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To amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and related laws to strengthen the protection of native biodiversity and ban clearcutting on Federal land, and to designate certain Federal land as Ancient forests, roadless areas, watershed protection areas, and special areas where logging and other intrusive activities are prohibited.

IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 2005

Mr. CORZINE (for himself and Mr. DODD) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and related laws to strengthen the protection of native biodiversity and ban clearcutting on Federal land, and to designate certain Federal land as Ancient forests, roadless areas, watershed protection areas, and special areas where logging and other intrusive activities are prohibited.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Act to Save America’s Forests”.

4 (b) TABLE OF CONTENTS.—The table of contents of
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purposes.

TITLE I—LAND MANAGEMENT

Sec. 101. Committee of scientists.

Sec. 102. Continuous forest inventory.

Sec. 103. Administration and management.

Sec. 104. Conforming amendments.

TITLE II—PROTECTION FOR ANCIENT FORESTS, ROADLESS
AREAS, WATERSHED PROTECTION AREAS, AND SPECIAL AREAS

Sec. 201. Findings.

Sec. 202. Definitions.

Sec. 203. Designation of special areas.

Sec. 204. Restrictions on management activities in Ancient forests, roadless
areas, watershed protection areas, and special areas.

TITLE III—EFFECTIVE DATE

Sec. 301. Effective date.

Sec. 302. Effect on existing contracts.

Sec. 303. Wilderness Act exclusion.

TITLE IV—GIANT SEQUOIA NATIONAL MONUMENT

Sec. 401. Findings.

Sec. 402. Definitions.

Sec. 403. Additions to Giant Sequoia National Monument.

Sec. 404. Transfer of administrative jurisdiction over the Giant Sequoia Na-
tional Monument.

Sec. 405. Additions to the Sierra National Forest and Inyo National Forest.

Sec. 406. Authorization of appropriations.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) Federal agencies that permit clearcutting
9 and other forms of even-age logging operations in-
10 clude the Forest Service, the United States Fish and

1 Wildlife Service, and the Bureau of Land Manage-
2 ment;

3 (2) clearcutting and other forms of even-age
4 logging operations cause substantial alterations in
5 native biodiversity by—

6 (A) emphasizing the production of a lim-
7 ited number of commercial species, and often
8 only a single species, of trees on each site;

9 (B) manipulating the vegetation toward
10 greater relative density of the commercial spe-
11 cies;

12 (C) suppressing competing species; and

13 (D) requiring the planting, on numerous
14 sites, of a commercial strain of the species that
15 reduces the relative diversity of other genetic
16 strains of the species that were traditionally lo-
17 cated on the same sites;

18 (3) clearcutting and other forms of even-age
19 logging operations—

20 (A) frequently lead to the death of immo-
21 bile species and the very young of mobile spe-
22 cies of wildlife; and

23 (B) deplete the habitat of deep-forest spe-
24 cies of animals, including endangered species
25 and threatened species;

1 (4)(A) clearcutting and other forms of even-age
2 logging operations—

3 (i) expose the soil to direct sunlight and
4 the impact of precipitation;

5 (ii) disrupt the soil surface;

6 (iii) compact organic layers; and

7 (iv) disrupt the run-off restraining capa-
8 bilities of roots and low-lying vegetation, result-
9 ing in soil erosion, the leaching of nutrients, a
10 reduction in the biological content of soil, and
11 the impoverishment of soil; and

12 (B) all of the consequences described in sub-
13 paragraph (A) have a long-range deleterious effect
14 on all land resources, including timber production;

15 (5) clearcutting and other forms of even-age
16 logging operations aggravate global climate change
17 by—

18 (A) decreasing the capability of the soil to
19 retain carbon; and

20 (B) during the critical periods of felling
21 and site preparation, reducing the capacity of
22 the biomass to process and to store carbon,
23 with a resultant loss of stored carbon to the at-
24 mosphere;

1 (6) clearcutting and other forms of even-age
2 logging operations render soil increasingly sensitive
3 to acid deposits by causing a decline of soil wood
4 and coarse woody debris;

5 (7) a decline of solid wood and coarse woody
6 debris reduces the capacity of soil to retain water
7 and nutrients, which in turn increases soil heat and
8 impairs soil's ability to maintain protective carbon
9 compounds on the soil surface;

10 (8) clearcutting and other forms of even-age
11 logging operations result in—

12 (A) increased stream sedimentation and
13 the silting of stream bottoms;

14 (B) a decline in water quality;

15 (C) the impairment of life cycles and
16 spawning processes of aquatic life from benthic
17 organisms to large fish; and

18 (D) as a result of the effects described in
19 subparagraphs (A) through (C), a depletion of
20 the sport and commercial fisheries of the
21 United States;

22 (9) clearcutting and other forms of even-age
23 management of Federal forests disrupt natural dis-
24 turbance regimes that are critical to ecosystem func-
25 tion;

1 (10) clearcutting and other forms of even-age
2 logging operations increase harmful edge effects, in-
3 cluding—

4 (A) blowdowns;

5 (B) invasions by weed species; and

6 (C) heavier losses to predators and com-
7 petitors;

8 (11) by reducing the number of deep, canopied,
9 variegated, permanent forests, clearcutting and other
10 forms of even-age logging operations—

11 (A) limit areas where the public can satisfy
12 an expanding need for recreation; and

13 (B) decrease the recreational value of land;

14 (12) clearcutting and other forms of even-age
15 logging operations replace forests described in para-
16 graph (11) with a surplus of clearings that grow into
17 relatively impenetrable thickets of saplings, and then
18 into monoculture tree plantations;

19 (13) because of the harmful and, in many
20 cases, irreversible, damage to forest species and for-
21 est ecosystems caused by logging of Ancient and
22 roadless forests, clearcutting, and other forms of
23 even-age management, it is important that these
24 practices be halted based on the precautionary prin-
25 ciple;

1 (14) human beings depend on native biological
2 resources, including plants, animals, and micro-orga-
3 nisms—

4 (A) for food, medicine, shelter, and other
5 important products; and

6 (B) as a source of intellectual and sci-
7 entific knowledge, recreation, and aesthetic
8 pleasure;

9 (15) alteration of native biodiversity has serious
10 consequences for human welfare, as the United
11 States irretrievably loses resources for research and
12 agricultural, medicinal, and industrial development;

13 (16) alteration of biodiversity in Federal forests
14 adversely affects the functions of ecosystems and
15 critical ecosystem processes that—

16 (A) moderate climate;

17 (B) govern nutrient cycles and soil con-
18 servation and production;

19 (C) control pests and diseases; and

20 (D) degrade wastes and pollutants;

21 (17)(A) clearcutting and other forms of even-
22 age management operations have significant deleter-
23 ious effects on native biodiversity, by reducing habi-
24 tat and food for cavity-nesting birds and insectivores

1 such as the 3-toed woodpecker and hairy woodpecker
2 and for neotropical migratory bird species; and

3 (B) the reduction in habitat and food supply
4 could disrupt the lines of dependency among species
5 and their food resources and thereby jeopardize crit-
6 ical ecosystem function, including limiting outbreaks
7 of destructive insect populations; for example—

8 (i) the 3-toed woodpecker requires clumped
9 snags in spruce-fir forests, and 99 percent of its
10 winter diet is composed of insects, primarily
11 spruce beetles; and

12 (ii) a 3-toed woodpecker can consume as
13 much as 26 percent of the brood of an endemic
14 population of spruce bark beetle and reduce
15 brood survival of the population by 70 to 79
16 percent;

17 (18) the harm of clearcutting and other forms
18 of even-age logging operations on the natural re-
19 sources of the United States and the quality of life
20 of the people of the United States is substantial, se-
21 vere, and avoidable;

22 (19) by substituting selection management, as
23 required by this Act, for clearcutting and other
24 forms of even-age logging operations, the Federal
25 agencies involved with those logging operations

1 would substantially reduce devastation to the envi-
2 ronment and improve the quality of life of the people
3 of the United States;

4 (20) selection management—

5 (A) retains natural forest structure and
6 function;

7 (B) focuses on long-term rather than
8 short-term management;

9 (C) works with, rather than against, the
10 checks and balances inherent in natural proc-
11 esses; and

12 (D) permits the normal, natural processes
13 in a forest to allow the forest to go through the
14 natural stages of succession to develop a forest
15 with old growth ecological functions;

16 (21) by protecting native biodiversity, as re-
17 quired by this Act, Federal agencies would maintain
18 vital native ecosystems and improve the quality of
19 life of the people of the United States;

20 (22) selection logging—

21 (A) is more job intensive, and therefore
22 provides more employment than clearcutting
23 and other forms of even-age logging operations
24 to manage the same quantity of timber produc-
25 tion; and

1 (B) produces higher quality sawlogs than
 2 clearcutting and other forms of even-age log-
 3 ging operations; and

4 (23) the judicial remedies available to enforce
 5 Federal forest laws are inadequate, and should be
 6 strengthened by providing for injunctions, declara-
 7 tory judgments, statutory damages, and reasonable
 8 costs of suit.

9 (b) PURPOSE.—The purpose of this Act is to conserve
 10 native biodiversity and protect all native ecosystems on all
 11 Federal land against losses that result from—

12 (1) clearcutting and other forms of even-age
 13 logging operations; and

14 (2) logging in Ancient forests, roadless areas,
 15 watershed protection areas, and special areas.

16 **TITLE I—LAND MANAGEMENT**

17 **SEC. 101. COMMITTEE OF SCIENTISTS.**

18 Section 6 of the Forest and Rangeland Renewable
 19 Resources Planning Act of 1974 (16 U.S.C. 1604) is
 20 amended by striking subsection (h) and inserting the fol-
 21 lowing:

22 “(h) COMMITTEE OF SCIENTISTS.—

23 “(1) IN GENERAL.—To carry out subsection
 24 (g), the Secretary shall appoint a committee com-
 25 posed of scientists—

1 “(A) who are not officers or employees of
2 the Forest Service, of any other public entity,
3 or of any entity engaged in whole or in part in
4 the production of wood or wood products;

5 “(B) not more than one-third of whom
6 have contracted with or represented any entity
7 described in subparagraph (A) during the 5-
8 year period ending on the date of the proposed
9 appointment to the committee; and

10 “(C) not more than one-third of whom are
11 foresters.

12 “(2) QUALIFICATIONS OF FORESTERS.—A for-
13 ester appointed to the committee shall be an indi-
14 vidual with—

15 “(A) extensive training in conservation bi-
16 ology; and

17 “(B) field experience in selection manage-
18 ment.

19 “(3) DUTIES.—The committee shall provide sci-
20 entific and technical advice and counsel on proposed
21 guidelines and procedures and all other issues involv-
22 ing forestry and native biodiversity to promote an ef-
23 fective interdisciplinary approach to forestry and na-
24 tive biodiversity.

1 “(4) TERMINATION.—The committee shall ter-
2 minate on the date that is 10 years after the date
3 of enactment of the Act to Save America’s For-
4 ests.”.

5 **SEC. 102. CONTINUOUS FOREST INVENTORY.**

6 (a) IN GENERAL.—Not later than 2 years after the
7 date of enactment of this Act, each of the Chief of the
8 Forest Service, the Director of the United States Fish and
9 Wildlife Service, and the Director of the Bureau of Land
10 Management (referred to individually as an “agency
11 head”) shall prepare a continuous inventory of forest land
12 administered by those agency heads, respectively.

13 (b) REQUIREMENTS.—A continuous forest inventory
14 shall constitute a long-term monitoring and inventory sys-
15 tem that—

16 (1) is contiguous throughout affected Federal
17 forest land; and

18 (2) is based on a set of permanent plots that
19 are inventoried every 10 years to—

20 (A) assess the impacts that human activi-
21 ties are having on management of the eco-
22 system;

23 (B) gauge—

24 (i) floristic and faunistic diversity,
25 abundance, and dominance; and

1 (ii) economic and social value; and

2 (C) monitor changes in the age, structure,
3 and diversity of species of trees and other vege-
4 tation.

5 (c) DECENNIAL INVENTORIES.—Each decennial in-
6 ventory under subsection (b)(2) shall be completed not
7 more than 60 days after the date on which the inventory
8 is begun.

9 (d) NATIONAL ACADEMY OF SCIENCES.—In pre-
10 paring a continuous forest inventory, an agency head may
11 use the services of the National Academy of Sciences to—

12 (1) develop a system for the continuous forest
13 inventory by which certain guilds or indicator species
14 are measured; and

15 (2) identify any changes to the continuous for-
16 est inventory that are necessary to ensure that the
17 continuous forest inventory is consistent with the
18 most accurate scientific methods.

19 (e) WHOLE-SYSTEM MEASURES.—At the end of each
20 forest planning period, an agency head shall document
21 whole-system measures that will be taken as a result of
22 a decennial inventory.

23 (f) PUBLIC AVAILABILITY.—Results of a continuous
24 forest inventory shall be made available to the public with-
25 out charge.

1 **SEC. 103. ADMINISTRATION AND MANAGEMENT.**

2 The Forest and Rangeland Renewable Resources
3 Planning Act of 1974 is amended by adding after section
4 6 (16 U.S.C. 1604) the following:

5 **“SEC. 6A. CONSERVATION OF NATIVE BIODIVERSITY; SE-**
6 **LECTION LOGGING; PROHIBITION OF**
7 **CLEARCUTTING.**

8 “(a) **APPLICABILITY.**—This section applies to the ad-
9 ministration and management of—

10 “(1) National Forest System land, under this
11 Act;

12 “(2) Federal land, under the Federal Land Pol-
13 icy and Management Act of 1976 (43 U.S.C. 1701
14 et seq.); and

15 “(3) National Wildlife Refuge System land,
16 under the National Wildlife Refuge System Adminis-
17 tration Act of 1966 (16 U.S.C. 668dd et seq.).

18 “(b) **NATIVE BIODIVERSITY IN FORESTED AREAS.**—
19 The Secretary shall provide for the conservation or res-
20 toration of native biodiversity in each stand and each wa-
21 tershed throughout each forested area, except during the
22 extraction stage of authorized mineral development or dur-
23 ing authorized construction projects, in which cases the
24 Secretary shall conserve native biodiversity to the max-
25 imum extent practicable.

