To designate the Valles Caldera National Preserve as a unit of the National Park System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Valles Caldera National Preserve Management Act”.

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SEC. 2. DEFINITIONS.

In this Act:

(1) ELIGIBLE EMPLOYEE.—The term “eligible employee” means a person who was a full-time or part-time employee of the Trust during the 180-day period immediately preceding the date of enactment of this Act.

(2) FUND.—The term “Fund” means the Valles Caldera Fund established by section 106(h)(2) of the Valles Caldera Preservation Act (16 U.S.C. 698v–4(h)(2)).

(3) PRESERVE.—The term “Preserve” means the Valles Caldera National Preserve in the State.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) STATE.—The term “State” means the State of New Mexico.

(6) TRUST.—The term “Trust” means the Valles Caldera Trust established by section 106(a) of the Valles Caldera Preservation Act (16 U.S.C. 698v–4(a)).

SEC. 3. VALLES CALDERA NATIONAL PRESERVE.

(a) DESIGNATION AS UNIT OF THE NATIONAL PARK SYSTEM.—To protect, preserve, and restore the fish, wildlife, watershed, natural, scientific, scenic, geologic, historic, cultural, archaeological, and recreational values of
the area, the Valles Caldera National Preserve is designated as a unit of the National Park System.

(b) MANAGEMENT.—

(1) APPLICABLE LAW.—The Secretary shall administer the Preserve in accordance with—

(A) this Act; and

(B) the laws generally applicable to units of the National Park System, including—

(i) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) MANAGEMENT COORDINATION.—The Secretary may coordinate the management and operations of the Preserve with the Bandelier National Monument.

(3) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 fiscal years after the date on which funds are made available to implement this subsection, the Secretary shall prepare a management plan for the Preserve.

(B) APPLICABLE LAW.—The management plan shall be prepared in accordance with—
(i) section 12(b) of Public Law 91–383 (commonly known as the “National Park Service General Authorities Act") (16 U.S.C. 1a–7(b)); and
(ii) any other applicable laws.

(C) Consultation.—The management plan shall be prepared in consultation with—

(i) the Secretary of Agriculture;
(ii) State and local governments;
(iii) Indian tribes and pueblos, including the Pueblos of Jemez, Santa Clara, and San Ildefonso; and
(iv) the public.

(e) Acquisition of Land.—

(1) In general.—The Secretary may acquire land and interests in land within the boundaries of the Preserve by—

(A) purchase with donated or appropriated funds;
(B) donation; or
(C) transfer from another Federal agency.

(2) Administration of Acquired Land.—On acquisition of any land or interests in land under paragraph (1), the acquired land or interests in land shall be administered as part of the Preserve.
(d) **Science and Education Program.**—

(1) **In general.**—The Secretary shall—

(A) until the date on which a management plan is completed in accordance with subsection (b)(3), carry out the science and education program for the Preserve established by the Trust; and

(B) beginning on the date on which a management plan is completed in accordance with subsection (b)(3), establish a science and education program for the Preserve that—

(i) allows for research and interpretation of the natural, historic, cultural, geologic and other scientific features of the Preserve;

(ii) provides for improved methods of ecological restoration and science-based adaptive management of the Preserve; and

(iii) promotes outdoor educational experiences in the Preserve.

(2) **Science and Education Center.**—As part of the program established under paragraph (1)(B), the Secretary may establish a science and education center outside the boundaries of the Preserve in Jemez Springs, New Mexico.
(e) Grazing.—The Secretary may shall allow the grazing of livestock within the Preserve to continue—

(1) at levels and locations determined by the Secretary to be appropriate, consistent with this Act; and

(2) to the extent the use furthers scientific research or interpretation of the ranching history of the Preserve.

(f) Fish and Wildlife.—Nothing in this Act affects the responsibilities of the State with respect to fish and wildlife in the State, except that the Secretary, in consultation with the New Mexico Department of Game and Fish—

(1) shall permit hunting and fishing on land and water within the Preserve in accordance with applicable Federal and State laws; and

(2) may designate zones in which, and establish periods during which, no hunting or fishing shall be permitted for reasons of public safety, administration, the protection of wildlife and wildlife habitats, or public use and enjoyment.

(f) Hunting, Fishing, and Trapping.—

(1) In general.—Except as provided in paragraph (2), the Secretary shall permit hunting, fishing,
and trapping on land and water within the Preserve in accordance with applicable Federal and State law.

(2) Administrative Exceptions.—The Secretary may designate areas in which, and establish limited periods during which, no hunting, fishing, or trapping shall be permitted under paragraph (1) for reasons of public safety, administration, or compliance with applicable law.

