
3. Affected Environment

3.10 INDIAN TRUST ASSETS

Although there is no concise legal definition of Indian Trust Assets (ITA), the courts have traditionally interpreted them as being tied to real property. ITAs are property interests held in trust by the United States for the benefit of Indian tribes or individuals. Indian reservations, rancherias, and public domain allotments are common ITAs. The land associated with these ITAs, as well as the resources within the boundaries, such as trees, minerals, oil, and gas, are also considered trust assets.

Other ITAs include traditional-use areas and fishery resources. Hunting and fishing rights may be ITAs, although under P.L. 280 fishing and hunting are regulated by the California Department of Fish and Game, both on and off reservations (CALFED 1998).

Types of actions which could affect ITAs include an interference with the exercise of a reserved water right, degradation of water quality where there is a water right, impacts to fish and wildlife where there is a hunting or fishing right, or noise near a land asset where it adversely impacts uses of the reserved land (USBR 1997d).

3.10.1 San Joaquin River Region

The San Joaquin River Region includes Fresno, Mariposa, San Joaquin, and Stanislaus counties, and parts of Calaveras, Merced, Madera, and Tuolumne counties. Approximately 11 reservations or rancherias are located in the counties that make up this region, although some of these reservations fall outside the region. There are also an unknown number of public domain allotments within the region. Each reservation, rancheria, or allotment represents an ITA unless they have been dropped from trust status.

The Monache, which are one of the native cultures in this region, have several places of mythical importance in the region. Table Mountain near Friant was thought to be visited by mythical beings.

Burial or cremation sites may also exist within the San Joaquin River Region (CALFED 1998).

3.10.2 Sacramento-San Joaquin Delta

No reservations or rancherias are located in the Sacramento-San Joaquin Delta. It is unlikely that there are any public domain allotments located within this region. There are no traditional properties or sacred sites in the area; however, several burial and cremation sites have been discovered (CALFED 1998).

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