1 “(c) RESTRICTION ON USE OF CERTAIN LOGGING
2 PRACTICES.—

3 “(1) DEFINITIONS.—In this subsection:

4 “(A) AGE DIVERSITY.—The term ‘age di-
5 versity’ means the naturally occurring range
6 and distribution of age classes within a given
7 species.

8 “(B) BASAL AREA.—The term ‘basal area’
9 means the area of the cross section of a tree
10 stem, including the bark, at 4.5 feet above the
11 ground.

12 “(C) CLEARCUTTING.—The term
13 ‘clearcutting’ means an even-age logging oper-
14 ation that removes all of the trees over a con-
15 siderable portion of a stand at 1 time.

16 “(D) CONSERVATION.—The term ‘con-
17 servation’ means protective measures for main-
18 taining native biodiversity and active and pas-
19 sive measures for restoring diversity through
20 management efforts, in order to protect, re-
21 store, and enhance as much of the variety of
22 species and communities as practicable in abun-
23 dances and distributions that provide for their
24 continued existence and normal functioning, in-

1 including the viability of populations throughout
2 their natural geographic distributions.

3 “(E) EVEN-AGE LOGGING OPERATION.—

4 “(i) IN GENERAL.—The term ‘even-
5 age logging operation’ means a logging ac-
6 tivity that—

7 “(I) creates a clearing or opening
8 that exceeds $\frac{1}{5}$ acre;

9 “(II) creates a stand in which the
10 majority of trees are within 10 years
11 of the same age; or

12 “(III) within a period of 30
13 years, cuts or removes more than the
14 lesser of—

15 “(aa) the growth of the
16 basal area of all tree species (not
17 including a tree of a non-native
18 invasive tree species or an
19 invasive plantation species) in a
20 stand; or

21 “(bb) 20 percent of the
22 basal area of a stand.

23 “(ii) INCLUSION.—The term ‘even-age
24 logging operation’ includes the application
25 of clearcutting, high grading, seed-tree cut-

1 ting, shelterwood cutting, or any other log-
 2 ging method in a manner inconsistent with
 3 selection management.

4 “(iii) EXCLUSION.—The term ‘even-
 5 age logging operation’ does not include the
 6 cutting or removal of—

7 “(I) a tree of a non-native
 8 invasive tree species; or

9 “(II) an invasive plantation spe-
 10 cies, if native longleaf pine are plant-
 11 ed in place of the removed invasive
 12 plantation species.

13 “(F) GENETIC DIVERSITY.—The term ‘ge-
 14 netic diversity’ means the differences in genetic
 15 composition within and among populations of a
 16 species.

17 “(G) HIGH GRADING.—The term ‘high
 18 grading’ means the removal of only the larger
 19 or more commercially valuable trees in a stand,
 20 resulting in an alteration in the natural range
 21 of age diversity or species diversity in the stand.

22 “(H) INVASIVE PLANTATION SPECIES.—
 23 The term ‘invasive plantation species’ means a
 24 loblolly pine or slash pine that was planted or
 25 managed by the Forest Service or any other

1 Federal agency as part of an even-aged
2 monoculture tree plantation.

3 “(I) NATIVE BIODIVERSITY.—

4 “(i) IN GENERAL.—The term ‘native
5 biodiversity’ means—

6 “(I) the full range of variety and
7 variability within and among living or-
8 ganisms; and

9 “(II) the ecological complexes in
10 which the living organisms would have
11 occurred (including naturally occur-
12 ring disturbance regimes) in the ab-
13 sence of significant human impact.

14 “(ii) INCLUSIONS.—The term ‘native
15 biodiversity’ includes diversity—

16 “(I) within a species (including
17 genetic diversity, species diversity, and
18 age diversity);

19 “(II) within a community of spe-
20 cies;

21 “(III) between communities of
22 species;

23 “(IV) within a discrete area, such
24 as a watershed;

1 “(V) along a vertical plane from
2 ground to sky, including application of
3 the plane to all the other types of di-
4 versity; and

5 “(VI) along the horizontal plane
6 of the land surface, including applica-
7 tion of the plane to all the other types
8 of diversity.

9 “(J) NON-NATIVE INVASIVE TREE SPE-
10 CIES.—

11 “(i) IN GENERAL.—The term ‘non-na-
12 tive invasive tree species’ means a species
13 of tree not native to North America.

14 “(ii) INCLUSIONS.—The term ‘non-na-
15 tive invasive tree species’ includes—

16 “(I) Australian pine (*Casaurina*
17 *equisetifolia*);

18 “(II) Brazilian pepper (*Schinus*
19 *terebinthifolius*);

20 “(III) Common buckthorn
21 (*Rhamnus cathartica*);

22 “(IV) Eucalyptus (*Eucalyptus*
23 *globulus*);

24 “(V) Glossy buckthorn (*Rhamnus*
25 *frangula*);

1 “(VI) Melaleuca (Melaleuca
2 quinquenervia);

3 “(VII) Norway maple (Acer
4 platanoides);

5 “(VIII) Princess tree (Paulownia
6 tomentosa);

7 “(IX) Salt cedar (Tamarix spe-
8 cies);

9 “(X) Silk tree (Albizia
10 julibrissin);

11 “(XI) Strawberry guava
12 (Psidium cattleianum);

13 “(XII) Tree-of-heaven (Ailanthus
14 altissima);

15 “(XIII) Velvet tree (Miconia
16 calvescens); and

17 “(XIV) White poplar (Populus
18 alba).

19 “(K) SEED-TREE CUT.—The term ‘seed-
20 tree cut’ means an even-age logging operation
21 that leaves a small minority of seed trees in a
22 stand for any period of time.

23 “(L) SELECTION MANAGEMENT.—

24 “(i) IN GENERAL.—The term ‘selec-
25 tion management’ means a method of log-

1 ging that emphasizes the periodic, indi-
2 vidual selection and removal of varying size
3 and age classes of the weaker, nondomi-
4 nant cull trees in a stand and leaves uncut
5 the stronger dominant trees to survive and
6 reproduce, in a manner that works with
7 natural forest processes and—

8 “(I) ensures the maintenance of
9 continuous high forest cover where
10 high forest cover naturally occurs;

11 “(II) ensures the maintenance or
12 natural regeneration of all native spe-
13 cies in a stand;

14 “(III) ensures the growth and de-
15 velopment of trees through a range of
16 diameter or age classes to provide a
17 sustained yield of forest products in-
18 cluding clean water, rich soil, and na-
19 tive plants and wildlife; and

20 “(IV) ensures that some dead
21 trees, standing and downed, shall be
22 left in each stand where selection log-
23 ging occurs, to fulfill their necessary
24 ecological functions in the forest eco-
25 system, including providing elemental

1 and organic nutrients to the soil,
 2 water retention, and habitat for en-
 3 demic insect species that provide the
 4 primary food source for predators (in-
 5 cluding various species of amphibians
 6 and birds, such as cavity nesting
 7 woodpeckers).

8 “(ii) EXCLUSION.—

9 “(I) IN GENERAL.—Subject to
 10 subclause (II), the term ‘selection
 11 management’ does not include an
 12 even-age logging operation.

13 “(II) FELLING AGE; NATIVE BIO-
 14 DIVERSITY.—Subclause (I) does not—

15 “(aa) establish a 150-year
 16 projected felling age as the
 17 standard at which individual
 18 trees in a stand are to be cut; or

19 “(bb) limit native biodiver-
 20 sity to that which occurs within
 21 the context of a 150-year pro-
 22 jected felling age.

23 “(M) SHELTERWOOD CUT.—The term
 24 ‘shelterwood cut’ means an even-age logging op-
 25 eration that leaves—

1 “(i) a minority of the stand (larger
2 than a seed-tree cut) as a seed source; or

3 “(ii) a protection cover remaining
4 standing for any period of time.

5 “(N) SPECIES DIVERSITY.—The term ‘spe-
6 cies diversity’ means the richness and variety of
7 native species in a particular location.

8 “(O) STAND.—The term ‘stand’ means a
9 biological community of trees on land described
10 in subsection (a), comprised of not more than
11 100 contiguous acres with sufficient identity of
12 1 or more characteristics (including location, to-
13 pography, and dominant species) to be managed
14 as a unit.

15 “(P) TIMBER PURPOSE.—

16 “(i) IN GENERAL.—The term ‘timber
17 purpose’ means the use, sale, lease, or dis-
18 tribution of trees, including the felling of
19 trees or portions of trees.

20 “(ii) EXCEPTION.—The term ‘timber
21 purpose’ does not include the felling of
22 trees or portions of trees to create land
23 space for a Federal administrative struc-
24 ture.

1 “(Q) WITHIN-COMMUNITY DIVERSITY.—

2 The term ‘within-community diversity’ means
3 the distinctive assemblages of species and eco-
4 logical processes that occur in various physical
5 settings of the biosphere and distinct locations.

6 “(2) PROHIBITION OF CLEARCUTTING AND
7 OTHER FORMS OF EVEN-AGE LOGGING OPER-
8 ATIONS.—No clearcutting or other form of even-age
9 logging operation shall be permitted in any stand or
10 watershed.

11 “(3) MANAGEMENT OF NATIVE BIODIVER-
12 SITY.—On each stand on which an even-age logging
13 operation has been conducted on or before the date
14 of enactment of this section, and on each deforested
15 area managed for timber purposes on or before the
16 date of enactment of this section, excluding areas oc-
17 cupied by existing buildings, the Secretary shall—

18 “(A) prescribe a shift to selection manage-
19 ment; or

20 “(B) cease managing the stand for timber
21 purposes, in which case the Secretary shall—

22 “(i) undertake an active restoration of
23 the native biodiversity of the stand; or

24 “(ii) permit the stand to regain native
25 biodiversity.

1 “(4) ENFORCEMENT.—

2 “(A) FINDING.—Congress finds that all
3 people of the United States are injured by ac-
4 tions on land to which subsection (g)(3)(B) and
5 this subsection applies.

6 “(B) PURPOSE.—The purpose of this para-
7 graph is to foster the widest and most effective
8 possible enforcement of subsection (g)(3)(B)
9 and this subsection.

10 “(C) FEDERAL ENFORCEMENT.—The Sec-
11 retary of Agriculture, the Secretary of the Inte-
12 rior, and the Attorney General shall enforce
13 subsection (g)(3)(B) and this subsection against
14 any person that violates 1 or more of those pro-
15 visions.

16 “(D) CITIZEN SUITS.—

17 “(i) IN GENERAL.—A citizen harmed
18 by a violation of subsection (g)(3)(B) or
19 this subsection may bring a civil action in
20 United States district court for a declara-
21 tory judgment, a temporary restraining
22 order, an injunction, statutory damages, or
23 other remedy against any alleged violator,
24 including the United States.

1 “(ii) JUDICIAL RELIEF.—If a district
2 court of the United States determines that
3 a violation of subsection (g)(3)(B) or this
4 subsection has occurred, the district
5 court—

6 “(I) shall impose a damage
7 award of not less than \$5,000;

8 “(II) may issue 1 or more injunc-
9 tions or other forms of equitable re-
10 lief; and

11 “(III) shall award to the plain-
12 tiffs reasonable costs of bringing the
13 action, including attorney’s fees, wit-
14 ness fees, and other necessary ex-
15 penses.

16 “(iii) STANDARD OF PROOF.—The
17 standard of proof in all actions under this
18 subparagraph shall be the preponderance
19 of the evidence.

20 “(iv) TRIAL.—A trial for any action
21 under this subsection shall be de novo.

22 “(E) PAYMENT OF DAMAGES.—

23 “(i) NON-FEDERAL VIOLATOR.—A
24 damage award under subparagraph (D)(ii)
25 shall be paid to the Treasury by a non-

1 Federal violator or violators designated by
2 the court.

3 “(ii) FEDERAL VIOLATOR.—

4 “(I) IN GENERAL.—Not later
5 than 40 days after the date on which
6 judgment is rendered, a damage
7 award under subparagraph (D)(ii) for
8 which the United States is determined
9 to be liable shall be paid from the
10 Treasury, as provided under section
11 1304 of title 31, United States Code,
12 to the person or persons designated to
13 receive the damage award.

14 “(II) USE OF DAMAGE AWARD.—

15 A damage award described under sub-
16 clause (I) shall be used by the recipi-
17 ent to protect or restore native bio-
18 diversity on Federal land or on land
19 adjoining Federal land.

20 “(III) COURT COSTS.—Any

21 award of costs of litigation and any
22 award of attorney fees shall be paid
23 by a Federal violator not later than
24 40 days after the date on which judg-
25 ment is rendered.

1 “(F) WAIVER OF SOVEREIGN IMMUNITY.—

2 “(i) IN GENERAL.—The United States
3 (including agents and employees of the
4 United States) waives its sovereign immu-
5 nity in all respects in all actions under
6 subsection (g)(3)(B) and this subsection.

7 “(ii) NOTICE.—No notice is required
8 to enforce this subsection.”.

9 **SEC. 104. CONFORMING AMENDMENTS.**

10 Section 6(g)(3) of the Forest and Rangeland Renew-
11 able Resource Planning Act of 1974 (16 U.S.C.
12 1604(g)(3)) is amended—

13 (1) in subparagraph (D), by inserting “and”
14 after the semicolon at the end;

15 (2) in subparagraph (E), by striking “; and”
16 and inserting a period; and

17 (3) by striking subparagraph (F).

