

110TH CONGRESS
2D SESSION

H. R. 3490

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2008

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To transfer administrative jurisdiction of certain Federal lands from the Bureau of Land Management to the Bureau of Indian Affairs, to take such lands into trust for Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Tuolumne Me-Wuk
3 Land Transfer Act of 2008”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) the Tuolumne Band of Me-Wuk Indians of
7 the Tuolumne Rancheria, California (referred to in
8 this Act as the “Tribe”), is a federally recognized
9 Indian tribe;

10 (2) 3 tracts of Federal lands managed by the
11 Bureau of Land Management are adjacent to the
12 Tuolumne Rancheria of California, a federally recog-
13 nized Indian Reservation held in trust for the benefit
14 of the Tribe;

15 (3) one such tract is a cemetery within which
16 are buried the remains of ancestors of the Tribe and
17 other Indians;

18 (4) another such tract is needed for use by the
19 Tribe for a cultural center and other public uses of
20 the Tribe;

21 (5) the remaining tract is needed for use by the
22 Tribe for agricultural, housing, and open space
23 needs;

24 (6) none of the foregoing 3 tracts are to be
25 used by the Tribe for gaming purposes;

1 (7) certain parcels of lands adjacent to the
2 Tuolumne Rancheria were taken into trust for the
3 benefit of the Tribe; and

4 (8) 2 parcels of fee lands owned by the Tribe
5 and adjacent to the Tuolumne Rancheria, commonly
6 referred to as the “Thomas and Coenenburg prop-
7 erties”, have been approved and are pending trans-
8 fer into trust status by the Bureau of Indian Affairs
9 for the benefit of the Tribe.

10 **SEC. 3. LANDS TO BE TAKEN INTO TRUST.**

11 (a) IN GENERAL.—

12 (1) FEDERAL LANDS.—Subject to valid existing
13 rights, all right, title, and interest (including im-
14 provements and appurtenances) of the United States
15 in and to the Federal lands described in subsection
16 (b), immediately after the Secretary of the Interior
17 has confirmed that the National Environmental Pol-
18 icy Act of 1969 has been complied with regarding
19 the trust acquisition of those Federal lands, the
20 Federal lands shall be declared to be held in trust
21 by the United States for the benefit of the Tribe for
22 nongaming purposes, and shall be subject to the
23 same terms and conditions as those lands described
24 in the California Indian Land Transfer Act of 2000

1 (title IX, Public Law 106–568; 114 Stat. 2868,
2 2921).

3 (2) TRUST LANDS.—Lands described in sub-
4 section (c) of this section that are taken or to be
5 taken in trust by the United States for the benefit
6 of the Tribe shall be subject to subsection (c) of sec-
7 tion 903 of the California Indian Land Transfer Act
8 of 2000.

9 (b) FEDERAL LANDS DESCRIBED.—The Federal
10 lands described in this subsection, comprising approxi-
11 mately 66 acres, are as follows:

12 (1) Township 1 North, Range 16 East, Section
13 6, Lots 10 and 12, MDM, containing 50.24 acres
14 more or less.

15 (2) Township 1 North, Range 16 East, Section
16 5, Lot 16, MDM, containing 15.35 acres more or
17 less.

18 (3) Township 2 North, Range 16 East, Section
19 32, Indian Cemetery Reservation within Lot 22,
20 MDM, containing 0.4 acres more or less.

21 (c) TRUST LANDS DESCRIBED.—The trust lands de-
22 scribed in this subsection, comprising approximately 357
23 acres, are commonly referred to as follows:

24 (1) Thomas property, pending trust acquisition,
25 104.50 acres.

1 (2) Coenenburg property, pending trust acquisi-
2 tion, 192.70 acres, subject to existing easements of
3 record, including but not limited to a non-exclusive
4 easement for ingress and egress for the benefit of
5 adjoining property as conveyed by Easement Deed
6 recorded July 13, 1984, in Volume 755, Pages 189
7 to 192, and as further defined by Stipulation and
8 Judgment entered by Tuolumne County Superior
9 Court on September 2, 1983, and recorded June 4,
10 1984, in Volume 751, Pages 61 to 67.

11 (3) Assessor Parcel No. 620505300, 1.5 acres,
12 trust land.

13 (4) Assessor Parcel No. 620505400, 19.23
14 acres, trust land.

15 (5) Assessor Parcel No. 620505600, 3.46 acres,
16 trust land.

17 (6) Assessor Parcel No. 620505700, 7.44 acres,
18 trust land.

19 (7) Assessor Parcel No. 620401700, 0.8 acres,
20 trust land.

21 (8) A portion of Assessor Parcel No.
22 620500200, 2.5 acres, trust land.

23 (9) Assessor Parcel No. 620506200, 24.87
24 acres, trust land.

1 (d) SURVEY.—As soon as practicable after the date
2 of the enactment of this Act, the Office of Cadastral Sur-
3 vey of the Bureau of Land Management shall complete
4 fieldwork required for a survey of the lands described in
5 subsections (b) and (c) for the purpose of incorporating
6 those lands within the boundaries of the Tuolumne
7 Rancheria. Not later than 90 days after that fieldwork is
8 completed, that office shall complete the survey.

9 (e) LEGAL DESCRIPTIONS.—

10 (1) PUBLICATION.—On approval by the Com-
11 munity Council of the Tribe of the survey completed
12 under subsection (d), the Secretary of the Interior
13 shall publish in the Federal Register—

14 (A) a legal description of the new bound-
15 ary lines of the Tuolumne Rancheria; and

16 (B) a legal description of the land surveyed
17 under subsection (d).

18 (2) EFFECT.—Beginning on the date on which
19 the legal descriptions are published under paragraph
20 (1), such legal descriptions shall be the official legal
21 descriptions of those boundary lines of the Tuolumne
22 Rancheria and the lands surveyed.

Passed the House of Representatives April 29, 2008.

Attest: LORRAINE C. MILLER,
Clerk.