Indian Affairs - Office of Public Affairs

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For Immediate Release: June 21, 1977
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Under Secretary of the Interior James A. Joseph today announced his decision to revoke the 1965 Secretarial notice which adopted the land use laws of the City of Palm Springs and the State of California for Indian lands on the Agua Caliente Reservation located within the city.

"It is my decision, after considering views submitted by both tribal and city representatives, to revoke the 1965 notice," Joseph said. "The Department will assist the Tribe in working out a solution to zoning of these lands, but will expect that the Tribe will have the principal responsibility in making decisions on all questions related to this matter."

In a letter to Mayor Russell J. Beirich of Palm Springs, Joseph said it is expected that the Tribe will attempt to work out a land use plan acceptable to both the city and the Tribe.

"Not withstanding the now well-established doctrine that state and local land use laws are inapplicable to Indian trust lands, we recognize that uses to which Indian lands are put will affect non-Indian lands," he said. "Uses by non-Indians will likewise affect adjoining Indian lands. Where land use effects are, as here, correlative, it is not reasonable in my view, to expect that only the City's laws be applicable."

Joseph said that it was the Department's understanding that regulation of fee lands within the reservation is not sought by the tribe.

Prior to making his decision, the Under Secretary met with the Agua Caliente Tribe April 18, 1977, to hear their views and with the Mayor and other representatives of Palm Springs on May 10, 1977.