18 **TITLE II—PROTECTION FOR AN-**
19 **CIENT FORESTS, ROADLESS**
20 **AREAS, WATERSHED PROTEC-**
21 **TION AREAS, AND SPECIAL**
22 **AREAS**

23 **SEC. 201. FINDINGS.**

24 Congress finds that—

1 (1) unfragmented forests on Federal land,
2 unique and valuable assets to the general public, are
3 damaged by extractive logging;

4 (2) less than 10 percent of the original
5 unlogged forests of the United States remain, and
6 the vast majority of the remnants of the original for-
7 ests of the United States are located on Federal
8 land;

9 (3) large, unfragmented forest watersheds pro-
10 vide high-quality water supplies for drinking, agri-
11 culture, industry, and fisheries across the United
12 States;

13 (4) the most recent scientific studies indicate
14 that several thousand species of plants and animals
15 are dependent on large, unfragmented forest areas;

16 (5) many neotropical migratory songbird species
17 are experiencing documented broad-scale population
18 declines and require large, unfragmented forests to
19 ensure their survival;

20 (6) destruction of large-scale natural forests
21 has resulted in a tremendous loss of jobs in the fish-
22 ing, hunting, tourism, recreation, and guiding indus-
23 tries, and has adversely affected sustainable non-
24 timber forest products industries such as the collec-
25 tion of mushrooms and herbs;

1 (7) extractive logging programs on Federal land
2 are carried out at enormous financial costs to the
3 Treasury and taxpayers of the United States;

4 (8) Ancient forests continue to be threatened by
5 logging and deforestation and are rapidly dis-
6 appearing;

7 (9) Ancient forests help regulate atmospheric
8 balance, maintain biodiversity, and provide valuable
9 scientific opportunity for monitoring the health of
10 the planet;

11 (10) prohibiting extractive logging in the An-
12 cient forests would create the best conditions for en-
13 suring stable, well distributed, and viable popu-
14 lations of the northern spotted owl, marbled
15 murrelet, American marten, and other vertebrates,
16 invertebrates, vascular plants, and nonvascular
17 plants associated with those forests;

18 (11) prohibiting extractive logging in the An-
19 cient forests would create the best conditions for en-
20 suring stable, well distributed, and viable popu-
21 lations of anadromous salmonids, resident
22 salmonids, and bull trout;

23 (12) roadless areas are de facto wilderness that
24 provide wildlife habitat and recreation;

1 (13) large unfragmented forests, contained in
2 large part on roadless areas on Federal land, are
3 among the last refuges for native animal and plant
4 biodiversity, and are vital to maintaining viable pop-
5 ulations of threatened, endangered, sensitive, and
6 rare species;

7 (14) roads cause soil erosion, disrupt wildlife
8 migration, and allow nonnative species of plants and
9 animals to invade native forests;

10 (15) the mortality and reproduction patterns of
11 forest dwelling animal populations are adversely af-
12 fected by traffic-related fatalities that accompany
13 roads;

14 (16) the exceptional recreational, biological, sci-
15 entific, or economic assets of certain special forested
16 areas on Federal land are valuable to the public of
17 the United States and are damaged by extractive
18 logging;

19 (17) in order to gauge the effectiveness and ap-
20 propriateness of current and future resource man-
21 agement activities, and to continue to broaden and
22 develop our understanding of silvicultural practices,
23 many special forested areas need to remain in a nat-
24 ural, unmanaged state to serve as scientifically es-
25 tablished baseline control forests;

1 (18) certain special forested areas provide habi-
2 tat for the survival and recovery of endangered and
3 threatened plant and wildlife species, such as grizzly
4 bears, spotted owls, Pacific salmon, and Pacific yew,
5 that are harmed by extractive logging;

6 (19) many special forested areas on Federal
7 land are considered sacred sites by native peoples;
8 and

9 (20) as a legacy for the enjoyment, knowledge,
10 and well-being of future generations, provisions must
11 be made for the protection and perpetuation of the
12 Ancient forests, roadless areas, watershed protection
13 areas, and special areas of the United States.

14 **SEC. 202. DEFINITIONS.**

15 In this title:

16 (1) ANCIENT FOREST.—The term “Ancient for-
17 est” means—

18 (A) the northwest Ancient forests, includ-
19 ing—

20 (i) Federal land identified as late-suc-
21 cessional reserves, riparian reserves, and
22 key watersheds under the heading “Alter-
23 native 1” of the report entitled “Final
24 Supplemental Environmental Impact
25 Statement on Management of Habitat for

1 Late-Successional and Old-Growth Forest
2 Related Species Within the Range of the
3 Northern Spotted Owl, Vol. I.”, and dated
4 February 1994; and

5 (ii) Federal land identified by the
6 term “medium and large conifer multi-sto-
7 ried, canopied forests” as defined in the re-
8 port described in clause (i);

9 (B) the eastside Cascade Ancient forests,
10 including—

11 (i) Federal land identified as “Late-
12 Succession/Old-growth Forest (LS/OG)”
13 depicted on maps for the Colville National
14 Forest, Fremont National Forest, Malheur
15 National Forest, Ochoco National Forest,
16 Umatilla National Forest, Wallowa-Whit-
17 man National Forest, and Winema Na-
18 tional Forest in the report entitled “In-
19 terim Protection for Late-Successional
20 Forests, Fisheries, and Watersheds: Na-
21 tional Forests East of the Cascade Crest,
22 Oregon, and Washington”, prepared by the
23 Eastside Forests Scientific Society Panel
24 (The Wildlife Society, Technical Review
25 94–2, August 1994);

1 (ii) Federal land east of the Cascade
2 crest in the States of Oregon and Wash-
3 ington, defined as “late successional and
4 old-growth forests” in the general defini-
5 tion on page 28 of the report described in
6 clause (i); and

7 (iii) Federal land classified as “Or-
8 egon Aquatic Diversity Areas”, as defined
9 in the report described in clause (i); and

10 (C) the Sierra Nevada Ancient forests, in-
11 cluding—

12 (i) Federal land identified as “Areas
13 of Late-Successional Emphasis (ALSE)”
14 in the report entitled, “Final Report to
15 Congress: Status of the Sierra Nevada”,
16 prepared by the Sierra Nevada Ecosystem
17 Project (Wildland Resources Center Report
18 #40, University of California, Davis, 1996/
19 97);

20 (ii) Federal land identified as “Late-
21 Succession/Old-Growth Forests Rank 3, 4
22 or 5” in the report described in clause (i);
23 and

24 (iii) Federal land identified as “Poten-
25 tial Aquatic Diversity Management Areas”

1 on the map on page 1497 of Volume II of
2 the report described in clause (i).

3 (2) EXTRACTIVE LOGGING.—The term “extrac-
4 tive logging” means the felling or removal of any
5 trees from Federal forest land for any purpose.

6 (3) IMPROVED ROAD.—The term “improved
7 road” means any road maintained for travel by
8 standard passenger type vehicles.

9 (4) ROADLESS AREA.—The term “roadless
10 area” means a contiguous parcel of Federal land
11 that is—

12 (A) devoid of improved roads, except as
13 provided in subparagraph (B); and

14 (B) composed of—

15 (i) at least 1,000 acres west of the
16 100th meridian (with up to ½ mile of im-
17 proved roads per 1,000 acres);

18 (ii) at least 1,000 acres east of the
19 100th meridian (with up to ½ mile of im-
20 proved roads per 1,000 acres); or

21 (iii) less than 1,000 acres, but share
22 a border that is not an improved road with
23 a wilderness area, primitive area, or wil-
24 derness study area.

1 (5) SECRETARY.—The term “Secretary”, with
2 respect to any Federal land in an Ancient forest,
3 roadless area, watershed protection area, or special
4 area, means the head of the Federal agency having
5 jurisdiction over the Federal land.

6 (6) SPECIAL AREA.—The term “special area”
7 means an area of Federal forest land designated
8 under section 3 that may not meet the definition of
9 an Ancient forest, roadless area, or watershed pro-
10 tection area, but that—

11 (A) possesses outstanding biological, sce-
12 nic, recreational, or cultural values; and

13 (B) is exemplary on a regional, national, or
14 international level.

15 (7) WATERSHED PROTECTION AREA.—The
16 term “watershed protection area” means Federal
17 land that extends—

18 (A) 300 feet from both sides of the active
19 stream channel of any permanently flowing
20 stream or river;

21 (B) 100 feet from both sides of the active
22 channel of any intermittent, ephemeral, or sea-
23 sonal stream, or any other nonpermanently
24 flowing drainage feature having a definable

1 channel and evidence of annual scour or deposi-
 2 tion of flow-related debris;

3 (C) 300 feet from the edge of the max-
 4 imum level of any natural lake or pond; or

5 (D) 150 feet from the edge of the max-
 6 imum level of a constructed lake, pond, or res-
 7 ervoir, or a natural or constructed wetland.

8 **SEC. 203. DESIGNATION OF SPECIAL AREAS.**

9 (a) IN GENERAL.—

10 (1) FINDING.—A special area shall possess at
 11 least 1 of the values described in paragraphs (2)
 12 through (5).

13 (2) BIOLOGICAL VALUES.—The biological values
 14 of a special area may include the presence of—

15 (A) threatened species or endangered spe-
 16 cies of plants or animals;

17 (B) rare or endangered ecosystems;

18 (C) key habitats necessary for the recovery
 19 of endangered species or threatened species;

20 (D) recovery or restoration areas of rare or
 21 underrepresented forest ecosystems;

22 (E) migration corridors;

23 (F) areas of outstanding biodiversity;

24 (G) old growth forests;

25 (H) commercial fisheries; and

1 (I) sources of clean water such as key wa-
2 tersheds.

3 (3) SCENIC VALUES.—The scenic values of a
4 special area may include the presence of—

5 (A) unusual geological formations;

6 (B) designated wild and scenic rivers;

7 (C) unique biota; and

8 (D) vistas.

9 (4) RECREATIONAL VALUES.—The recreational
10 values of a special area may include the presence
11 of—

12 (A) designated national recreational trails
13 or recreational areas;

14 (B) areas that are popular for such recre-
15 ation and sporting activities as—

16 (i) hunting;

17 (ii) fishing;

18 (iii) camping;

19 (iv) hiking;

20 (v) aquatic recreation; and

21 (vi) winter recreation;

22 (C) Federal land in regions that are under-
23 served in terms of recreation;

24 (D) land adjacent to designated wilderness
25 areas; and

1 (E) solitude.

2 (5) CULTURAL VALUES.—The cultural values of
3 a special area may include the presence of—

4 (A) sites with Native American religious
5 significance; and

6 (B) historic or prehistoric archaeological
7 sites eligible for listing on the national historic
8 register.

9 (b) SIZE VARIATION.—A special area may vary in
10 size to encompass the outstanding biological, scenic, rec-
11 reational, or cultural value or values to be protected.

12 (c) DESIGNATION OF SPECIAL AREAS.—There are
13 designated the following special areas, which shall be sub-
14 ject to the management restrictions specified in section
15 204:

16 (1) ALABAMA.—

17 (A) SIPSEY WILDERNESS HEADWATERS.—
18 Certain land in the Bankhead National Forest,
19 Bankhead Ranger District, in Lawrence Coun-
20 ty, totaling approximately 22,000 acres, located
21 directly north and upstream of the Sipsey Wil-
22 derness, and directly south of Forest Road 213.

23 (B) BRUSHY FORK.—Certain land in the
24 Bankhead National Forest, Bankhead Ranger
25 District, in Lawrence County, totaling approxi-

1 mately 6,200 acres, bounded by Forest Roads
2 249, 254, and 246 and Alabama Highway 33.

3 (C) REBECCA MOUNTAIN.—Certain land in
4 the Talladega National Forest, Talladega Rang-
5 er District, Talladega County and Clay County,
6 totaling approximately 9,000 acres, comprised
7 of all Talladega National Forest lands south of
8 Forest Roads 621 and 621 B, east of Alabama
9 Highway 48/77 and County Highway 308, and
10 north of the power transmission line.

11 (D) AUGUSTA MINE RIDGE.—Certain land
12 in the Talladega National Forest, Shoal Creek
13 Ranger District, Cherokee County and Cleburn
14 County, totaling approximately 6,000 acres, and
15 comprised of all Talladega National Forest land
16 north of the Chief Ladiga Rail Trail.

17 (E) MAYFIELD CREEK.—Certain land in
18 the Talladega National Forest, Oakmulgee
19 Ranger District, in Rail County, totaling ap-
20 proximately 4,000 acres, and bounded by For-
21 est Roads 731, 723, 718, and 718A.

22 (F) BEAR BAY.—Certain land in the
23 Conecuh National Forest, Conecuh District, in
24 Covington County, totaling approximately 3,000
25 acres, bounded by County Road 11, Forest

1 Road 305, County Road 3, and the County
2 Road connecting County Roads 3 and 11.

3 (2) ALASKA.—

4 (A) TURNAGAIN ARM.—Certain land in the
5 Chugach National Forest, on the Kenai Penin-
6 sula, totaling approximately 100,000 acres, ex-
7 tending from sea level to ridgetop surrounding
8 the inlet of Turnagain Arm, known as
9 “Turnagain Arm”.

10 (B) HONKER DIVIDE.—Certain land in the
11 Tongass National Forest, totaling approxi-
12 mately 75,000 acres, located on north central
13 Prince of Wales Island, comprising the Thorne
14 River and Hatchery Creek watersheds, stretch-
15 ing approximately 40 miles northwest from the
16 vicinity of the town of Thorne Bay to the vicin-
17 ity of the town of Coffman Cove, generally
18 known as the “Honker Divide”.

19 (3) ARIZONA: NORTH RIM OF THE GRAND CAN-
20 YON.—Certain land in the Kaibab National Forest
21 that is included in the Grand Canyon Game Pre-
22 serve, totaling approximately 500,000 acres, abut-
23 ting the northern side of the Grand Canyon in the
24 area generally known as the “North Rim of the
25 Grand Canyon”.

1 (4) ARKANSAS.—

2 (A) COW CREEK DRAINAGE, ARKANSAS.—

3 Certain land in the Ouachita National Forest,
4 Mena Ranger District, in Polk County, totaling
5 approximately 7,000 acres, known as “Cow
6 Creek Drainage, Arkansas”, and bounded ap-
7 proximately—

8 (i) on the north, by County Road 95;

9 (ii) on the south, by County Road
10 157;

11 (iii) on the east, by County Road 48;

12 and

13 (iv) on the west, by the Arkansas-
14 Oklahoma border.

