

Monument, New Mexico, in the table under the heading "National Monuments Established Under Presidential Proclamation", set out as a note under section 431 of this title.

AMENDMENTS

2005—Subsec. (e). Pub. L. 109-132 designated existing provisions as pars. (1) to (3), inserted par. headings, struck out "on a willing seller basis" after "such fractional interest" in par. (2), and added pars. (4) and (5).

§ 698v-3. The Valles Caldera National Preserve

(a) Establishment

Upon the date of acquisition of the Baca ranch under section 698v-2(a) of this title, there is hereby established the Valles Caldera National Preserve as a unit of the National Forest System which shall include all Federal lands and interests in land acquired under sections 698v-2(a) and 698v-2(e) of this title, except those lands and interests in land administered or held in trust by the Secretary of the Interior under sections 698v-2(b) and 698v-2(g) of this title, and shall be managed in accordance with the purposes and requirements of sections 698v to 698v-10 of this title.

(b) Purposes

The purposes for which the Preserve is established are to protect and preserve the scientific, scenic, geologic, watershed, fish, wildlife, historic, cultural, and recreational values of the Preserve, and to provide for multiple use and sustained yield of renewable resources within the Preserve, consistent with sections 698v to 698v-10 of this title.

(c) Management authority

Except for the powers of the Secretary enumerated in sections 698v to 698v-10 of this title, the Preserve shall be managed by the Valles Caldera Trust established by section 698v-4 of this title.

(d) Eligibility for payment in lieu of taxes

Lands acquired by the United States under section 698v-2(a) of this title shall constitute entitlement lands for purposes of the Payment in Lieu of Taxes Act (31 U.S.C. 6901-6904).

(e) Withdrawals

(1) In general

Upon acquisition of all interests in minerals within the boundaries of the Baca ranch under section 698v-2(e) of this title, subject to valid existing rights, the lands comprising the Preserve are thereby withdrawn from disposition under all laws pertaining to mineral leasing, including geothermal leasing.

(2) Materials for roads and facilities

Nothing in sections 698v to 698v-10 of this title shall preclude the Secretary, prior to assumption of management of the Preserve by the Trust, and the Trust thereafter, from allowing the utilization of common varieties of mineral materials such as sand, stone, and gravel as necessary for construction and maintenance of roads and facilities within the Preserve.

(f) Fish and game

Nothing in sections 698v to 698v-10 of this title shall be construed as affecting the responsibil-

ities of the State of New Mexico with respect to fish and wildlife, including the regulation of hunting, fishing, and trapping within the Preserve, except that the Trust may, in consultation with the Secretary and the State of New Mexico, designate zones where and establish periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, the protection of nongame species and their habitats, or public use and enjoyment.

(g) Redondo Peak

(1) In general

For the purposes of preserving the natural, cultural, religious, and historic resources on Redondo Peak upon acquisition of the Baca ranch under section 698v-2(a) of this title, except as provided in paragraph (2), within the area of Redondo Peak above 10,000 feet in elevation—

(A) no roads, structures, or facilities shall be constructed; and

(B) no motorized access shall be allowed.

(2) Exceptions

Nothing in this subsection shall preclude—

(A) the use and maintenance of roads and trails existing as of July 25, 2000;

(B) the construction, use and maintenance of new trails, and the relocation of existing roads, if located to avoid Native American religious and cultural sites; and

(C) motorized access necessary to administer the area by the Trust (including measures required in emergencies involving the health or safety of persons within the area).

(Pub. L. 106-248, title I, §105, July 25, 2000, 114 Stat. 602.)

REFERENCES IN TEXT

The Payment in Lieu of Taxes Act, referred to in subsec. (d), is the popular name for Pub. L. 94-565, Oct. 20, 1976, 90 Stat. 2662, as amended, which was classified generally to sections 1601 to 1607 of former Title 31, Money and Finance. Sections 1601 to 1607 of former Title 31 were repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, and reenacted by the first section thereof as sections 6901 to 6904 and 6906 of Title 31, Money and Finance.

The laws pertaining to mineral leasing, referred to in subsec. (e)(1), are classified generally to Title 30, Mineral Lands and Mining.

Laws pertaining to geothermal leasing, referred to in subsec. (e)(1), are classified principally to chapter 23 (§1001 et seq.) of Title 30, Mineral Lands and Mining.

§ 698v-4. The Valles Caldera Trust

(a) Establishment

There is hereby established a wholly owned government corporation known as the Valles Caldera Trust which is empowered to conduct business in the State of New Mexico and elsewhere in the United States in furtherance of its corporate purposes.

(b) Corporate purposes

The purposes of the Trust are—

(1) to provide management and administrative services for the Preserve;

(2) to establish and implement management policies which will best achieve the purposes and requirements of sections 698v to 698v-10 of this title;