

(7) the Forest Service documented the scenic and natural values of the Baca ranch in its 1993 study entitled “Report on the Study of the Baca Location No. 1, Santa Fe National Forest, New Mexico”, as directed by Public Law 101-556;

(8) the Baca ranch can be protected for current and future generations by continued operation as a working ranch under a unique management regime which would protect the land and resource values of the property and surrounding ecosystem while allowing and providing for the ranch to eventually become financially self-sustaining;

(9) the current owners have indicated that they wish to sell the Baca ranch, creating an opportunity for Federal acquisition and public access and enjoyment of these lands;

(10) certain features on the Baca ranch have historical and religious significance to Native Americans which can be preserved and protected through Federal acquisition of the property;

(11) the unique nature of the Valles Caldera and the potential uses of its resources with different resulting impacts warrants a management regime uniquely capable of developing an operational program for appropriate preservation and development of the land and resources of the Baca ranch in the interest of the public;

(12) an experimental management regime should be provided by the establishment of a Trust capable of using new methods of public land management that may prove to be cost-effective and environmentally sensitive; and

(13) the Secretary may promote more efficient management of the Valles Caldera and the watershed of the Santa Clara Creek through the assignment of purchase rights of such watershed to the Pueblo of Santa Clara.

(b) Purposes

The purposes of sections 698v to 698v-10 of this title are—

(1) to authorize Federal acquisition of the Baca ranch;

(2) to protect and preserve for future generations the scientific, scenic, historic, and natural values of the Baca ranch, including rivers and ecosystems and archaeological, geological, and cultural resources;

(3) to provide opportunities for public recreation;

(4) to establish a demonstration area for an experimental management regime adapted to this unique property which incorporates elements of public and private administration in order to promote long term financial sustainability consistent with the other purposes enumerated in this subsection; and

(5) to provide for sustained yield management of Baca ranch for timber production and domesticated livestock grazing insofar as is consistent with the other purposes stated herein.

(Pub. L. 106-248, title I, §102, July 25, 2000, 114 Stat. 598.)

REFERENCES IN TEXT

Pub. L. 101-556, referred to in subsec. (a)(7), is Pub. L. 101-556, Nov. 15, 1990, 104 Stat. 2762, which is not classified to the Code.

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109-132, §1, Dec. 20, 2005, 119 Stat. 2570, provided that: “This Act [amending sections 698v-2 and 698v-4 to 698v-6 of this title] may be cited as the ‘Valles Caldera Preservation Act of 2005.’”

SHORT TITLE

Pub. L. 106-248, title I, §101, July 25, 2000, 114 Stat. 598, provided that: “This title [enacting this section and sections 698v-1 to 698v-10 of this title] may be cited as the ‘Valles Caldera Preservation Act.’”

§ 698v-1. Definitions

In sections 698v to 698v-10 of this title:

(1) Baca ranch

The term “Baca ranch” means the lands and facilities described in section 698v-2(a) of this title.

(2) Board of Trustees

The terms “Board of Trustees” and “Board” mean the Board of Trustees as described in section 698v-5 of this title.

(3) Committees of Congress

The term “Committees of Congress” means the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(4) Financially self-sustaining

The term “financially self-sustaining” means management and operating expenditures equal to or less than proceeds derived from fees and other receipts for resource use and development and interest on invested funds. Management and operating expenditures shall include Trustee expenses, salaries and benefits of staff, administrative and operating expenses, improvements to and maintenance of lands and facilities of the Preserve, and other similar expenses. Funds appropriated to the Trust by Congress, either directly or through the Secretary, for the purposes of sections 698v to 698v-10 of this title shall not be considered.

(5) Multiple use and sustained yield

The term “multiple use and sustained yield” has the combined meaning of the terms “multiple use” and “sustained yield of the several products and services”, as defined under the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 531).

(6) Preserve

The term “Preserve” means the Valles Caldera National Preserve established under section 698v-3 of this title.

(7) Secretary

Except where otherwise provided, the term “Secretary” means the Secretary of Agriculture.

(8) Trust

The term “Trust” means the Valles Caldera Trust established under section 698v-4 of this title.

(Pub. L. 106-248, title I, §103, July 25, 2000, 114 Stat. 599.)