15 (B) LEADER AND BRUSH MOUNTAINS.—

16 Certain land in the Ouachita National Forest,
17 Montgomery County and Polk County, totaling
18 approximately 120,000 acres, known as “Lead-
19 er Mountain” and “Brush Mountain”, located
20 in the vicinity of the Blaylock Creek Watershed
21 between Long Creek and the South Fork of the
22 Saline River.

23 (C) POLK CREEK AREA.—Certain land in
24 the Ouachita National Forest, Mena Ranger
25 District, totaling approximately 20,000 acres,

1 bounded by Arkansas Highway 4 and Forest
2 Roads 73 and 43, known as the “Polk Creek
3 area”.

4 (D) LOWER BUFFALO RIVER WATER-
5 SHED.—Certain land in the Ozark National
6 Forest, Sylamore Ranger District, totaling ap-
7 proximately 6,000 acres, including Forest Serv-
8 ice land that has not been designated as a wil-
9 derness area before the date of enactment of
10 this Act, located in the watershed of Big Creek
11 southwest of the Leatherwood Wilderness Area,
12 Searcy County and Marion County, and known
13 as the “Lower Buffalo River Watershed”.

14 (E) UPPER BUFFALO RIVER WATER-
15 SHED.—Certain land in the Ozark National
16 Forest, Buffalo Ranger District, totaling ap-
17 proximately 220,000 acres, comprised of Forest
18 Service that has not been designated as a wil-
19 derness area before the date of enactment of
20 this Act, known as the “Upper Buffalo River
21 Watershed”, located approximately 35 miles
22 from the town of Harrison, Madison County,
23 Newton County, and Searcy County, upstream
24 of the confluence of the Buffalo River and Rich-
25 land Creek in the watersheds of—

- 1 (i) the Buffalo River;
 2 (ii) the various streams comprising
 3 the Headwaters of the Buffalo River;
 4 (iii) Richland Creek;
 5 (iv) Little Buffalo Headwaters;
 6 (v) Edgmon Creek;
 7 (vi) Big Creek; and
 8 (vii) Cane Creek.

9 (5) COLORADO: COCHETOPA HILLS.—Certain
 10 land in the Gunnison Basin area, known as the
 11 “Cochetopa Hills”, administered by the Gunnison
 12 National Forest, Grand Mesa National Forest,
 13 Uncompahgre National Forest, and Rio Grand Na-
 14 tional Forest, totaling approximately 500,000 acres,
 15 spanning the continental divide south and east of
 16 the city of Gunnison, in Saguache County, and in-
 17 cluding—

- 18 (A) Elk Mountain and West Elk Mountain;
 19 (B) the Grand Mesa;
 20 (C) the Uncompahgre Plateau;
 21 (D) the northern San Juan Mountains;
 22 (E) the La Garitas Mountains; and
 23 (F) the Cochetopa Hills.

24 (6) GEORGIA.—

1 (A) ARMUCHEE CLUSTER.—Certain land
2 in the Chattahoochee National Forest,
3 Armuchee Ranger District, known as the
4 “Armuchee Cluster”, totaling approximately
5 19,700 acres, comprised of 3 parcels known as
6 “Rocky Face”, “Johns Mountain”, and “Hid-
7 den Creek”, located approximately 10 miles
8 southwest of Dalton and 14 miles north of
9 Rome, in Whitfield County, Walker County,
10 Chattooga County, Floyd County, and Gordon
11 County.

12 (B) BLUE RIDGE CORRIDOR CLUSTER,
13 GEORGIA AREAS.—Certain land in the Chat-
14 tahoochee National Forest, Chestatee Ranger
15 District, totaling approximately 15,000 acres,
16 known as the “Blue Ridge Corridor Cluster,
17 Georgia Areas”, comprised of 5 parcels known
18 as “Horse Gap”, “Hogback Mountain”,
19 “Blackwell Creek”, “Little Cedar Mountain”,
20 and “Black Mountain”, located approximately
21 15 to 20 miles north of the town of Dahlonega,
22 in Union County and Lumpkin County.

23 (C) CHATTOOGA WATERSHED CLUSTER,
24 GEORGIA AREAS.—Certain land in the Chat-
25 tahoochee National Forest, Tallulah Ranger

1 District, totaling 63,500 acres, known as the
2 “Chattooga Watershed Cluster, Georgia Areas”,
3 comprised of 7 areas known as “Rabun Bald”,
4 “Three Forks”, “Ellicott Rock Extension”,
5 “Rock Gorge”, “Big Shoals”, “Thrift’s Ferry”,
6 and “Five Falls”, in Rabun County, near the
7 towns of Clayton, Georgia, and Dillard, South
8 Carolina.

9 (D) COHUTTA CLUSTER.—Certain land in
10 the Chattahoochee National Forest, Cohutta
11 Ranger District, totaling approximately 28,000
12 acres, known as the “Cohutta Cluster”, com-
13 prised of 4 parcels known as “Cohutta Exten-
14 sions”, “Grassy Mountain”, “Emery Creek”,
15 and “Mountaintown”, near the towns of
16 Chatsworth and Ellijay, in Murray County,
17 Fannin County, and Gilmer County.

18 (E) DUNCAN RIDGE CLUSTER.—Certain
19 land in the Chattahoochee National Forest,
20 Brasstown and Toccoa Ranger Districts, total-
21 ing approximately 17,000 acres, known as the
22 “Duncan Ridge Cluster”, comprised of the par-
23 cels known as “Licklog Mountain”, “Duncan
24 Ridge”, “Board Camp”, and “Cooper Creek
25 Scenic Area Extension”, approximately 10 to

1 15 miles south of the town of Blairsville, in
2 Union County and Fannin County.

3 (F) ED JENKINS NATIONAL RECREATION
4 AREA CLUSTER.—Certain land in the Chat-
5 tahoochee National Forest, Toccoa and
6 Chestatee Ranger Districts, totaling approxi-
7 mately 19,300 acres, known as the “Ed Jenkins
8 National Recreation Area Cluster”, comprised
9 of the Springer Mountain, Mill Creek, and
10 Toonowee parcels, 30 miles north of the town
11 of Dahlonega, in Fannin County, Dawson
12 County, and Lumpkin County.

13 (G) GAINESVILLE RIDGES CLUSTER.—Cer-
14 tain land in the Chattahoochee National Forest,
15 Chattooga Ranger District, totaling approxi-
16 mately 14,200 acres, known as the “Gainesville
17 Ridges Cluster”, comprised of 3 parcels known
18 as “Panther Creek”, “Tugaloo Uplands”, and
19 “Middle Fork Broad River”, approximately 10
20 miles from the town of Toccoa, in Habersham
21 County and Stephens County.

22 (H) NORTHERN BLUE RIDGE CLUSTER,
23 GEORGIA AREAS.—Certain land in the Chat-
24 tahoochee National Forest, Brasstown and
25 Tallulah Ranger Districts, totaling approxi-

1 mately 46,000 acres, known as the “Northern
2 Blue Ridge Cluster, Georgia Areas”, comprised
3 of 8 areas known as “Andrews Cove”, “Anna
4 Ruby Falls Scenic Area Extension”, “High
5 Shoals”, “Tray Mountain Extension”, “Kelly
6 Ridge-Moccasin Creek”, “Buzzard Knob”,
7 “Southern Nantahala Extension”, and “Patter-
8 son Gap”, approximately 5 to 15 miles north of
9 Helen, 5 to 15 miles southeast of Hiawassee,
10 north of Clayton, and west of Dillard, in White
11 County, Towns County, and Rabun County.

12 (I) RICH MOUNTAIN CLUSTER.—Certain
13 land in the Chattahoochee National Forest,
14 Toccoa Ranger District, totaling approximately
15 9,500 acres, known as the “Rich Mountain
16 Cluster”, comprised of the parcels known as
17 “Rich Mountain Extension” and “Rocky Moun-
18 tain”, located 10 to 15 miles northeast of the
19 town of Ellijay, in Gilmer County and Fannin
20 County.

21 (J) WILDERNESS HEARTLANDS CLUSTER,
22 GEORGIA AREAS.—Certain land in the Chat-
23 taahoochee National Forest, Chestatee,
24 Brasstown and Chattooga Ranger Districts, to-
25 taling approximately 16,500 acres, known as

1 the “Wilderness Heartlands Cluster, Georgia
2 Areas”, comprised of 4 parcels known as the
3 “Blood Mountain Extensions”, “Raven Cliffs
4 Extensions”, “Mark Trail Extensions”, and
5 “Brasstown Extensions”, near the towns of
6 Dahlonega, Cleveland, Helen, and Blairsville, in
7 Lumpkin County, Union County, White County,
8 and Towns County.

9 (7) IDAHO.—

10 (A) COVE/MALLARD.—Certain land in the
11 Nez Perce National Forest, totaling approxi-
12 mately 94,000 acres, located approximately 30
13 miles southwest of the town of Elk City, and
14 west of the town of Dixie, in the area generally
15 known as “Cove/Mallard”.

16 (B) MEADOW CREEK.—Certain land in the
17 Nez Perce National Forest, totaling approxi-
18 mately 180,000 acres, located approximately 8
19 miles east of the town of Elk City in the area
20 generally known as “Meadow Creek”.

21 (C) FRENCH CREEK/PATRICK BUTTE.—
22 Certain land in the Payette National Forest, to-
23 taling approximately 141,000 acres, located ap-
24 proximately 20 miles north of the town of

1 McCall in the area generally known as “French
2 Creek/Patrick Butte”.

3 (8) ILLINOIS.—

4 (A) CRIPPS BEND.—Certain land in the
5 Shawnee National Forest, totaling approxi-
6 mately 39 acres, located in Jackson County in
7 the Big Muddy River watershed, in the area
8 generally known as “Cripps Bend”.

9 (B) OPPORTUNITY AREA 6.—Certain land
10 in the Shawnee National Forest, totaling ap-
11 proximately 50,000 acres, located in northern
12 Pope County surrounding Bell Smith Springs
13 Natural Area, in the area generally known as
14 “Opportunity Area 6”.

15 (C) QUARREL CREEK.—Certain land in the
16 Shawnee National Forest, totaling approxi-
17 mately 490 acres, located in northern Pope
18 County in the Quarrel Creek watershed, in the
19 area generally known as “Quarrel Creek”.

20 (9) MICHIGAN: TRAP HILLS.—Certain land in
21 the Ottawa National Forest, Bergland Ranger Dis-
22 trict, totaling approximately 37,120 acres, known as
23 the “Trap Hills”, located approximately 5 miles
24 from the town of Bergland, in Ontonagon County.

25 (10) MINNESOTA.—

1 (A) TROUT LAKE AND SUOMI HILLS.—Cer-
2 tain land in the Chippewa National Forest, to-
3 taling approximately 12,000 acres, known as
4 “Trout Lake/Suomi Hills” in Itasca County.

5 (B) LULLABY WHITE PINE RESERVE.—
6 Certain land in the Superior National Forest,
7 Gunflint Ranger District, totaling approxi-
8 mately 2,518 acres, in the South Brule Oppor-
9 tunity Area, northwest of Grand Marais in
10 Cook County, known as the “Lullaby White
11 Pine Reserve”.

12 (11) MISSOURI: ELEVEN POINT-BIG SPRINGS
13 AREA.—Certain land in the Mark Twain National
14 Forest, Eleven Point Ranger District, totaling ap-
15 proximately 200,000 acres, comprised of the admin-
16 istrative area of the Eleven Point Ranger District,
17 known as the “Eleven Point-Big Springs Area”.

18 (12) MONTANA: MOUNT BUSHNELL.—Certain
19 land in the Lolo National Forest, totaling approxi-
20 mately 41,000 acres, located approximately 5 miles
21 southwest of the town of Thompson Falls in the
22 area generally known as “Mount Bushnell”.

23 (13) NEW MEXICO.—

24 (A) ANGOSTURA.—Certain land in the
25 eastern half of the Carson National Forest, Ca-

1 mino Real Ranger District, totaling approxi-
2 mately 10,000 acres, located in Township 21,
3 Ranges 12 and 13, known as “Angostura”, and
4 bounded—

5 (i) on the northeast, by Highway 518;

6 (ii) on the southeast, by the Angos-
7 tura Creek watershed boundary;

8 (iii) on the southern side, by Trail 19
9 and the Pecos Wilderness; and

10 (iv) on the west, by the Agua Piedra
11 Creek watershed.

12 (B) LA MANGA.—Certain land in the west-
13 ern half of the Carson National Forest, El Rito
14 Ranger District, at the Vallecitos Sustained
15 Yield Unit, totaling approximately 5,400 acres,
16 known as “La Manga”, in Township 27, Range
17 6, and bounded—

18 (i) on the north, by the Tierra
19 Amarilla Land Grant;

20 (ii) on the south, by Canada
21 Escondida;

22 (iii) on the west, by the Sustained
23 Yield Unit boundary and the Tierra
24 Amarilla Land Grant; and

25 (iv) on the east, by the Rio Vallecitos.

1 (C) ELK MOUNTAIN.—Certain land in the
 2 Santa Fe National Forest, totaling approxi-
 3 mately 7,220 acres, known as “Elk Mountain”
 4 located in Townships 17 and 18 and Ranges 12
 5 and 13, and bounded—

6 (i) on the north, by the Pecos Wilder-
 7 ness;

8 (ii) on the east, by the Cow Creek
 9 Watershed;

10 (iii) on the west, by the Cow Creek;
 11 and

12 (iv) on the south, by Rito de la Osha.

13 (D) JEMEZ HIGHLANDS.—Certain land in
 14 the Jemez Ranger District of the Santa Fe Na-
 15 tional Forest, totaling approximately 54,400
 16 acres, known as the “Jemez Highlands”, lo-
 17 cated primarily in Sandoval County.

