

TESTIMONY OF JOSEPH MAARANGO
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SAN MANUEL NATION

Before The House Natural Resources Committee
Subcommittee on Indian and Insular Affairs
regarding
H.R.3925, The Yuhaaviatam of San Manuel Nation Land Exchange Act

September 9, 2025

My name is Joseph “Joe” Maarango and I serve as the Culture Seat Member on the Council of the Yuhaaviatam of San Manuel Nation, formerly known as the San Manuel Band of Mission Indians. I want to thank Chairman Hurd, Ranking Member Leger Fernandez and the other members of the Committee for holding this hearing on H.R. 3925, *the Yuhaaviatam of San Manuel Nation Land Exchange Act*. As I will describe in more detail, the Yuhaaviatam of San Manuel Nation (“Nation”) has been working on this land exchange since 2017. We were trying to accomplish it via the federal administrative process but now come to Congress for assistance because the administrative process has failed to allow the exchange to be completed in a timely manner. We thank Representative Jay Obernolte for introducing the legislation and thank the Committee for holding a hearing.

Background on the San Manuel Nation

The Yuhaaviatam of San Manuel Nation is a federally recognized Tribal government. We call ourselves “Yuhaaviatam,” which means “People of the Pines” because our traditions tell us that our people became pine trees as they mourned the death of our Creator. Our initial reservation was established by Presidential Executive Order in 1891 and comprised approximately one square mile or 640 acres along the steep foothills of the San Bernardino Mountains. This amount of land was a tiny fraction of our ancestral territory which included much of the western portion of present-day San Bernardino, eastern Los Angeles, and a smaller portion of southeastern Kern County in southern California.

Given our small land base, we struggle to accommodate the housing and cultural needs of our citizens, and the infrastructure needs of our government. Acquiring additional land is difficult because the San Bernardino National Forest abuts our Reservation on one side and the cities of San Bernardino and Highland abut our Reservation on the other.

Our Reservation land is held in trust status by the federal government and is primarily used for our main government office and community building, housing, school and our gaming facility and resort. We actively seek and have acquired other lands within the City and County of San Bernardino and City of Highland and we use those lands for additional government offices to accommodate our more than 7,000 employees, a hotel and conference center, additional economic development activities such as restaurants and regional warehouse locations, and for cultural activities. These lands are not held in trust status but remain in fee simple status, under

the jurisdiction of the cities and county, and we pay taxes on them to the state and local governments.

Background on the Land Exchange

The proposed land exchange involves 1,475 acres of National Forest System lands and 1,460 acres of Non-Federal Lands owned by the San Manuel Nation, all of which are located within the boundary of the San Bernardino National Forest. The effort to conduct a land exchange began in 2017, when we reached out to the leadership of the San Bernardino National Forest to request that they consider a land exchange with us. Our purpose was to acquire two parcels of culturally significant land from the National Forest that are adjacent to our Reservation and our largest tract of fee simple land known as the Arrowhead Springs property. Enclosed with this testimony is a map that shows the Federal parcels to be transferred to the Nation, the Non-Federal parcels to be transferred to the Forest, the San Manuel Reservation and some of our fee lands that encompass our Arrowhead Springs property.

The first Forest parcel (“F-1”) is of significant cultural and historical importance to our Serrano people. This parcel of land contains an Arrowhead shaped rock formation, etched into the foothills of the San Bernardino Mountains. It is believed to be a natural formation, shaped like a traditional arrowhead, measuring roughly 1,375 feet long and 449 feet wide. The Arrowhead features prominently in our sacred stories and is associated with our Creator. The Arrowhead and the lands to which the Arrowhead points are considered to be sacred and healing.

The Arrowhead has also become a symbol of identity and resilience to everyone living in the San Bernardino Valley. It has been designated as California Historical Monument #977, and its image is used in local seals and logos, including that of the San Manuel Nation and San Bernardino County. H.R.3925 will require the Nation and Forest to record a covenant protecting the Arrowhead upon the transfer of the F-1 parcel to us.

The second Forest parcel (“F-2”) would connect our existing Reservation to our Arrowhead Springs fee property. Connecting these lands via Forest parcel F-2 would allow us to have one main contiguous land base that would allow us to streamline our wildfire prevention and mitigation efforts. The San Bernardino National Forest is one of the most wildfire-prone forests in the United States. Wildfires occur in the Forest on a regular basis, especially during the dry season and periods of Santa Ana winds.