(3) Agency Agreement.—Except in an emergency, regulations closing areas within the Preserve to hunting, fishing, or trapping under this subsection shall be made in consultation with the appropriate agency of the State having responsibility for fish and wildlife administration.

(4) Savings Clause.—Nothing in this Act affects any jurisdiction or responsibility of the State with respect to fish and wildlife in the Preserve.

(g) Ecological Restoration.—

(1) In General.—The Secretary shall undertake activities to improve the health of forest, grassland, and riparian areas within the Preserve, including any activities carried out in accordance with title IV of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7301 et seq.).
(2) **COOPERATIVE AGREEMENTS.**—The Secretary may enter into cooperative agreements with adjacent pueblos to coordinate activities carried out under paragraph (1) on the Preserve and adjacent pueblo land.

(h) **WITHDRAWAL.**—Subject to valid existing rights, all land and interests in land within the boundaries of the Preserve are withdrawn from—

(1) entry, disposal, or appropriation under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing laws, geothermal leasing laws, and mineral materials laws.

(i) **VOLCANIC DOMES AND OTHER PEAKS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (3), for the purposes of preserving the natural, cultural, religious, archaeological, and historic resources of the volcanic domes and other peaks in the Preserve described in paragraph (2) within the area of the domes and peaks above 9,600 feet in elevation or 250 feet below the top of the dome, whichever is lower—

(A) no roads or buildings shall be constructed; and
(B) no motorized access shall be allowed.

(2) **DESCRIPTION OF VOLCANIC DOMES.**—The volcanic domes and other peaks referred to in paragraph (1) are—

(A) Redondo Peak;

(B) Redondito;

(C) South Mountain;

(D) San Antonio Mountain;

(E) Cerro Seco;

(F) Cerro San Luis;

(G) Cerros Santa Rosa;

(H) Cerros del Abrigo;

(I) Cerro del Medio;

(J) Rabbit Mountain;

(K) Cerro Grande;

(L) Cerro Toledo;

(M) Indian Point;

(N) Sierra de los Valles; and

(O) Cerros de los Posos.

(3) **EXCEPTION.**—Paragraph (1) shall not apply in cases in which construction or motorized access is necessary for administrative purposes (including ecological restoration activities or measures required in emergencies to protect the health and safety of persons in the area).
(j) **Traditional Cultural and Religious Sites.**—

(1) **In General.**—The Secretary, in consultation with Indian tribes and pueblos, shall ensure the protection of traditional cultural and religious sites in the Preserve.

(2) **Access.**—The Secretary, in accordance with Public Law 95–341 (commonly known as the “American Indian Religious Freedom Act”) (42 U.S.C. 1996)—

(A) shall provide access to the sites described in paragraph (1) by members of Indian tribes or pueblos for traditional cultural and customary uses; and

(B) may, on request of an Indian tribe or pueblo, temporarily close to general public use 1 or more specific areas of the Preserve to protect traditional cultural and customary uses in the area by members of the Indian tribe or pueblo.

(3) **Prohibition on Motorized Access.**—The Secretary shall maintain prohibitions on the use of motorized or mechanized travel on Preserve land located adjacent to the Santa Clara Indian Reserva-
tion, to the extent the prohibition was in effect on
the date of enactment of this Act.

(k) Caldera Rim Trail.—

(1) In general.—Not later than 3 years after
the date of enactment of this Act, the Secretary, in
consultation with the Secretary of Agriculture, af-
fected Indian tribes and pueblos, and the public,
shall study the feasibility of establishing a hiking
trail along the rim of the Valles Caldera on—

(A) land within the Preserve; and

(B) National Forest System land that is
adjacent to the Preserve.

(2) Agreements.—On the request of an af-
fected Indian tribe or pueblo, the Secretary and the
Secretary of Agriculture shall seek to enter into an
agreement with the Indian tribe or pueblo with re-
spect to the Caldera Rim Trail that provides for the
protection of—

(A) cultural and religious sites in the vicin-
ity of the trail; and

(B) the privacy of adjacent pueblo land.

(l) Valid Existing Rights.—Nothing in this Act
affects valid existing rights.
SEC. 4. TRANSFER OF ADMINISTRATIVE JURISDICTION.

(a) IN GENERAL.—Administrative jurisdiction over the Preserve is transferred from the Secretary of Agriculture and the Trust to the Secretary, to be administered as a unit of the National Park System, in accordance with section 3.

(b) EXCLUSION FROM SANTA FE NATIONAL FOREST.—The boundaries of the Santa Fe National Forest are modified to exclude the Preserve.

(e) INTERIM MANAGEMENT.—

(1) MEMORANDUM OF AGREEMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary and the Trust shall enter into a memorandum of agreement to facilitate the orderly transfer to the Secretary of the administration of the Preserve.