18 (14) NORTH CAROLINA.—

19 (A) CENTRAL NANTAHALA CLUSTER,
 20 NORTH CAROLINA AREAS.—Certain land in the
 21 Nantahala National Forest, Tusquitee, Cheoah,
 22 and Wayah Ranger Districts, totaling approxi-
 23 mately 107,000 acres, known as the “Central
 24 Nantahala Cluster, North Carolina Areas”,
 25 comprised of 9 parcels known as “Tusquitee

1 Bald”, “Shooting Creek Bald”, “Cheoah Bald”,
2 “Piercy Bald”, “Wesser Bald”, “Tellico Bald”,
3 “Split White Oak”, “Siler Bald”, and “South-
4 ern Nantahala Extensions”, near the towns of
5 Murphy, Franklin, Bryson City, Andrews, and
6 Beechertown, in Cherokee County, Macon
7 County, Clay County, and Swain County.

8 (B) CHATTOOGA WATERSHED CLUSTER,
9 NORTH CAROLINA AREAS.—Certain land in the
10 Nantahala National Forest, Highlands Ranger
11 District, totaling approximately 8,000 acres,
12 known as the “Chattooga Watershed Cluster,
13 North Carolina Areas”, comprised of the Over-
14 flow (Blue Valley) and Terrapin Mountain par-
15 cels, 5 miles from the town of Highlands, in
16 Macon County and Jackson County.

17 (C) TENNESSEE BORDER CLUSTER, NORTH
18 CAROLINA AREAS.—Certain land in the
19 Nantahala National Forest, Tusquitee and
20 Cheoah Ranger Districts, totaling approxi-
21 mately 28,000 acres, known as the “Tennessee
22 Border Cluster, North Carolina Areas”, com-
23 prised of the 4 parcels known as the “Unicoi
24 Mountains”, “Deaden Tree”, “Snowbird”, and
25 “Joyce Kilmer-Slickrock Extension”, near the

1 towns of Murphy and Robbinsville, in Cherokee
2 County and Graham County.

3 (D) BALD MOUNTAINS.—Certain land in
4 the Pisgah National Forest, French Broad
5 Ranger District, totaling approximately 13,000
6 acres known as the “Bald Mountains”, located
7 12 miles northeast of the town of Hot Springs,
8 in Madison County.

9 (E) BIG IVY TRACT.—Certain land in the
10 Pisgah National Forest, totaling approximately
11 14,000 acres, located approximately 15 miles
12 west of Mount Mitchell in the area generally
13 known as the “Big Ivy Tract”.

14 (F) BLACK MOUNTAINS CLUSTER, NORTH
15 CAROLINA AREAS.—Certain land in the Pisgah
16 National Forest, Toecane and Grandfather
17 Ranger Districts, totaling approximately 62,000
18 acres, known as the “Black Mountains Cluster,
19 North Carolina Areas”, comprised of 5 parcels
20 known as “Craggy Mountains”, “Black Moun-
21 tains”, “Jarrett Creek”, “Mackey Mountain”,
22 and “Woods Mountain”, near the towns of
23 Burnsville, Montreat and Marion, in Buncombe
24 County, Yancey County, and McDowell County.

1 (G) LINVILLE CLUSTER.—Certain land in
2 the Pisgah National Forest, Grandfather Dis-
3 trict, totaling approximately 42,000 acres,
4 known as the “Linville Cluster”, comprised of
5 7 parcels known as “Dobson Knob”, “Linville
6 Gorge Extension”, “Steels Creek”, “Sugar
7 Knob”, “Harper Creek”, “Lost Cove”, and
8 “Upper Wilson Creek”, near the towns of Mar-
9 ion, Morgantown, Spruce Pine, Linville, and
10 Blowing Rock, in Burke County, McDowell
11 County, Avery County, and Caldwell County.

12 (H) NOLICHUCKY, NORTH CAROLINA
13 AREA.—Certain land in the Pisgah National
14 Forest, Toecane Ranger District, totaling ap-
15 proximately 4,000 acres, known as the
16 “Nolichucky, North Carolina Area”, located 25
17 miles northwest of Burnsville, in Mitchell Coun-
18 ty and Yancey County.

19 (I) PISGAH CLUSTER, NORTH CAROLINA
20 AREAS.—Certain land in the Pisgah National
21 Forest, Pisgah Ranger District, totaling ap-
22 proximately 52,000 acres, known as the “Pis-
23 gah Cluster, North Carolina Areas”, comprised
24 of 5 parcels known as “Shining Rock and Mid-
25 dle Prong Extensions”, “Daniel Ridge”, “Cedar

1 Rock Mountain”, “South Mills River”, and
2 “Laurel Mountain”, 5 to 12 miles north of the
3 town of Brevard and southwest of the city of
4 Asheville, in Haywood County, Transylvania
5 County, and Henderson County.

6 (J) WILDCAT.—Certain land in the Pisgah
7 National Forest, French Broad Ranger Dis-
8 trict, totaling approximately 6,500 acres, known
9 as “Wildcat”, located 20 miles northwest of the
10 town of Canton, in Haywood County.

11 (15) OHIO.—

12 (A) ARCHERS FORK COMPLEX.—Certain
13 land in the Marietta Unit of the Athens Ranger
14 District, in the Wayne National Forest, in
15 Washington County, known as “Archers Fork
16 Complex”, totaling approximately 18,350 acres,
17 located northeast of Newport and bounded—

18 (i) on the northwest, by State High-
19 way 26;

20 (ii) on the northeast, by State High-
21 way 260;

22 (iii) on the southeast, by the Ohio
23 River; and

24 (iv) on the southwest, by Bear Run
25 and Danas Creek.

1 (B) BLUEGRASS RIDGE.—Certain land in
2 the Ironton Ranger District on the Wayne Na-
3 tional Forest, in Lawrence County, known as
4 “Bluegrass Ridge”, totaling approximately
5 4,000 acres, located 3 miles east of Etna in
6 Township 4 North, Range 17 West, Sections 19
7 through 23 and 27 through 30.

8 (C) BUFFALO CREEK.—Certain land in the
9 Ironton Ranger District of the Wayne National
10 Forest, Lawrence County, Ohio, known as
11 “Buffalo Creek”, totaling approximately 6500
12 acres, located 4 miles northwest of Waterloo in
13 Township 5 North, Range 17 West, sections 3
14 through 10 and 15 through 18.

15 (D) LAKE VESUVIUS.—Certain land in the
16 Ironton Ranger District of the Wayne National
17 Forest, in Lawrence County, totaling approxi-
18 mately 4,900 acres, generally known as “Lake
19 Vesuvius”, located to the east of Etna in Town-
20 ship 2 North, Range 18 West, and bounded—

21 (i) on the southwest, by State High-
22 way 93; and

23 (ii) on the northwest, by State High-
24 way 4.

1 (E) MORGAN SISTERS.—Certain land in
2 the Ironton Ranger District of the Wayne Na-
3 tional Forest, in Lawrence County, known as
4 “Morgan Sisters”, totaling approximately 2,500
5 acres, located 1 mile east of Gallia and bounded
6 by State Highway 233 in Township 6 North,
7 Range 17 West, sections 13, 14, 23 and 24 and
8 Township 5 North, Range 16 West, sections 18
9 and 19.

10 (F) UTAH RIDGE.—Certain land in the
11 Athens Ranger District of the Wayne National
12 Forest, in Athens County, known as “Utah
13 Ridge”, totaling approximately 9,000 acres, lo-
14 cated 1 mile northwest of Chauncey and bound-
15 ed—

16 (i) on the southeast, by State High-
17 way 682 and State Highway 13;

18 (ii) on the southwest, by US Highway
19 33 and State Highway 216; and

20 (iii) on the north, by State Highway
21 665.

22 (G) WILDCAT HOLLOW.—Certain land in
23 the Athens Ranger District of the Wayne Na-
24 tional Forest, in Perry County and Morgan
25 County, known as “Wildcat Hollow”, totaling

1 approximately 4,500 acres, located 1 mile east
2 of Corning in Township 12 North, Range 14
3 West, sections 1, 2, 11–14, 23 and 24 and
4 Township 8 North, Range 13 West, sections 7,
5 18, and 19.

6 (16) OKLAHOMA: COW CREEK DRAINAGE, OKLA-
7 HOMA.—Certain land in the Ouachita National For-
8 est, Mena Ranger District, in Le Flore County, to-
9 taling approximately 3,000 acres, known as “Cow
10 Creek Drainage, Oklahoma”, and bounded approxi-
11 mately—

12 (A) on the west, by the Beech Creek Na-
13 tional Scenic Area;

14 (B) on the north, by State Highway 63;

15 (C) on the east, by the Arkansas-Okla-
16 homa border; and

17 (D) on the south, by County Road 9038 on
18 the south.

19 (17) OREGON: APPLGATE WILDERNESS.—Cer-
20 tain land in the Siskiyou National Forest and Rogue
21 River National Forest, totaling approximately
22 20,000 acres, approximately 20 miles southwest of
23 the town of Grants Pass and 10 miles south of the
24 town of Williams, in the area generally known as the
25 “Applegate Wilderness”.

1 (18) PENNSYLVANIA.—

2 (A) THE BEAR CREEK SPECIAL AREA.—

3 Certain land in the Allegheny National Forest,
4 Marienville Ranger District, Elk County, total-
5 ing approximately 7,800 acres, and comprised
6 of Allegheny National Forest land bounded—

7 (i) on the west, by Forest Service
8 Road 136;

9 (ii) on the north, by Forest Service
10 Roads 339 and 237;

11 (iii) on the east, by Forest Service
12 Road 143; and

13 (iv) on the south, by Forest Service
14 Road 135.

15 (B) THE BOGUS ROCKS SPECIAL AREA.—

16 Certain land in the Allegheny National Forest,
17 Marienville Ranger District, Forest County, to-
18 taling approximately 1,015 acres, and com-
19 prised of Allegheny National Forest land in
20 compartment 714 bounded—

21 (i) on the northeast and east, by State
22 Route 948;

23 (ii) on the south, by State Route 66;

24 (iii) on the southwest and west, by
25 Township Road 370;

1 (iv) on the northwest, by Forest Serv-
2 ice Road 632; and

3 (v) on the north, by a pipeline.

4 (C) THE CHAPPEL FORK SPECIAL AREA.—
5 Certain land in the Allegheny National Forest,
6 Bradford Ranger District, McKean County, to-
7 taling approximately 10,000 acres, and com-
8 prised of Allegheny National Forest land
9 bounded—

10 (i) on the south and southeast, by
11 State Road 321;

12 (ii) on the south, by Chappel Bay;

13 (iii) on the west, by the Allegheny
14 Reservoir;

15 (iv) on the north, by State Route 59;

16 and

17 (v) on the east, by private land.

18 (D) THE FOOLS CREEK SPECIAL AREA.—
19 Certain land in the Allegheny National Forest,
20 Bradford Ranger District, Warren County, to-
21 taling approximately 1,500 acres, and com-
22 prised of Allegheny National Forest land south
23 and west of Forest Service Road 255 and west
24 of FR 255A, bounded—

25 (i) on the west, by Minister Road; and

1 (ii) on the south, by private land.

2 (E) THE HICKORY CREEK SPECIAL
3 AREA.—Certain land in the Allegheny National
4 Forest, Bradford Ranger District, Warren
5 County, totaling approximately 2,000 acres, and
6 comprised of Allegheny National Forest land
7 bounded—

8 (i) on the east and northeast, by
9 Heart's Content Road;

10 (ii) on the south, by Hickory Creek
11 Wilderness Area;

12 (iii) on the northwest, by private land;

13 and

14 (iv) on the north, by Allegheny Front
15 National Recreation Area.

16 (F) THE LAMENTATION RUN SPECIAL
17 AREA.—Certain land in the Allegheny National
18 Forest, Marienville Ranger District, Forest
19 County, totaling approximately 4,500 acres,
20 and—

21 (i) comprised of Allegheny National
22 Forest land bounded—

23 (I) on the north, by Tionesta
24 Creek;

1 (II) on the east, by Salmon
2 Creek;

3 (III) on the southeast and south-
4 west, by private land; and

5 (IV) on the south, by Forest
6 Service Road 210; and

7 (ii) including the lower reaches of
8 Bear Creek.

9 (G) THE LEWIS RUN SPECIAL AREA.—Cer-
10 tain land in the Allegheny National Forest,
11 Bradford Ranger District, McKean County, to-
12 taling approximately 500 acres, and comprised
13 of Allegheny National Forest land north and
14 east of Forest Service Road 312.3, including
15 land known as the “Lewis Run Natural Area”
16 and consisting of land within Compartment
17 466, Stands 1–3, 5–8, 10–14, and 18–27.

18 (H) THE MILL CREEK SPECIAL AREA.—
19 Certain land in the Allegheny National Forest,
20 Marienville Ranger District, Elk County, total-
21 ing approximately 2,000 acres, and comprised
22 of Allegheny National Forest land within a 1-
23 mile radius of the confluence of Red Mill Run
24 and Big Mill Creek and known as the “Mill
25 Creek Natural Area”.

1 (I) THE MILLSTONE CREEK SPECIAL
2 AREA.—Certain land in the Allegheny National
3 Forest, Marienville Ranger District, Forest
4 County, totaling approximately 30,000 acres,
5 and comprised of Allegheny National Forest
6 land bounded—

7 (i) on the north, by State Route 66;

8 (ii) on the northeast, by Forest Serv-
9 ice Road 226;

10 (iii) on the east, by Forest Service
11 Roads 130, 774, and 228;

12 (iv) on the southeast, by State Road
13 3002 and Forest Service Road 189;

14 (v) on the south, by the Clarion River;
15 and

16 (vi) on the southwest, west, and
17 northwest, by private land.

18 (J) THE MINISTER CREEK SPECIAL
19 AREA.—Certain land in the Allegheny National
20 Forest, Bradford Ranger District, Warren
21 County, totalling approximately 6,600 acres,
22 and comprised of Allegheny National Forest
23 land bounded—

24 (i) on the north, by a snowmobile
25 trail;

- 1 (ii) on the east, by Minister Road;
2 (iii) on the south, by State Route 666
3 and private land;
4 (iv) on the southwest, by Forest Serv-
5 ice Road 420; and
6 (v) on the west, by warrants 3109 and
7 3014.

