

111TH CONGRESS  
1ST SESSION

# H. R. 438

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2009

Mr. RADANOVICH introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Tuolumne Me-Wuk  
5 Land Transfer Act of 2009”.

6       **SEC. 2. LAND TO BE TAKEN INTO TRUST.**

7       (a) IN GENERAL.—

1           (1) FEDERAL LANDS.—Subject to valid existing  
2 rights, all right, title, and interest (including im-  
3 provements and appurtenances) of the United States  
4 in and to the Federal lands described in subsection  
5 (b), the Federal lands shall be declared to be held  
6 in trust by the United States for the benefit of the  
7 Tribe for nongaming purposes, and shall be subject  
8 to the same terms and conditions as those lands de-  
9 scribed in the California Indian Land Transfer Act  
10 (Public Law 106–568; 114 Stat. 2921).

11           (2) TRUST LANDS.—Lands described in sub-  
12 section (c) of this section that are taken or to be  
13 taken in trust by the United States for the benefit  
14 of the Tribe shall be subject to subsection (c) of sec-  
15 tion 903 of the California Indian Land Transfer Act  
16 (Public Law 106–568; 114 Stat. 2921).

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

20           (1) Township 1 North, Range 16 East, Section  
21 6, Lots 10 and 12, MDM, containing 50.24 acres  
22 more or less.

23           (2) Township 1 North, Range 16 East, Section  
24 5, Lot 16, MDM, containing 15.35 acres more or  
25 less.

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

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

7           (1) Thomas property, pending trust acquisition,  
8           104.50 acres.

9           (2) Coenenburg property, pending trust acquisi-  
10          tion, 192.70 acres, subject to existing easements of  
11          record, including but not limited to a non-exclusive  
12          easement for ingress and egress for the benefit of  
13          adjoining property as conveyed by Easement Deed  
14          recorded July 13, 1984, in Volume 755, Pages 189  
15          to 192, and as further defined by Stipulation and  
16          Judgment entered by Tuolumne County Superior  
17          Court on September 2, 1983, and recorded June 4,  
18          1984, in Volume 751, Pages 61 to 67.

19          (3) Assessor Parcel No. 620505300, 1.5 acres,  
20          trust land.

21          (4) Assessor Parcel No. 620505400, 19.23  
22          acres, trust land.

23          (5) Assessor Parcel No. 620505600, 3.46 acres,  
24          trust land.

1           (6) Assessor Parcel No. 620505700, 7.44 acres,  
2 trust land.

3           (7) Assessor Parcel No. 620401700, 0.8 acres,  
4 trust land.

5           (8) A portion of Assessor Parcel No.  
6 620500200, 2.5 acres, trust land.

7           (9) Assessor Parcel No. 620506200, 24.87  
8 acres, trust land.

9           (d) SURVEY.—As soon as practicable after the date  
10 of the enactment of this Act, the Office of Cadastral Sur-  
11 vey of the Bureau of Land Management shall complete  
12 fieldwork required for a survey of the lands described in  
13 subsections (b) and (c) for the purpose of incorporating  
14 those lands within the boundaries of the Tuolumne  
15 Rancheria. Not later than 90 days after that fieldwork is  
16 completed, that office shall complete the survey.

17           (e) LEGAL DESCRIPTIONS.—

18           (1) PUBLICATION.—On approval by the Com-  
19 munity Council of the Tribe of the survey completed  
20 under subsection (d), the Secretary of the Interior  
21 shall publish in the Federal Register—

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

24                   (B) a legal description of the land surveyed  
25 under subsection (d).

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

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