

serve and have free and unrestricted rights to use, operate, maintain, and reconstruct (at the same level of development, as in existence on the date of the Settlement Agreement), those sections of Forest Development Roads 57, 442, 416, 416v, 445 and 445ca referenced in Appendix B of the Settlement Agreement for any and all public and administrative access and other Federal governmental purposes, including access by Federal employees, their agents, contractors, and assigns (including those holding Forest Service permits).

**(2) Certain roads**

Notwithstanding paragraph (1), the United States—

(A) may improve Forest Development Road 416v beyond the existing condition of that road to a high clearance standard road (level 2); and

(B) shall have unrestricted administrative access and non-motorized public trail access to the portion of Forest Development Road 442 depicted in Appendix B to the Settlement Agreement.

**(f) Private mining operations**

**(1) COPAR Pumice Mine**

The United States and the Pueblo shall allow the COPAR Pumice Mine to continue to operate as provided in the Contract For The Sale Of Mineral Materials dated May 4, 1994, and for COPAR to use portions of Forest Development Roads 57, 442, 416, and other designated roads within the area described in the contract, for the period of the contract and thereafter for a period necessary to reclaim the site.

**(2) Continuing jurisdiction**

**(A) Administration**

Continuing jurisdiction of the United States over the contract for the sale of mineral materials shall be administered by the Secretary of the Interior.

**(B) Expiration of contract**

Upon expiration of the contract described in subparagraph (A), jurisdiction over reclamation shall be assumed by the Secretary of the Interior.

**(3) Effect on existing rights**

Nothing in this subchapter limits or enhances the rights of COPAR under the Contract For The Sale Of Mineral Materials dated May 4, 1994.

(Pub. L. 109-286, § 7, Sept. 27, 2006, 120 Stat. 1221.)

**§ 1780f. Conveyances**

**(a) Authorization**

**(1) Consideration from Pueblo**

Upon receipt of the consideration from the Pueblo for the Settlement Area Land and the Water System Land, the Secretary of Agriculture shall execute and deliver—

(A) to the Pueblo, a quitclaim deed to the Settlement Area Land; and

(B) to the County, a quitclaim deed to the Water System Land, reserving—

(i) a contingent remainder in the United States in trust for the benefit of the Pueblo

in accordance with the Los Alamos Agreement; and

(ii) a right of access for the United States for the Pueblo for ceremonial and other cultural purposes.

**(2) Consideration from County**

Upon receipt of the consideration from the County for all or a portion of the Los Alamos Townsite Land, the Secretary of Agriculture shall execute and deliver to the County a quitclaim deed to all or portions of such land, as appropriate.

**(3) Execution**

An easement or deed of conveyance by the Secretary of Agriculture under this subchapter shall be executed by the Director of Lands and Minerals, Forest Service, Southwestern Region, Department of Agriculture.

**(b) Authorization for Pueblo to convey in trust**

Upon receipt by the Pueblo of the quitclaim deed to the Settlement Land under subsection (a)(1), the Pueblo may quitclaim the Settlement Land to the United States, in trust for the Pueblo.

**(c) Adequacy of conveyance instruments**

Notwithstanding the status of the Federal land as public domain or acquired land, no instrument of conveyance other than a quitclaim deed shall be required to convey the Settlement Area Land, the Water System Land, the Northern Tier Land, or the Los Alamos Townsite Land under this subchapter.

**(d) Surveys**

The Secretary of Agriculture is authorized to perform and approve any required cadastral survey.

**(e) Contributions**

Notwithstanding section 3302 of title 31 or any other provision of law, the Secretary of Agriculture may accept and use contributions of cash or services from the Pueblo, other governmental entities, or other persons—

(1) to perform and complete required cadastral surveys for the Settlement Area Land, the Water System Land, the Northern Tier Land, or the Los Alamos Townsite Land, as described in the Settlement Agreement or the Los Alamos Agreement; and

(2) to carry out any other project or activity under—

(A) this subchapter;

(B) the Settlement Agreement; or

(C) the Los Alamos Agreement.

(Pub. L. 109-286, § 8, Sept. 27, 2006, 120 Stat. 1224.)

**§ 1780g. Trust status and National Forest boundaries**

**(a) Operation of law**

Without any additional administrative action by the Secretary of Agriculture or the Secretary of the Interior—

(1) on recording the quitclaim deed or deeds from the Pueblo to the United States in trust for the Pueblo under section 1780f(b) of this title in the Land Titles and Records Office, Southwest Region, Bureau of Indian Affairs—

(A) the Settlement Area Land shall be held in trust by the United States for the benefit of the Pueblo; and

(B) the boundaries of the Santa Fe National Forest shall be deemed to be modified to exclude from the National Forest System the Settlement Area Land; and

(2) on recording the quitclaim deed or deeds from the Secretary of Agriculture to the County of the Water System Land in the county land records, the boundaries of the Santa Fe National Forest shall be deemed to be modified to exclude from the National Forest System the Water System Land.