8 (K) THE MUZETTE SPECIAL AREA.—Cer-
9 tain land in the Allegheny National Forest,
10 Marienville Ranger District, Forest County, to-
11 taling approximately 325 acres, and comprised
12 of Allegheny National Forest land bounded—

- 13 (i) on the west, by $79^{\circ}16'$ longitude,
14 approximately;
15 (ii) on the north, by Forest Service
16 Road 561;
17 (iii) on the east, by Forest Service
18 Road 212; and
19 (iv) on the south, by private land.

20 (L) THE SUGAR RUN SPECIAL AREA.—Cer-
21 tain land in the Allegheny National Forest,
22 Bradford Ranger District, McKean County, to-
23 taling approximately 8,800 acres, and com-
24 prised of Allegheny National Forest land
25 bounded—

1 (i) on the north, by State Route 346
2 and private land;

3 (ii) on the east, by Forest Service
4 Road 137; and

5 (iii) on the south and west, by State
6 Route 321.

7 (M) THE TIONESTA SPECIAL AREA.—Cer-
8 tain land in the Allegheny National Forest,
9 Bradford and Marienville Ranger Districts, Elk,
10 Forest, McKean, and Warren Counties, total-
11 ling approximately 27,000 acres, and comprised
12 of Allegheny National Forest land bounded—

13 (i) on the west, by private land and
14 State Route 948;

15 (ii) on the northwest, by Forest Serv-
16 ice Road 258;

17 (iii) on the north, by Hoffman Farm
18 Recreation Area and Forest Service Road
19 486;

20 (iv) on the northeast, by private land
21 and State Route 6;

22 (v) on the east, by private land south
23 to Forest Road 133, then by snowmobile
24 trail from Forest Road 133 to Windy City,

1 then by private land and Forest Road 327
2 to Russell City; and

3 (vi) on the southwest, by State Routes
4 66 and 948.

5 (19) SOUTH CAROLINA.—

6 (A) BIG SHOALS, SOUTH CAROLINA
7 AREA.—Certain land in the Sumter National
8 Forest, Andrew Pickens Ranger District, in
9 Oconee County, totaling approximately 2,000
10 acres, known as “Big Shoals, South Carolina
11 Area”, 15 miles south of Highlands, North
12 Carolina.

13 (B) BRASSTOWN CREEK, SOUTH CAROLINA
14 AREA.—Certain land in the Sumter National
15 Forest, Andrew Pickens Ranger District, in
16 Oconee County, totaling approximately 3,500
17 acres, known as “Brasstown Creek, South
18 Carolina Area”, approximately 15 miles west of
19 Westminster, South Carolina.

20 (C) CHAUGA.—Certain land in the Sumter
21 National Forest, Andrew Pickens Ranger Dis-
22 trict, in Oconee County, totaling approximately
23 16,000 acres, known as “Chauga”, approxi-
24 mately 10 miles west of Walhalla, South Caro-
25 lina.

1 (D) DARK BOTTOMS.—Certain land in the
2 Sumter National Forest, Andrew Pickens Rang-
3 er District, in Oconee County, totaling approxi-
4 mately 4,000 acres, known as “Dark Bottoms”,
5 approximately 10 miles northwest of West-
6 minster, South Carolina.

7 (E) ELLICOTT ROCK EXTENSION, SOUTH
8 CAROLINA AREA.—Certain land in the Sumter
9 National Forest, Andrew Pickens Ranger Dis-
10 trict, in Oconee County, totaling approximately
11 2,000 acres, known as “Ellicott Rock Exten-
12 sion, South Carolina Area”, located approxi-
13 mately 10 miles south of Cashiers, North Caro-
14 lina.

15 (F) FIVE FALLS, SOUTH CAROLINA
16 AREA.—Certain land in the Sumter National
17 Forest, Andrew Pickens Ranger District, in
18 Oconee County, totaling approximately 3,500
19 acres, known as “Five Falls, South Carolina
20 Area”, approximately 10 miles southeast of
21 Clayton, Georgia.

22 (G) PERSIMMON MOUNTAIN.—Certain land
23 in the Sumter National Forest, Andrew Pickens
24 Ranger District, in Oconee County, totaling ap-
25 proximately 7,000 acres, known as “Persimmon

1 Mountain”, approximately 12 miles south of
2 Cashiers, North Carolina.

3 (H) ROCK GORGE, SOUTH CAROLINA
4 AREA.—Certain land in the Sumter National
5 Forest, Andrew Pickens Ranger District, in
6 Oconee County, totaling approximately 2,000
7 acres, known as “Rock Gorge, South Carolina
8 Area”, 12 miles southeast of Highlands, North
9 Carolina.

10 (I) TAMASSEE.—Certain land in the Sum-
11 ter National Forest, Andrew Pickens Ranger
12 District, in Oconee County, totaling approxi-
13 mately 5,500 acres, known as “Tamassee”, ap-
14 proximately 10 miles north of Walhalla, South
15 Carolina.

16 (J) THRIFT’S FERRY, SOUTH CAROLINA
17 AREA.—Certain land in the Sumter National
18 Forest, Andrew Pickens Ranger District, in
19 Oconee County, totaling approximately 5,000
20 acres, known as “Thrift’s Ferry, South Caro-
21 lina Area”, 10 miles east of Clayton, Georgia.

22 (20) SOUTH DAKOTA.—

23 (A) BLACK FOX AREA.—Certain land in
24 the Black Hills National Forest, totaling ap-
25 proximately 12,400 acres, located in the upper

1 reaches of the Rapid Creek watershed, known
2 as the “Black Fox Area”, and roughly bound-
3 ed—

4 (i) on the north, by FDR 206;

5 (ii) on the south, by the steep slopes
6 north of Forest Road 231; and

7 (iii) on the west, by a fork of Rapid
8 Creek.

9 (B) BREAKNECK AREA.—Certain land in
10 the Black Hills National Forest, totaling 6,700
11 acres, located along the northeast edge of the
12 Black Hills in the vicinity of the Black Hills
13 National Cemetery and the Bureau of Land
14 Management’s Fort Meade Recreation Area,
15 known as the “Breakneck Area”, and gen-
16 erally—

17 (i) bounded by Forest Roads 139 and
18 169 on the north, west, and south; and

19 (ii) demarcated along the eastern and
20 western boundaries by the ridge-crests di-
21 viding the watershed.

22 (C) NORBECK PRESERVE.—Certain land in
23 the Black Hills National Forest, totaling ap-
24 proximately 27,766 acres, known as the
25 “Norbeck Preserve”, and encompassed approxi-

1 mately by a boundary that, starting at the
2 southeast corner—

3 (i) runs north along FDR 753 and
4 United States Highway Alt. 16, then along
5 SD 244 to the junction of Palmer Creek
6 Road, which serves generally as a north-
7 west limit;

8 (ii) heads south from the junction of
9 Highways 87 and 89;

10 (iii) runs southeast along Highway
11 87; and

12 (iv) runs east back to FDR 753, ex-
13 cluding a corridor of private land along
14 FDR 345.

15 (D) PILGER MOUNTAIN AREA.—Certain
16 land in the Black Hills National Forest, total-
17 ing approximately 12,600 acres, known as the
18 “Pilger Mountain Area”, located in the Elk
19 Mountains on the southwest edge of the Black
20 Hills, and roughly bounded—

21 (i) on the east and northeast, by For-
22 est Roads 318 and 319;

23 (ii) on the north and northwest, by
24 Road 312; and

25 (iii) on the southwest, by private land.

1 (E) STAGEBARN CANYONS.—Certain land
2 in the Black Hills National Forest, known as
3 “Stagebarn Canyons”, totaling approximately
4 7,300 acres, approximately 10 miles west of
5 Rapid City, South Dakota.

6 (21) TENNESSEE.—

7 (A) BALD MOUNTAINS CLUSTER, TEN-
8 NESSEE AREAS.—Certain land in the
9 Nolichucky and Unaka Ranger Districts of the
10 Cherokee National Forest, in Cocke County,
11 Green County, Washington County, and Unicoi
12 County, totaling approximately 46,133 acres,
13 known as the “Bald Mountains Cluster, Ten-
14 nessee Areas”, and comprised of 10 parcels
15 known as “Laurel Hollow Mountain”, “Devil’s
16 Backbone”, “Laurel Mountain”, “Walnut
17 Mountain”, “Wolf Creek”, “Meadow Creek
18 Mountain”, “Brush Creek Mountain”, “Paint
19 Creek”, “Bald Mountain”, and “Sampson
20 Mountain Extension”, located near the towns of
21 Newport, Hot Springs, Greeneville, and Erwin.

22 (B) BIG FROG/COHUTTA CLUSTER.—Cer-
23 tain land in the Cherokee National Forest, in
24 Polk County, Ocoee Ranger District, Hiwassee
25 Ranger District, and Tennessee Ranger Dis-

1 trict, totaling approximately 28,800 acres,
2 known as the “Big Frog/Cohutta Cluster”,
3 comprised of 4 parcels known as “Big Frog Ex-
4 tensions”, “Little Frog Extensions”, “Smith
5 Mountain”, and “Rock Creek”, located near the
6 towns of Copperhill, Ducktown, Turtletown, and
7 Benton.

8 (C) CITICO CREEK WATERSHED CLUSTER
9 TENNESSEE AREAS.—Certain land in the
10 Tellico Ranger District of the Cherokee Na-
11 tional Forest, in Monroe County, totaling ap-
12 proximately 14,256 acres, known as the “Citico
13 Creek Watershed Cluster, Tennessee Areas”,
14 comprised of 4 parcels known as “Flats Moun-
15 tain”, “Miller Ridge”, “Cowcamp Ridge”, and
16 “Joyce Kilmer-Slickrock Extension”, near the
17 town of Tellico Plains.

18 (D) IRON MOUNTAINS CLUSTER.—Certain
19 land in the Cherokee National Forest, Watauga
20 Ranger District, totaling approximately 58,090
21 acres, known as the “Iron Mountains Cluster”,
22 comprised of 8 parcels known as “Big Laurel
23 Branch Addition”, “Hickory Flat Branch”,
24 “Flint Mill”, “Lower Iron Mountain”, “Upper
25 Iron Mountain”, “London Bridge”,

1 “Beaverdam Creek”, and “Rodgers Ridge”, lo-
2 cated near the towns of Bristol and
3 Elizabethton, in Sullivan County and Johnson
4 County.

5 (E) NORTHERN UNICOI MOUNTAINS CLUS-
6 TER.—Certain land in the Tellico Ranger Dis-
7 trict of the Cherokee National Forest, in Mon-
8 roe County, totaling approximately 30,453
9 acres, known as the “Northern Unicoi Moun-
10 tain Cluster”, comprised of 4 parcels known as
11 “Bald River Gorge Extension”, “Upper Bald
12 River”, “Sycamore Creek”, and “Brushy
13 Ridge”, near the town of Tellico Plains.

14 (F) ROAN MOUNTAIN CLUSTER.—Certain
15 land in the Cherokee National Forest, Unaka
16 and Watauga Ranger Districts, totaling ap-
17 proximately 23,725 acres known as the “Roan
18 Mountain Cluster”, comprised of 7 parcels
19 known as “Strawberry Mountain”, “Highlands
20 of Roan”, “Ripshin Ridge”, “Doe River Gorge
21 Scenic Area”, “White Rocks Mountain”, “Slide
22 Hollow” and “Watauga Reserve”, approxi-
23 mately 8 to 20 miles south of the town of
24 Elizabethton, in Unicoi County, Carter County,
25 and Johnson County.

1 (G) SOUTHERN UNICOI MOUNTAINS CLUS-
2 TER.—Certain land in the Hiwassee Ranger
3 District of the Cherokee National Forest, in
4 Polk County, Monroe County, and McMinn
5 County, totaling approximately 11,251 acres,
6 known as the “Southern Unicoi Mountains
7 Cluster”, comprised of 3 parcels known as “Gee
8 Creek Extension”, “Coker Creek”, and “Buck
9 Bald”, near the towns of Etowah, Benton, and
10 Turtletown.

11 (H) UNAKA MOUNTAINS CLUSTER, TEN-
12 NESSEE AREAS.—Certain land in the Cherokee
13 National Forest, Unaka Ranger District, total-
14 ing approximately 15,669 acres, known as the
15 “Unaka Mountains Cluster, Tennessee Areas”,
16 comprised of 3 parcels known as “Nolichucky”,
17 “Unaka Mountain Extension”, and “Stone
18 Mountain”, approximately 8 miles from Erwin,
19 in Unicoi County and Carter County.

20 (22) TEXAS: LONGLEAF RIDGE.—Certain land
21 in the Angelina National Forest, in Jasper County
22 and Angelina County, totaling approximately 30,000
23 acres, generally known as “Longleaf Ridge”, and
24 bounded—

1 (A) on the west, by Upland Island Wilder-
2 ness Area;

3 (B) on the south, by the Neches River; and

4 (C) on the northeast, by Sam Rayburn
5 Reservoir.

6 (23) VERMONT.—

7 (A) GLASTENBURY AREA.—Certain land in
8 the Green Mountain National Forest, totaling
9 approximately 35,000 acres, located 3 miles
10 northeast of Bennington, generally known as
11 the “Glastenbury Area”, and bounded—

12 (i) on the north, by Kelly Stand Road;

13 (ii) on the east, by Forest Road 71;

14 (iii) on the south, by Route 9; and

15 (iv) on the west, by Route 7.

16 (B) LAMB BROOK.—Certain land in the
17 Green Mountain National Forest, totaling ap-
18 proximately 5,500 acres, located 3 miles south-
19 west of Wilmington, generally known as “Lamb
20 Brook”, and bounded—

21 (i) on the west, by Route 8;

22 (ii) on the south, by Route 100;

23 (iii) on the north, by Route 9; and

24 (iv) on the east, by land owned by
25 New England Power Company.

1 (C) ROBERT FROST MOUNTAIN AREA.—
2 Certain land in the Green Mountain National
3 Forest, totaling approximately 8,500 acres,
4 known as “Robert Frost Mountain Area”, lo-
5 cated northeast of Middlebury, consisting of the
6 Forest Service land bounded—

7 (i) on the west, by Route 116;

8 (ii) on the north, by Bristol Notch
9 Road;

10 (iii) on the east, by Lincoln/Ripton
11 Road; and

12 (iv) on the south, by Route 125.

