

DEPARTMENT of the INTERIOR

news release

OFFICE OF THE SECRETARY

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DECISION RESULTS IN CHEMEHUEVI TRIBE OWNERSHIP OF SHORELINE SECTION ON COLORADO RIVER

Acting Secretary of the Interior John C. Whitaker and Commissioner of Indian Affairs Morris Thompson announced today a decision, the result of which is that the Chemehuevi Tribe of Indians has equitable title to 18 miles of shoreline along Lake Havasu, a portion of the Colorado River. The shoreline is located in San Bernardino County about forty miles southeast of Needles, California.

The decision administratively puts to rest an ownership dispute concerning over 21 miles of shoreline which has been pending before the Department for several years.

The lands in question were owned by the Chemehuevi Tribe prior to construction of Parker Dam. In 1941, however, pursuant to an Act of Congress, Secretary Ickes designated the lands to be taken as part of a "freeboard" area for the reservoir, Lake Havasu, created behind the dam. Sixteen miles of the shoreline have been administered as public lands since that date, and five and one-half miles were included in Havasu National Wildlife Refuge.

The Tribe has claimed ownership of the lands and complained that it was denied access to the Lake. The Tribe pointed out that the shoreline lands were the only part of the reservation which were habitable and retained any value after 1940. Acting Secretary Whitaker's decision modifies the 1941 designation with the result that the Tribe has equitable title to the lands, subject to a flowage easement in the United States.

Acting Secretary Whitaker said "today's decision was made after an exhaustive study of its environmental consequences, and careful review of a comprehensive environmental impact statement prepared pursuant to the National Environmental Policy Act. It permits maximum utilization of their reservation lands by the Indians, while preserving for the wildlife refuge all lands essential to its operation." The dividing line between the Indian lands and those within the refuge will be a point north of Catfish Bay, to be fixed by survey.

(over)

Commissioner Morris Thompson said "this decision, like the ones in June determining the boundaries and rights of the Ft. Mohave Indians of California and the Colville and Spokane Tribes of Washington, represents a fulfillment of our pledge to honor fully the trust responsibilities of the United States to American Indians. Since 1940, when the fertile Chemehuevi valley part of the reservation was flooded, few tribal members have been able to subsist on the reservation. Today's decision makes it possible for the Chemehuevi Reservation to be once again an abiding home for the Tribe and its members."

There are about sixty-five non-Indian residential permittees living on the reservation, and several non-residential concessionaires and permittees. Most of these permits are revocable at any time, and have expiration dates ranging from later this year until 1984. Acting Secretary Whitaker has provided that the permits of all substantially full-time residents will be irrevocably extended until August 15, 1980, that all other residential permits will be irrevocably extended for three years -- until August 15, 1977 - and that all non-residential permits and concession contracts which expire in the next two years will be irrevocably extended until August 15, 1976.

Acting Secretary Whitaker also provided for an informal administrative hearing to determine the claims of persons alleging that they are substantially full time residents.

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