spent over \$5 million to acquire the privately owned desirable land identified by the Forest and perform the necessary biological, cultural and other studies and work trying to get through the administrative process for the land exchange.

In September of 2023, the Forest informed the San Manuel Nation that one of the privately-owned parcels of land the Nation had an option to purchase because it was “desirable” by the Forest was no longer eligible for the land exchange. A copy of the Forest’s September 2023 letter to the Nation with this information is attached.