

**Statement of
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Senate Energy & Natural Resources Subcommittee on Public Lands and Forests
H.R. 3490, the Tuolumne Me-Wuk Land Transfer Act**

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Thank you for inviting me to testify on H.R. 3490, the Tuolumne Me-Wuk Land Transfer Act. The legislation directs that approximately 66 acres of land currently administered by the Bureau of Land Management (BLM) be taken into trust for the Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria (Tribe). The House of Representatives passed this legislation on April 29, 2008, with an amendment in the nature of a substitute. The Department supports the bill; however we would like to work with this Committee to clarify language in the House-passed bill.

H.R. 3490 represents years of cooperative effort between the Tribe and the BLM. The Tribe seeks trust status for three parcels of BLM-managed lands: the first tract, an approximately 50.24-acre parcel, to establish a cultural center. The second tract, of approximately 15.35 acres, would help meet the Tribe's agricultural, housing, and open space needs. The third tract, of approximately 0.4 acres, contains a cemetery where tribal members and other Indians are buried. These scattered tracts of public lands are adjacent to the current Tuolumne Indian Rancheria, located just north of the small community of Tuolumne, in rural northwest Tuolumne County, California.

The land in question has been managed by the BLM pursuant to a 1983 Management Framework Plan (MFP) for the Tuolumne River Management Area. The MFP was replaced by the Sierra Resource Management Plan (SRMP) through a Record of Decision on February 15, 2008. The SRMP clearly identifies these scattered tract parcels as potentially available for disposal based on current land uses. Transfer of the administrative jurisdiction of the three parcels from the BLM to the Bureau of Indian Affairs (BIA) would therefore conform to the SRMP.

The Department is pleased that H.R. 3490 addresses valid and existing rights and gaming. Our testimony on H.R. 3490 before the House Committee on Natural Resources (April 9, 2008) raised a concern about the time frame the bill allowed for completing necessary surveys. At markup, the Natural Resources Committee amended section 3(d) of the bill as we had recommended. The Department appreciates the positive action to address our concerns.

We are concerned that language pertaining to the National Environmental Policy Act (NEPA) in the House-passed bill may lead to confusion. We would appreciate the opportunity to work with this Committee on clarifying language.

The Department has had a cooperative working relationship with the Tuolumne Band of Me-Wuk Indians on this requested land transfer and supports H.R. 3490 with clarification.

This concludes my prepared testimony. I am happy to answer any questions the Committee may have.