REFERENCES IN TEXT

The Multiple-Use Sustained-Yield Act of 1960, referred to in par. (5), is Pub. L. 86-517, June 12, 1960, 74

Stat. 215, as amended, which is classified generally to sections 528 to 531 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 528 of this title and Tables.

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 698v-2. Acquisition of lands

(a) Acquisition of Baca ranch

(1) In general

In compliance with section 471a of this title, the Secretary is authorized to acquire all or part of the rights, title, and interests in and to approximately 94,761 acres of the Baca ranch, comprising the lands, facilities, and structures referred to as the Baca Location No. 1, and generally depicted on a plat entitled “Independent Resurvey of the Baca Location No. 1”, made by L.A. Osterhoudt, W.V. Hall, and Charles W. Devendorf, U.S. Cadastral Engineers, June 30, 1920–August 24, 1921, under special instructions for Group No. 107 dated February 12, 1920, in New Mexico.

(2) Source of funds

The acquisition under paragraph (1) may be made by purchase through appropriated or donated funds, by exchange, by contribution, or by donation of land. Funds appropriated to the Secretary from the Land and Water Conservation Fund shall be available for this purpose.

(3) Basis of sale

The acquisition under paragraph (1) shall be based on an appraisal done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and—

(A) in the case of purchase, such purchase shall be on a willing seller basis for no more than the fair market value of the land or interests therein acquired; and

(B) in the case of exchange, such exchange shall be for lands, or interests therein, of equal value, in conformity with the existing exchange authorities of the Secretary.

(4) Deed

The conveyance of the offered lands to the United States under this subsection shall be by general warranty or other deed acceptable to the Secretary and in conformity with applicable title standards of the Attorney General.

(b) Addition of land to Bandelier National Monument

Upon acquisition of the Baca ranch under subsection (a) of this section, the Secretary of the Interior shall assume administrative jurisdiction over those lands within the boundaries of the Bandelier National Monument as modified under section 3 of Public Law 105-376 (112 Stat. 3389).

(c) Plat and maps

(1) Plat and maps prevail

In case of any conflict between a plat or a map and acreages, the plat or map shall prevail.

(2) Minor corrections

The Secretary and the Secretary of the Interior may make minor corrections in the boundaries of the Upper Alamo watershed as depicted on the map referred to in section 3 of Public Law 105-376 (112 Stat. 3389).

(3) Boundary modification

Upon the conveyance of any lands to any entity other than the Secretary, the boundary of the Preserve shall be modified to exclude such lands.

(4) Final maps

Within 180 days of the date of acquisition of the Baca ranch under subsection (a) of this section, the Secretary and the Secretary of the Interior shall submit to the Committees of Congress a final map of the Preserve and a final map of Bandelier National Monument, respectively.

(5) Public availability

The plat and maps referred to in the¹ subsection shall be kept and made available for public inspection in the offices of the Chief, Forest Service, and Director, National Park Service, in Washington, D.C., and Supervisor, Santa Fe National Forest, and Superintendent, Bandelier National Monument, in the State of New Mexico.

(d) Watershed management report

The Secretary, acting through the Forest Service, in cooperation with the Secretary of the Interior, acting through the National Park Service, shall—

(1) prepare a report of management alternatives which may—

(A) provide more coordinated land management within the area known as the upper watersheds of Alamo, Capulin, Medio, and Sanchez Canyons, including the areas known as the Dome Diversity Unit and the Dome Wilderness;

(B) allow for improved management of elk and other wildlife populations ranging between the Santa Fe National Forest and the Bandelier National Monument; and

(C) include proposed boundary adjustments between the Santa Fe National Forest and the Bandelier National Monument to facilitate the objectives under subparagraphs (A) and (B); and

(2) submit the report to the Committees of Congress within 120 days of July 25, 2000.

(e) Outstanding mineral interests

(1) In general

The acquisition of the Baca ranch by the Secretary shall be subject to all outstanding valid existing mineral interests.

(2) Acquisition

The Secretary is authorized and directed to negotiate with the owners of any fractional interest in the subsurface estate for the acquisition of such fractional interest for not to exceed its fair market value, as determined by appraisal done in conformity with the Uniform

¹ So in original. Probably should be “this”.