13 (24) VIRGINIA.—

14 (A) BEAR CREEK.—Certain land in the
15 Jefferson National Forest, Wythe Ranger Dis-
16 trict, known as “Bear Creek”, north of Rural
17 Retreat, in Smyth County and Wythe County.

18 (B) CAVE SPRINGS.—Certain land in the
19 Jefferson National Forest, Clinch Ranger Dis-
20 trict, totaling approximately 3,000 acres, known
21 as “Cave Springs”, between State Route 621
22 and the North Fork of the Powell River, in Lee
23 County.

24 (C) DISMAL CREEK.—Certain land totaling
25 approximately 6,000 acres, in the Jefferson Na-

1 tional Forest, Blacksburg Ranger District,
2 known as “Dismal Creek”, north of State
3 Route 42, in Giles County and Bland County.

4 (D) STONE COAL CREEK.—Certain land in
5 the Jefferson National Forest, New Castle
6 Ranger District, totaling approximately 2,000
7 acres, known as “Stone Coal Creek”, in Craig
8 County and Botetourt County.

9 (E) WHITE OAK RIDGE: TERRAPIN MOUN-
10 TAIN.—Certain land in the Glenwood Ranger
11 District of the Jefferson National Forest,
12 known as “White Oak Ridge—Terrapin Moun-
13 tain”, totaling approximately 8,000 acres, east
14 of the Blue Ridge Parkway, in Botetourt
15 County and Rockbridge County.

16 (F) WHITETOP MOUNTAIN.—Certain land
17 in the Jefferson National Forest, Mt. Rodgers
18 Recreation Area, totaling 3,500 acres, known as
19 “Whitetop Mountain”, in Washington County,
20 Smyth County, and Grayson County.

21 (G) WILSON MOUNTAIN.—Certain land
22 known as “Wilson Mountain”, in the Jefferson
23 National Forest, Glenwood Ranger District, to-
24 taling approximately 5,100 acres, east of Inter-

1 state 81, in Botetourt County and Rockbridge
2 County.

3 (H) FEATHERCAMP.—Certain land in the
4 Mt. Rodgers Recreation Area of the Jefferson
5 National Forest, totaling 4,974 acres, known as
6 “Feathercamp”, located northeast of the town
7 of Damascus and north of State Route 58 on
8 the Feathercamp ridge, in Washington County.

9 (25) WISCONSIN.—

10 (A) FLYNN LAKE.—Certain land in the
11 Chequamegon-Nicolet National Forest,
12 Washburn Ranger District, totaling approxi-
13 mately 5,700 acres, known as “Flynn Lake”, in
14 the Flynn Lake semi-primitive nonmotorized
15 area, in Bayfield County.

16 (B) GHOST LAKE CLUSTER.—Certain land
17 in the Chequamegon-Nicolet National Forest,
18 Great Divide Ranger District, totaling approxi-
19 mately 6,000 acres, known as “Ghost Lake
20 Cluster”, including 5 parcels known as “Ghost
21 Lake”, “Perch Lake”, “Lower Teal River”,
22 “Foo Lake”, and “Bulldog Springs”, in Sawyer
23 County.

24 (C) LAKE OWENS CLUSTER.—Certain land
25 in the Chequamegon-Nicolet National Forest,

1 Great Divide and Washburn Ranger Districts,
2 totaling approximately 3,600 acres, known as
3 “Lake Owens Cluster”, comprised of parcels
4 known as “Lake Owens”, “Eighteenmile
5 Creek”, “Northeast Lake”, and “Sugarbush
6 Lake”, in Bayfield County.

7 (D) MEDFORD CLUSTER.—Certain land in
8 the Chequamegon-Nicolet National Forest,
9 Medford-Park Falls Ranger District, totaling
10 approximately 23,000 acres, known as the
11 “Medford Cluster”, comprised of 12 parcels
12 known as “County E Hardwoods”, “Silver
13 Creek/Mondeaux River Bottoms”, “Lost Lake
14 Esker”, “North and South Fork Yellow Riv-
15 ers”, “Bear Creek”, “Brush Creek”,
16 “Chequamegon Waters”, “John’s and Joseph
17 Creeks”, “Hay Creek Pine-Flatwoods”, “558
18 Hardwoods”, “Richter Lake”, and “Lower Yel-
19 low River”, in Taylor County.

20 (E) PARK FALLS CLUSTER.—Certain land
21 in the Chequamegon-Nicolet National Forest,
22 Medford-Park Falls Ranger District, totaling
23 approximately 23,000 acres, known as “Park
24 Falls Cluster”, comprised of 11 parcels known
25 as “Sixteen Lakes”, “Chippewa Trail”, “Tuck-

1 er and Amik Lakes”, “Lower Rice Creek”,
 2 “Doering Tract”, “Foulds Creek”, “Bootjack
 3 Conifers”, “Pond”, “Mud and Riley Lake
 4 Peatlands”, “Little Willow Drumlin”, and “Elk
 5 River”, in Price County and Vilas County.

6 (F) PENOKEE MOUNTAIN CLUSTER.—Cer-
 7 tain land in the Chequamegon-Nicolet National
 8 Forest, Great Divide Ranger District, totaling
 9 approximately 23,000 acres, known as
 10 “Penokee Mountain Cluster”, comprised of—

11 (i) the Marengo River and
 12 Brunswailer River semi-primitive non-
 13 motorized areas; and

14 (ii) parcels known as “St. Peters
 15 Dome”, “Brunswailer River Gorge”, “Lake
 16 Three”, “Hell Hole Creek”, and “North
 17 Country Trail Hardwoods”, in Ashland
 18 County and Bayfield County.

19 (G) SOUTHEAST GREAT DIVIDE CLUS-
 20 TER.—Certain land in the Chequamegon-
 21 Nicolet National Forest, Medford Park Falls
 22 Ranger District, totaling approximately 25,000
 23 acres, known as the “Southeast Great Divide
 24 Cluster”, comprised of parcels known as
 25 “Snoose Lake”, “Cub Lake”, “Springbrook

1 Hardwoods”, “Upper Moose River”, “East
2 Fork Chippewa River”, “Upper Torch River”,
3 “Venison Creek”, “Upper Brunet River”,
4 “Bear Lake Slough”, and “Noname Lake”, in
5 Ashland County and Sawyer County.

6 (H) DIAMOND ROOF CLUSTER.—Certain
7 land in the Chequamegon-Nicolet National For-
8 est, Lakewood-Laona Ranger District, totaling
9 approximately 6,000 acres, known as “Diamond
10 Roof Cluster”, comprised of 4 parcels known as
11 “McCaslin Creek”, “Ada Lake”, “Section 10
12 Lake”, and “Diamond Roof”, in Forest County,
13 Langlade County, and Oconto County.

14 (I) ARGONNE FOREST CLUSTER.—Certain
15 land in the Chequamegon-Nicolet National For-
16 est, Eagle River-Florence Ranger District, to-
17 taling approximately 12,000 acres, known as
18 “Argonne Forest Cluster”, comprised of parcels
19 known as “Argonne Experimental Forest”,
20 “Scott Creek”, “Atkins Lake”, and “Island
21 Swamp”, in Forest County.

22 (J) BONITA GRADE.—Certain land in the
23 Chequamegon-Nicolet National Forest, Lake-
24 wood-Laona Ranger District, totaling approxi-
25 mately 1,200 acres, known as “Bonita Grade”,

1 comprised of parcels known as “Mountain
2 Lakes”, “Temple Lake”, “Second South
3 Branch”, “First South Branch”, and “South
4 Branch Oconto River”, in Langlade County.

5 (K) FRANKLIN AND BUTTERNUT LAKES
6 CLUSTER.—Certain land in the Chequamegon-
7 Nicolet National Forest, Eagle River-Florence
8 Ranger District, totaling approximately 12,000
9 acres, known as “Franklin and Butternut
10 Lakes Cluster”, comprised of 8 parcels known
11 as “Bose Lake Hemlocks”, “Luna White
12 Deer”, “Echo Lake”, “Franklin and Butternut
13 Lakes”, “Wolf Lake”, “Upper Ninemile”,
14 “Meadow”, and “Bailey Creeks”, in Forest
15 County and Oneida County.

16 (L) LAUTERMAN LAKE AND KIEPER
17 CREEK.—Certain land in the Chequamegon-
18 Nicolet National Forest, Eagle River-Florence
19 Ranger District, totaling approximately 2,500
20 acres, known as “Lauterman Lake and Kieper
21 Creek”, in Florence County.

22 (26) WYOMING: SAND CREEK AREA.—

23 (A) IN GENERAL.—Certain land in the
24 Black Hills National Forest, totaling approxi-
25 mately 8,300 acres known as the “Sand Creek

1 area”, located in Crook County, in the far
2 northwest corner of the Black Hills.

3 (B) BOUNDARY.—Beginning in the north-
4 west corner and proceeding counterclockwise,
5 the boundary for the Sand Creek Area roughly
6 follows—

7 (i) forest Roads 863, 866, 866.1B;

8 (ii) a line linking forest roads 866.1B
9 and 802.1B;

10 (iii) forest road 802.1B;

11 (iv) forest road 802.1;

12 (v) an unnamed road;

13 (vi) Spotted Tail Creek (excluding all
14 private land);

15 (vii) forest road 829.1;

16 (viii) a line connecting forest roads
17 829.1 and 864;

18 (ix) forest road 852.1; and

19 (x) a line connecting forest roads
20 852.1 and 863.

21 (d) COMMITTEE OF SCIENTISTS.—

22 (1) ESTABLISHMENT.—The Secretaries con-
23 cerned shall appoint a committee consisting of sci-
24 entists who—

1 (A) are not officers or employees of the
2 Federal Government;

3 (B) are not officers or employees of any
4 entity engaged in whole or in part in the pro-
5 duction of wood or wood products; and

6 (C) have not contracted with or rep-
7 resented any entity described in subparagraph
8 (A) or (B) in a period beginning 5 years before
9 the date on which the scientist is appointed to
10 the committee.

11 (2) RECOMMENDATIONS FOR ADDITIONAL SPE-
12 CIAL AREAS.—Not later than 2 years of the date of
13 the enactment of this Act, the committee shall pro-
14 vide Congress with recommendations for additional
15 special areas.

16 (3) CANDIDATE AREAS.—Candidate areas for
17 recommendation as additional special areas shall
18 have outstanding biological values that are exem-
19 plary on a local, regional, and national level, includ-
20 ing the presence of—

21 (A) threatened or endangered species of
22 plants or animals;

23 (B) rare or endangered ecosystems;

24 (C) key habitats necessary for the recovery
25 of endangered or threatened species;

- 1 (D) recovery or restoration areas of rare or
2 underrepresented forest ecosystems;
3 (E) migration corridors;
4 (F) areas of outstanding biodiversity;
5 (G) old growth forests;
6 (H) commercial fisheries; and
7 (I) sources of clean water such as key wa-
8 tersheds.

9 (4) GOVERNING PRINCIPLE.—The committee
10 shall adhere to the principles of conservation biology
11 in identifying special areas based on biological val-
12 ues.

13 **SEC. 204. RESTRICTIONS ON MANAGEMENT ACTIVITIES IN**
14 **ANCIENT FORESTS, ROADLESS AREAS, WA-**
15 **TERSHPED PROTECTION AREAS, AND SPECIAL**
16 **AREAS.**

17 (a) RESTRICTION OF MANAGEMENT ACTIVITIES IN
18 ANCIENT FORESTS.—On Federal land located in Ancient
19 forests—

- 20 (1) no roads shall be constructed or recon-
21 structed;
22 (2) no extractive logging shall be permitted; and
23 (3) no improvements for the purpose of extrac-
24 tive logging shall be permitted.

1 (b) RESTRICTION OF MANAGEMENT ACTIVITIES IN
2 ROADLESS AREAS.—On Federal land located in roadless
3 areas (except military installations)—

4 (1) no roads shall be constructed or recon-
5 structed;

6 (2) no extractive logging shall be permitted ex-
7 cept of non-native invasive tree species, in which
8 case the limitations on logging in title I shall apply;
9 and

10 (3) no improvements for the purpose of extrac-
11 tive logging shall be permitted.

12 (c) RESTRICTION OF MANAGEMENT ACTIVITIES IN
13 WATERSHED PROTECTION AREAS.—On Federal land lo-
14 cated in watershed protection areas—

15 (1) no roads shall be constructed or recon-
16 structed;

17 (2) no extractive logging shall be permitted ex-
18 cept of non-native invasive tree species, in which
19 case the limitations on logging in title I shall apply;
20 and

21 (3) no improvements for the purpose of extrac-
22 tive logging shall be permitted.

23 (d) RESTRICTION OF MANAGEMENT ACTIVITIES IN
24 SPECIAL AREAS.—On Federal land located in special
25 areas—

1 (1) no roads shall be constructed or recon-
2 structed;

3 (2) no extractive logging shall be permitted ex-
4 cept of non-native invasive tree species, in which
5 case the limitations on logging in title I shall apply;
6 and

7 (3) no improvements for the purpose of extrac-
8 tive logging shall be permitted.

9 (e) MAINTENANCE OF EXISTING ROADS.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), the restrictions described in subsection
12 (a) shall not prohibit the maintenance of an im-
13 proved road, or any road accessing private
14 inholdings.

15 (2) ABANDONED ROADS.—Any road that the
16 Secretary determines to have been abandoned before
17 the date of enactment of this Act shall not be main-
18 tained or reconstructed.

19 (f) ENFORCEMENT.—

20 (1) FINDING.—Congress finds that all people of
21 the United States are injured by actions on land to
22 which this section applies.

23 (2) PURPOSE.—The purpose of this subsection
24 is to foster the widest possible enforcement of this
25 section.

1 (3) FEDERAL ENFORCEMENT.—The Secretary
2 and the Attorney General of the United States shall
3 enforce this section against any person that violates
4 this section.