We take wildfire prevention and mitigation very seriously, and we work closely with the State and local governments. We are particularly concerned about the safety of our lands that are adjacent to the Forest. These lands house our main government building, school, gaming facility and resort, and tribal citizens’ homes. To help keep our lands, citizens, and employees safe, we have constructed three fire stations on our lands that are adjacent to the Forest. The Nation’s Arrowhead Springs fee property is the site of one of the fire stations, providing trained fire-fighting personnel and equipment needed to fight wildfires in this region.

Additionally, the Forest parcels along with the Nation’s Arrowhead Springs property were once home to the Serrano village known as Apuiva’t and contain culturally important hot

springs. Many Serrano oral histories are tied to the area. For this reason, the Nation considers the area's resources and landscape to be sacred and our stewardship to be a sacred duty.

In exchange for these two Forest parcels, we propose to provide the Forest Service with lands chosen by Forest leadership and purchased by the Nation for over \$4 million for the sole purpose of the exchange. Such lands total similar acreage and Forest staff has indicated they are desirable and meet the criteria for exchange. The Nation has commissioned surveys and reports on title, environmental condition, biological, cultural, mineral and other resources to support the land exchange and worked closely with Forest leadership and staff to move through the administrative process. The Nation also sought and obtained support for the Land Exchange from the County, the surrounding Cities and organizations devoted to protecting the environment and cultural and historical resources. However, despite the expenditure of both the Nation's and the Forest's staff and resources for more than seven years and garnering universal support, we have been unable to complete the land exchange and have turned to Congress and the legislative process to try and ensure the land exchange gets completed in a timelier manner.

Our efforts to obtain the land exchange started in 2017 when the Nation reached out to the San Bernardino National Forest leadership to discuss exchanging land we already owned for culturally significant land managed by the Forest that was adjacent to the Reservation and the Nation's Arrowhead Springs property. The Forest provided positive feedback, and the Nation worked with the Forest to undertake the required biological, cultural and other studies, appraisal and title work to support the formal proposal for exchange. We submitted a formal proposal to the Forest in March of 2019.

In August of 2019, the San Bernardino National Forest informed us that the land being offered by the Nation for the exchange in the proposal was no longer desirable by the Forest despite having provided the Nation positive feedback and guidance in developing such proposal. Instead, leadership of the Forest provided the Nation with a list of privately-owned lands within the Forest that the Nation should consider purchasing to accomplish the land exchange. The Forest leadership promised that the land exchange could be completed quickly, possibly within a year, if the Nation purchased such property.

In response to the Forest's direction, the Nation began outreach to the owners of the lands on the Forest's list to see which would be willing to sell their lands. By May of 2021, we had discussions with over twenty property owners and were able to purchase 1,060 acres of land from two owners for approximately \$2 million. We submitted a new proposal to the Forest that included our newly purchased land, and the Forest quickly responded that we needed to purchase and include additional land to meet the valuation requirements for the land exchange. We quickly negotiated options to purchase an additional 480 acres from another property owner for an additional \$2.3 million and submitted a supplement to our land exchange proposal in August of 2021.

Forest leadership supported our supplemented proposal and in April of 2022 we entered an Agreement with the Forest to initiate the land exchange. The Agreement contained a schedule for milestones for completing various reviews and approvals and for a final decision to be made

by the Forest regarding the land exchange by June of 2023 with the exchange to happen in August of 2023.

In January of 2023, the Forest began a 45-day public comment period about the land exchange. We were happy to see a large amount of support for the land exchange from a diverse cross-section of local, state and federal elected officials, local governments, water agencies and environmental, historical and tribal organizations that each believe the land exchange is in the public's benefit. Letters of support came from numerous people, governments and entities, including:

- The City of San Bernardino
- The County of San Bernardino
- The City of Highland
- The National Parks Conservation Association
- Boy Scouts of America
- San Bernardino Historical and Pioneer Society
- The Wildlands Conservancy
- The Southern California Mountains Foundation
- The San Bernardino Valley Municipal Water District
- The East Valley Water District
- The Native American Land Conservancy
- The Morongo Band of Mission Indians, the only other federally recognized Tribe of our culture group

The few public comments received expressing concern about the land exchange wanted to make sure that the federal Forest lands acquired by the San Manuel Nation were a part of our ancestral territory and that the biological and water resources that may be associated with the federal Forest lands will continue to be protected. In May of 2023, we provided the Forest with a letter responding to these concerns and describing the San Manuel Nation's expertise and resources that we use for habitat restoration, preservation of species, water quality monitoring, and educational opportunities.

As of August 2023, the Forest still had not completed the land exchange, and no specific timeframe was provided to us about when a decision would be made. There was again new leadership at the Forest, so we began requesting quarterly meetings to help move the land exchange process forward. During these meetings, the new Forest leadership informed us they are committed to completing the land exchange process that started under previous leadership and recognize the importance of the land exchange to the Nation. While the meetings were pleasant and professional, no meaningful progress seemed to be being made on the land exchange, so we started requesting that our staff meet with the Forest staff on a regular basis. Our staff currently meet with the Forest staff once a month.