(2) EXISTING MANAGEMENT PLANS.—Notwithstanding the repeal made by section 5(a), until the date on which the Secretary completes a management plan for the Preserve in accordance with section 3(b)(3), the Secretary may administer the Preserve in accordance with any management activities or plans adopted by the Trust under the Valles Caldera Preservation Act (16 U.S.C. 698v et seq.), to the extent the activities or plans are consistent with section 3(b)(1).
(3) **PUBLIC USE.**—The Preserve shall remain open to public use during the interim management period, subject to such terms and conditions as the Secretary determines to be appropriate.

(d) **VALLES CALDERA TRUST.**—

(1) **TERMINATION.**—The Trust shall terminate 180 days after the date of enactment of this Act unless the Secretary determines that the termination date should be extended to facilitate the transitional management of the Preserve.

(2) **ASSETS AND LIABILITIES.**—

(A) **ASSETS.**—On termination of the Trust—

(i) all assets of the Trust shall be transferred to the Secretary; and

(ii) any amounts appropriated for the Trust shall remain available to the Secretary for the administration of the Preserve.

(B) **ASSUMPTION OF OBLIGATIONS.**—

(i) **IN GENERAL.**—On termination of the Trust, the Secretary shall assume all contracts, obligations, and other liabilities of the Trust.

(ii) **NEW LIABILITIES.**—
(I) BUDGET.—Not later than 90 days after the date of enactment of this Act, the Secretary and the Trust shall prepare a budget for the interim management of the Preserve.

(II) WRITTEN CONCURRENCE REQUIRED.—The Trust shall not incur any new liabilities not authorized in the budget prepared under subclause (I) without the written concurrence of the Secretary.

(3) PERSONNEL.—

(A) HIRING.—The Secretary and the Secretary of Agriculture may hire employees of the Trust on a noncompetitive basis for comparable positions at the Preserve or other areas or offices under the jurisdiction of the Secretary or the Secretary of Agriculture.

(B) SALARY.—Any employees hired from the Trust under subparagraph (A) shall be subject to the provisions of chapter 51, and subchapter III of chapter 53, title 5, United States Code, relating to classification and General Schedule pay rates.
(C) INTERIM RETENTION OF ELIGIBLE EMPLOYEES.—For a period of not less than 180 days beginning on the date of enactment of this Act, all eligible employees of the Trust shall be—

(i) retained in the employment of the Trust;

(ii) considered to be placed on detail to the Secretary; and

(iii) subject to the direction of the Secretary.

(D) TERMINATION FOR CAUSE.—Nothing in this paragraph precludes the termination of employment of an eligible employee for cause during the period described in subparagraph (C).

(4) RECORDS.—The Secretary shall have access to all records of the Trust pertaining to the management of the Preserve.

(5) VALLES CALDERA FUND.—

(A) IN GENERAL.—Effective on the date of enactment of this Act, the Secretary shall assume the powers of the Trust over the Fund.

(B) AVAILABILITY AND USE.—Any amounts in the Fund as of the date of enact-
ment of this Act shall be available to the Sec-
retary for use, without further appropriation,
for the management of the Preserve.

SEC. 5. REPEAL OF VALLES CALDERA PRESERVATION ACT.

(a) REPEAL.—On the termination of the Trust, the
Valles Caldera Preservation Act (16 U.S.C. 698v et seq.)
is repealed.

(b) EFFECT OF REPEAL.—Notwithstanding the re-
peal made by subsection (a)—

(1) the authority of the Secretary of Agri-
culture to acquire mineral interests under section
104(e) of the Valles Caldera Preservation Act (16
U.S.C. 698v–2(e)) is transferred to the Secretary
and any proceeding for the condemnation of, or pay-
ment of compensation for, an outstanding mineral
interest pursuant to the transferred authority shall
continue;

(2) the provisions in section 104(g) of the
Valles Caldera Preservation Act (16 U.S.C. 698v–
2(g)) relating to the Pueblo of Santa Clara shall re-
main in effect; and

(3) the Fund shall not be terminated until all
amounts in the Fund have been expended by the
Secretary.
(c) Boundaries.—The repeal of the Valles Caldera Preservation Act (16 U.S.C. 698v et seq.) shall not affect the boundaries as of the date of enactment of this Act (including maps and legal descriptions) of—

(1) the Preserve;

(2) the Santa Fe National Forest (other than the modification made by section 4(b));

(3) Bandelier National Monument; and

(4) any land conveyed to the Pueblo of Santa Clara.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.
A BILL

To designate the Valles Caldera National Preserve as a unit of the National Park System, and for other purposes.

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