**(b) Future interests**

If fee title to the Water System Land vests in the Pueblo by conveyance or operation of law, the Water System Land shall be deemed to be held in trust by the United States for the benefit of the Pueblo, without further administrative procedures or environmental or other analyses.

**(c) Nonintercourse Act**

Any land conveyed to the Secretary of the Interior in trust for the Pueblo or any other tribe in accordance with this subchapter shall be—

- (1) subject to the Act of June 30, 1834 (25 U.S.C. 177); and
- (2) treated as reservation land.

(Pub. L. 109–286, §9, Sept. 27, 2006, 120 Stat. 1224.)

REFERENCES IN TEXT

Act of June 30, 1834, referred to in subsec. (c)(1), is act June 30, 1834, ch. 161, 4 Stat. 729. The act was incorporated into the Revised Statutes as R.S. §§533, 2111 to 2113, 2116 to 2118, 2124 to 2126, 2129 to 2135, 2137, 2141, 2145, 2147, 2150 to 2152, and 2154 to 2157. For complete classification of those sections of the Revised Statutes to the Code, see Tables.

**§ 1780h. Interim management**

Subject to valid existing rights, prior to the conveyance under section 1780g of this title, the Secretary of Agriculture, with respect to the Settlement Area Land, the Water System Land, the Northern Tier Land, and the Los Alamos Townsite Land—

(1) shall not encumber or dispose of the land by sale, exchange, or special use authorization, in such a manner as to substantially reduce the market value of the land;

(2) shall take any action that the Secretary determines to be necessary or desirable—

- (A) to protect the land from fire, disease, or insect infestation; or
- (B) to protect lives or property; and

(3) may, in consultation with the Pueblo or the County, as appropriate, authorize a special use of the Settlement Area Land, not to exceed 1 year in duration.

(Pub. L. 109–286, §10, Sept. 27, 2006, 120 Stat. 1225.)

**§ 1780i. Withdrawal**

Subject to valid existing rights, the land referenced in the notices of withdrawal of land in New Mexico (67 Fed. Reg. 7193; 68 Fed. Reg. 75628) is withdrawn from all location, entry, and patent under the public land laws and mining and

mineral leasing laws of the United States, including geothermal leasing laws.

(Pub. L. 109–286, §11, Sept. 27, 2006, 120 Stat. 1225.)

**§ 1780j. Conveyance of the Northern Tier Land**

**(a) Conveyance authorization**

**(1) In general**

Subject to valid existing rights, including reservations in the United States and any right under this section, the Secretary of Agriculture shall sell the Northern Tier Land on such terms and conditions as the Secretary may prescribe as being in the public interest and in accordance with this section.

**(2) Effect of paragraph**

The authorization under paragraph (1) is solely for the purpose of consolidating Federal and non-Federal land to increase management efficiency and is not in settlement or compromise of any claim of title by any Pueblo, Indian tribe, or other entity.

**(b) Rights of refusal**

**(1) Pueblo of Santa Clara**

**(A) In general**

In consideration for an easement under subsection (e)(2), the Pueblo of Santa Clara shall have an exclusive option to purchase the Northern Tier Land for the period beginning on September 27, 2006, and ending 90 days thereafter.

**(B) Resolution**

Within the period prescribed in subparagraph (A), the Pueblo of Santa Clara may exercise its option to acquire the Northern Tier Land by delivering to the Regional Director of Lands and Minerals, Forest Service, Southwestern Region, Department of Agriculture, a resolution of the Santa Clara Tribal Council expressing the unqualified intent of the Pueblo of Santa Clara to purchase the land at the offered price.

**(C) Failure to act**

If the Pueblo of Santa Clara does not exercise its option to purchase the Northern Tier Land within the 90-day period under subparagraph (A), or fails to close on the purchase of such land within 1 year of the date on which the option to purchase was exercised, the Secretary of Agriculture shall offer the Northern Tier Land for sale to the Pueblo.

**(2) Offer to Pueblo**

**(A) In general**

Not later than 90 days after receiving a written offer from the Secretary of Agriculture under paragraph (1)(C), the Pueblo may exercise its option to acquire the Northern Tier Land by delivering to the Regional Director of Lands and Minerals, Forest Service, Southwestern Region, a resolution of the Pueblo Tribal Council expressing the unqualified intent of the Pueblo to purchase the land at the offered price.

**(B) Failure of Pueblo to act**

If the Pueblo fails to exercise its option to purchase the Northern Tier Land within 90