In September of 2023, the Forest informed us that an 80 acre parcel we offered for exchange at their recommendation was no longer desirable by them and was no longer eligible for the land exchange. The Forest leadership, however, informed us that their rejection of this 80-acre parcel would not affect the success of the larger land exchange and that no replacement land was required.

Frustrated with the process and unclear about the timeline for completing the land exchange, we went to our Congressman, Jay Obernolte, and leadership of this Committee in October of 2023 seeking assistance in obtaining some level of clarity from the Forest Service about the outstanding items that needed to be completed. Previously, we had hired consultants to conduct technical studies and develop draft reports under the direction of the Forest for the Forest's approval to expedite the process. The reports drafted by the consultants had been pending at the Forest for more than a year and we still had no clear timeframe for when they would receive final approval from Forest. This Committee's leadership sent a letter to leadership of the Forest Service seeking information.

In February of 2024, the Forest Service responded to this Committee's letter from October and provided a status of the action items that remained. The Forest Service indicated that it planned to finalize the remaining reports and conduct the necessary appraisals by the end of Spring 2024. But Spring, Fall and Winter came and went, and these items were not finalized. Indeed, it took the Forest until 2025 to approve the cultural reports that determine the effect on cultural resources for an exchange whose purpose is to protect our cultural resources. Such bureaucratic inefficiency is difficult to accept.

Obstacles Encountered in the Administrative Process

After investing seven years into working with the Forest to try and accomplish a land exchange through the administrative process but having no clear timeframe for getting the exchange to completion, we asked our Congressman Jay Obernolte to introduce legislation that would complete the exchange within 120 days. It is our hope that we can continue to work on the administrative process at the same time that we work with Congress to get the bill passed. We have invested more than \$5 million and many hours into this exchange and we would like to see it completed.

When we first went to the Forest about the potential for a land exchange, we asked whether the Congressional process might be faster. But, those in leadership at the Forest at the time felt that the administrative process would be easier and faster.

It is difficult for us to pinpoint why the administrative process is failing because we rely on the Forest for their expertise on the process. It seems that it is in part because the authority for the land exchange is based on two archaic laws that may need modernizing, including the General Exchange Act of March 20, 1922 as amended by the Act of June 11, 1960 (74 Stat. 205). It could also be because multiple federal agencies are involved in the process and internal agency manuals govern different aspects of the process and some of these manuals are also outdated.

But, it definitely seems to be in part a result of the local agency staff not being trained on, or having experience with, the administrative process for a land exchange. Numerous times throughout the process we were told one thing by the Forest staff or leadership but then were told later that something completely different would happen. Sometimes the Forest officials would tell us there was a miscommunication between us and them. Other times we were told that the holdup was at the regional level or at the Bureau of Land Management at the Interior

Department, who the Forest Service relied on for certain aspects and expertise of reviewing various reports.

Additionally, leadership and staff at the Forest changed multiple times since the beginning of the land exchange process. Although current leadership expresses their commitment to fulfilling the land exchange, there have continued to be delays and there is still no date certain by which the land exchange will be completed.

Summary of H.R.3925

H.R.3925, *the Yuhaaviatam of San Manuel Nation Land Exchange*, requires that the land exchange between the Forest and Nation be completed within 120 days.

The land provided to the Forest will become a part of the San Bernardino National Forest and will be managed under existing Forest regulations and management plan.

The land that is provided to the San Manuel Nation will be held in fee simple title by the Nation and will be subject to state and local laws and taxation. The Nation will provide the Forest easements so the Forest can continue to use the existing access roads that cross the lands. Additionally, the Nation must preserve the historical and cultural integrity of the Arrowhead landmark site.

The bill references maps for the descriptions of the parcels of land that are a part of the land exchange but requires land surveys be done of the parcels to confirm the boundaries, and allows for minor boundary adjustments, if needed.

Conclusion

The San Manuel Nation remains committed to getting the land exchange completed. We have invested significant time and money into this process and would like to see it completed in a timely fashion.

I am happy to report that I recently met the new Chief of the Forest Service, Mr. Tom Schultz, who committed to working with us to get this land exchange completed. He connected us with the regional and headquarters staff and I am hopeful that much progress will be made this year. The San Manuel Nation looks forward to working with Chief Schultz and with Congress to get this land exchange over the finish line.

Thank you for the opportunity to testify today and thank you for considering this legislation.