5 (4) CITIZEN SUITS.—

6 (A) IN GENERAL.—A citizen harmed by a
7 violation of this section may enforce this section
8 by bringing a civil action for a declaratory judg-
9 ment, a temporary restraining order, an injunc-
10 tion, statutory damages, or other remedy
11 against any alleged violator, including the
12 United States, in any district court of the
13 United States.

14 (B) JUDICIAL RELIEF.—If a district court
15 of the United States determines that a violation
16 of this section has occurred, the district court—

17 (i) shall impose a damage award of
18 not less than \$5,000;

19 (ii) may issue 1 or more injunctions
20 or other forms of equitable relief; and

21 (iii) shall award to each prevailing
22 party the reasonable costs of bringing the
23 action, including attorney's fees, witness
24 fees, and other necessary expenses.

1 (C) STANDARD OF PROOF.—The standard
2 of proof in all actions under this paragraph
3 shall be the preponderance of the evidence.

4 (D) TRIAL.—A trial for any action under
5 this section shall be de novo.

6 (E) PAYMENT OF DAMAGES.—

7 (i) NON-FEDERAL VIOLATOR.—A
8 damage award under subparagraph (B)(i)
9 shall be paid by a non-Federal violator or
10 violators designated by the court to the
11 Treasury.

12 (ii) FEDERAL VIOLATOR.—

13 (I) IN GENERAL.—Not later than
14 40 days after the date on which judg-
15 ment is rendered, a damage award
16 under subparagraph (B)(i) for which
17 the United States is determined to be
18 liable shall be paid from the Treasury,
19 as provided under section 1304 of title
20 31, United States Code, to the person
21 or persons designated to receive the
22 damage award.

23 (II) USE OF DAMAGE AWARD.—A
24 damage award described under sub-
25 clause (I) shall be used by the recipi-

1 ent to protect or restore native bio-
 2 diversity on Federal land or on land
 3 adjoining Federal land.

4 (III) COURT COSTS.—Any award
 5 of costs of litigation and any award of
 6 attorney fees shall be paid by a Fed-
 7 eral violator not later than 40 days
 8 after the date on which judgment is
 9 rendered.

10 (5) WAIVER OF SOVEREIGN IMMUNITY.—

11 (A) IN GENERAL.—The United States (in-
 12 cluding agents and employees of the United
 13 States) waives its sovereign immunity in all re-
 14 spects in all actions under this section.

15 (B) NOTICE.—No notice is required to en-
 16 force this subsection.

17 **TITLE III—EFFECTIVE DATE**

18 **SEC. 301. EFFECTIVE DATE.**

19 This Act and the amendments made by this Act take
 20 effect on the date of enactment of this Act.

21 **SEC. 302. EFFECT ON EXISTING CONTRACTS.**

22 This Act and the amendments made by this Act shall
 23 not apply to any contract for the sale of timber that was
 24 entered into on or before the date of enactment of this
 25 Act.

1 **SEC. 303. WILDERNESS ACT EXCLUSION.**

2 This Act and the amendments made by this Act shall
3 not apply to any Federal wilderness area designated under
4 the Wilderness Act (16 U.S.C. 1131 et seq.).

5 **TITLE IV—GIANT SEQUOIA**
6 **NATIONAL MONUMENT**

7 **SEC. 401. FINDINGS.**

8 Congress finds that—

9 (1) in accordance with the Act of June 8, 1906
10 (16 U.S.C. 431 et seq.), the Giant Sequoia National
11 Monument was created by presidential proclamation
12 on April 15, 2000;

13 (2) the Proclamation accurately states the fol-
14 lowing: “The rich and varied landscape of the Giant
15 Sequoia National Monument holds a diverse array of
16 scientific and historic resources. Magnificent groves
17 of towering giant sequoias, the world’s largest trees,
18 are interspersed within a great belt of coniferous
19 forest, jeweled with mountain meadows. Bold gra-
20 nitic domes and spires, and plunging gorges, texture
21 the landscape. The area’s elevation climbs from
22 about 2,500 to 9,700 feet over a distance of only a
23 few miles, capturing an extraordinary number of
24 habitats within a relatively small area. This spec-
25 trum of ecosystems is home to a diverse array of
26 plants and animals, many of which are rare or en-

1 demic to the southern Sierra Nevada. The monu-
2 ment embraces limestone caverns and holds unique
3 paleological resources documenting tens of thou-
4 sands of years of ecosystem change. The monument
5 also has many archaeological sites recording Native
6 American occupation and adaptations to this com-
7 plex landscape, and historic remnants of early
8 Euroamerican settlement as well as the commercial
9 exploitation of the giant sequoias. The monument
10 provides exemplary opportunities for biologists, ge-
11 ologists, paleontologists, archaeologists, and histo-
12 rians to study these objects.”;

13 (3) the various ecosystems cited as the basis for
14 establishment of the Monument—

15 (A) extend beyond the existing boundaries
16 of the Monument; and

17 (B) encompass the fragile and extremely
18 diverse southern Sierra Nevada bioregion and
19 the overlapping Mohave ecosystem;

20 (4) to protect all the ecosystems and objects de-
21 scribed in the Proclamation, the boundaries of the
22 Monument must be extended to provide for water-
23 shed integrity, seasonal wildlife migrations, and
24 other benefits;

1 (5) even though the primary reason for estab-
2 lishing the Monument was to rescue the area from
3 the effects of road building and severe logging imple-
4 mented by the Forest Service, the Proclamation left
5 the Monument under the jurisdiction of the Chief of
6 the Forest Service;

7 (6) the Proclamation provides the following:
8 “No portion of the Monument shall be considered to
9 be suited for timber production, and no part of the
10 Monument shall be used in a calculation or provision
11 of a sustained yield of timber from the Sequoia Na-
12 tional Forest.”;

13 (7) the Proclamation provided that “[t]hese for-
14 ests [in the Monument] need restoration to counter-
15 act the effects of a century of fire suppression and
16 logging”;

17 (8) throughout the history of the Forest Serv-
18 ice, the Forest Service has been focused on the log-
19 ging of Federal land for the purpose of selling tim-
20 ber;

21 (9) because of this emphasis on logging and for
22 other reasons, the National Park Service would be
23 better able to manage the Monument than the For-
24 est Service;

1 (10) the National Park Service manages 73 na-
2 tional monuments, many of which were originally
3 under the jurisdiction of the Forest Service and were
4 later transferred to the National Park System by an
5 Act of Congress or by Executive Order;

6 (11) national monuments were managed by dif-
7 ferent Federal agencies, including the Department of
8 Agriculture, until 1933, when President Franklin D.
9 Roosevelt consolidated the management of national
10 monuments in the National Park Service through
11 Executive Order 6166 of June 10, 1933, and Execu-
12 tive Order 6228 of July 28, 1933;

13 (12) in most cases, national monuments estab-
14 lished by presidential proclamation and assigned to
15 the Forest Service or other Federal agencies have
16 been ultimately transferred to the Secretary of the
17 Interior, to be managed by the National Park Serv-
18 ice;

19 (13) in a number of cases, Congress has even-
20 tually converted national monuments under the ju-
21 risdiction of the National Park Service into national
22 parks;

23 (14) national monuments that were converted
24 into national parks include the Grand Canyon Na-

1 tional Park, Olympic National Park, and Death Val-
2 ley National Park;

3 (15) Congress has converted large areas of na-
4 tional forests into some of the national parks and
5 national monuments most cherished by the people of
6 the United States;

7 (16) prominent examples of conversions in the
8 region of the Monument are—

9 (A) Kings Canyon National Park, which
10 was created out of the Sierra National Forest
11 and Sequoia National Forest in 1940;

12 (B) the major eastward extension doubling
13 the size of Sequoia National Park in 1926, with
14 land for the addition being taken from the Se-
15 quoa National Forest; and

16 (C) the Mineral King addition to the Se-
17 quoa National Park in 1978, with land for the
18 addition being taken from Sequoia National
19 Forest;

20 (17) the Monument has more acres of sequoia
21 groves than are contained in Sequoia, Kings Canyon,
22 Yosemite, and Calaveras Big Tree, which are the
23 only national parks and State parks in which se-
24 quoias occur;

1 (18) the largest tree in the world may still
2 await discovery in some remote area of the Monu-
3 ment;

4 (19) to save the ecological integrity of the
5 Monument, it is essential that the approximately
6 40,640 acres of land between the Western Divide
7 (commonly known as the “Greenhorn Mountains”)
8 and the center line of the Kern River, south to the
9 boundary line between Tulare and Kern counties, be
10 included in the monument;

11 (20) Sequoia National Forest land, north of Se-
12 quoia National Park, should be added to the Sierra
13 National Forest, which adjoins the Sierra National
14 Forest on the north;

15 (21) for reasons of accessibility, economy, and
16 general efficiency of operation, the remaining Se-
17 quoia National Forest territory south of Sequoia Na-
18 tional Park belongs in the Inyo National Forest,
19 which already shares the Golden Trout Wilderness
20 with the Sequoia National Forest; and

21 (22) the overlapping jurisdiction with respect to
22 the Sequoia National Forest territory results in
23 needlessly wasteful management procedures.

24 **SEC. 402. DEFINITIONS.**

25 In this title:

1 (1) **ADVISORY BOARD.**—The term “Advisory
2 Board” means the Giant Sequoia National Monu-
3 ment Advisory Board established under section
4 404(d)(1).

5 (2) **MANAGEMENT PLAN.**—The term “manage-
6 ment plan” means the management plan for the
7 Monument required by the Proclamation.

8 (3) **MONUMENT.**—The term “Monument”
9 means the Giant Sequoia National Monument estab-
10 lished by the Proclamation.

11 (4) **PROCLAMATION.**—The term “Proclama-
12 tion” means the Presidential Proclamation number
13 7295, dated April 15, 2000 (65 Fed. Reg. 24095).

14 (5) **SECRETARY.**—The term “Secretary” means
15 the Secretary of the Interior, acting through the Di-
16 rector of the National Park Service.

17 (6) **SUPERINTENDENT.**—The term “Super-
18 intendent” means the Superintendent of the Monu-
19 ment appointed under section 404(c).

20 **SEC. 403. ADDITIONS TO GIANT SEQUOIA NATIONAL MONU-**
21 **MENT.**

22 (a) **IN GENERAL.**—There is added to the Monu-
23 ment—

24 (1) the approximately 40,640 acres of land be-
25 tween the Western Divide (commonly known as the

1 “Greenhorn Mountains”) and the center line of the
2 Kern River, south to the boundary line between
3 Tulare and Kern counties; and

4 (2) the Jenny Lakes Wilderness.

5 (b) BOUNDARY REVISION.—The boundary of the
6 Monument is revised to reflect the addition of the land
7 to the Monument under subsection (a).

8 **SEC. 404. TRANSFER OF ADMINISTRATIVE JURISDICTION**
9 **OVER THE GIANT SEQUOIA NATIONAL MONU-**
10 **MENT.**

11 (a) IN GENERAL.—Administrative jurisdiction over
12 the Monument is transferred from the Secretary of Agri-
13 culture to the Secretary.

14 (b) APPLICABLE LAW.—The Monument shall be ad-
15 ministered in accordance with the Proclamation, except
16 that any deliberations of the Chief of the Forest Service
17 with respect to management of the Monument shall be set
18 aside.

19 (c) SUPERINTENDENT.—The Secretary shall appoint
20 a Superintendent for the Monument to administer the
21 Monument.

22 (d) ADVISORY BOARD.—

23 (1) IN GENERAL.—The Superintendent shall es-
24 tablish an advisory board, to be known as the
25 “Giant Sequoia National Monument Advisory

1 Board”, comprised of 9 members, to be appointed by
2 the Superintendent.

3 (2) PROHIBITION ON FEDERAL GOVERNMENT
4 EMPLOYMENT.—Members of the Advisory Board
5 shall not be employees of the Federal Government.

6 (3) TERMS.—

7 (A) IN GENERAL.—A member of the Advi-
8 sory Board shall serve for a term of not more
9 than 4 years.

10 (B) INTERVALS.—The Superintendent
11 shall appoint members of the Advisory Board in
12 a manner that allows the terms of the members
13 to expire at staggered intervals.

14 (4) DUTIES.—The Advisory Board shall—

15 (A) assist in the preparation of the man-
16 agement plan; and

17 (B) provide recommendations with respect
18 to the management of the Monument.

19 (5) PROCEDURES.—The Superintendent shall
20 establish procedures and standards for the Advisory
21 Board.

22 (6) OPEN MEETINGS.—Meetings of the Advi-
23 sory Board shall be open to the public.

24 (e) HEADQUARTERS.—The headquarters for the
25 Monument shall be located at the National Park Service

1 facility at Three Rivers, California, which is the head-
 2 quarters of Sequoia National Park and Kings Canyon Na-
 3 tional Park.

4 (f) VISITOR CENTERS.—Visitors centers for the
 5 Monument shall be located at—

6 (1) Grant Grove Visitor Center in Kings Can-
 7 yon National Park;

8 (2) Springville, the principal entrance to the
 9 west side of the southern unit of the Monument; and

10 (3) Kernville.

11 **SEC. 405. ADDITIONS TO THE SIERRA NATIONAL FOREST**
 12 **AND INYO NATIONAL FOREST.**

13 (a) SIERRA NATIONAL FOREST.—

14 (1) IN GENERAL.—The portion of the Sequoia
 15 National Forest located north of Sequoia National
 16 Park that is not included in the Monument is added
 17 to the Sierra National Forest.

18 (2) BOUNDARY REVISION.—The boundary of
 19 the Sequoia National Forest is adjusted to include
 20 the land added by paragraph (1).

21 (b) INYO NATIONAL FOREST.—

22 (1) IN GENERAL.—The portion of the Sequoia
 23 National Forest south of Sequoia National Park
 24 that is not included in the Monument is added to the
 25 Inyo National Forest.

1 (2) BOUNDARY REVISION.—The boundary of
2 the Inyo National Forest is adjusted to include the
3 land added by paragraph (1).

4 **SEC. 406. AUTHORIZATION OF APPROPRIATIONS.**

5 There are authorized to be appropriated such sums
6 as are necessary to carry out sections 404 and 405.

○