



# Ewiiapaayp Tribal Office

## Ewiiapaayp Band of Kumeyaay Indians

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March 24, 2016

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814



re: Comment Letter: Salton Sea

Dear Ms. Townsend:

The Ewiiapaayp Band of Kumeyaay Indians (the "Tribe") by this letter responds to the State Water Resources Board (State Water Board) notice of a public workshop to be held on April 19, 2016, at the regularly scheduled Board Meeting to receive information and solicit public input regarding the status of the Salton Sea Management Program.

A Tribe's rights and interests in its territory are its modern reservation lands and its former Indian lands outside of the exterior boundaries of its modern reservation lands but within its traditional and historical aboriginal territory. The Tribe's traditional and historical affiliation to its particular traditional territory is documented in traditional tribal knowledge and by renowned anthropologists, ethnologists and archaeologists in their publications.

This Tribe's Kumeyaay clan traditional territory includes a significant portion of present-day San Diego County up to Aqua Hedionda and inland along San Felipe Creek (just south of Borrego Springs). The territory is bounded to the east by the Sand Hills in Imperial County and includes the southern end of the Salton Basin and all of the Chocolate Mountains.

The Kuchut Kwataay, the national leader of related subclans within a clan and between related clans, for the Tipai clan traditionally came from the Ewiiapaayp Band. Our Kumeyaay clans were variously referred to as the southern Diegueno, the southeastern Diegueno, the southeastern Tipai, Kamia, or Kumeyaay proper. These are all one people. The People ("Kamiyaihi") in the mountains were referred to as the Blue Wild Cat people, and the People ("Kwelmixa") in the Imperial Valley as the Red Wild Cat people.<sup>1</sup> In actual practice, this nation moved seasonally from the mountains in the summer to the desert valley in the winter.

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<sup>1</sup> Edward W. Gifford, "Clans and Moieties in Southern California," *University of California Publications in American Archaeology and Ethnology* 14: (2) 169.

The Ewiiapaayp Band of Kumeyaay Indians' (and its affiliated tribes - Campo, La Posta and Manzanita – all derived from the Ewiiapaayp Indian Reservation) traditional and historical territories is at its northern extent longitude 33°10'N and within the southern shore of the San Diego River from its headwaters to the Pacific Ocean, at its southern extent latitude 31°30'S to the Pacific Ocean coastline, and at its eastern extent W115°30" longitude (all locations approximate).

This Tribes traditional territory includes lands to which no other tribes may rightfully assert a traditional and historical claim over, or demand federal, state and local government agencies defer to in any cultural or territorial matter. This Tribe, and its sister tribes of the southeastern Tipai clan, share common traditional and historical territory and are the only lawful tribes to mediate the protection and preservation of cultural resources and rights to traditional territory.

The Tribe is an party-at-interest and possesses certain Federal and State of California rights in law to assist in the protection and preservation of our traditional resources within the area encompassed by the Salton Sea Management Program, including Tribal Cultural Properties (TCP), water rights, and other resources. The Tribe is the proper tribal government to mediate the protection and preservation of such interests.

Therefore, the Ewiiapaayp Band of Kumeyaay Indians requests the officials of the Salton Sea Management Program and the State of California Water Resources Board collaborate with the Tribe to define a suitable role for the Tribe within the applicable statutory and regulatory framework. Please contact the Tribe's CEO, Mr. Will Micklin, to further our proposed discussion. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Robert Pinto Sr". The signature is written in a cursive, slightly slanted style.

Robert Pinto, Sr.  
Tribal Chairman  
Ewiiapaayp Band of Kumeyaay Indians