

Enrolled
Senate Joint Resolution 34

Sponsored by COMMITTEE ON RULES (at the request of Senator Ted Ferrioli, Senator Kate Brown, Representative Tom Butler)

Whereas the Burns Paiute Tribe, also known as the Wadatika, acquired the Logan Valley Mitigation lands and the Malheur Wildlife Mitigation property in 2000 with financial assistance from the Bonneville Power Administration (BPA) and holds both properties subject to an executory interest in favor of the BPA that requires the properties to be permanently managed for wildlife habitat protection; and

Whereas the tribe views the Malheur and Logan Valley lands as essential to the Wadatika's identity and existence as a tribal community; and

Whereas the lands lay within the tribe's aboriginal territory until the tribe was dispossessed of the lands by the federal government in the 19th century; and

Whereas placing the lands into federal trust will ensure that the lands will be nonalienable without just compensation and immune from liens and encumbrances other than the permanent conservation easement for wildlife mitigation and habitat restoration; and

Whereas placing the lands into federal trust also will advance tribal sovereignty by recognizing the right of the tribal government to exercise self-governance over lands that are sacred to the Wadatika; and

Whereas this increase in the tribal land base will expand the tribe's opportunities to practice their culture and traditions and may increase the tribe's annual funding allocation from the United States Bureau of Indian Affairs; and

Whereas the federal government, through the United States Department of the Interior, will act as a fiduciary in managing the tribe's property, including existing natural and cultural resources, which will maximize governmental resources in increasing the protection of wildlife habitat, riparian areas, watershed restoration and cultural sites and resources important to the tribe; and

Whereas placing the lands into federal trust will increase opportunities to coordinate with the state and with local governments in the areas of ecotourism, watershed management and habitat restoration; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

That we, the members of the Seventy-third Legislative Assembly, support the plans of the Burns Paiute Tribe to transfer the Logan Valley Mitigation lands and the Malheur Wildlife Mitigation property into federal trust in accordance with 25 C.F.R. 151.

Adopted by Senate June 24, 2005

Secretary of Senate

President of Senate

Adopted by House July 10, 2005

Speaker of House