

107TH CONGRESS  
2D SESSION

# S. 2871

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, special areas, and Federal boundary areas where logging and other intrusive activities are prohibited.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2002

Mr. TORRICELLI (for himself, Mr. KERRY, Mr. CLELAND, Mr. REED, Mr. CORZINE, Mr. SCHUMER, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## 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, special areas, and Federal boundary 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. Administration and management.

Sec. 103. Conforming amendments.

**TITLE II—PROTECTION FOR ANCIENT FORESTS, ROADLESS  
AREAS, WATERSHED PROTECTION AREAS, SPECIAL AREAS, AND  
FEDERAL BOUNDARY 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, special areas, and Federal  
boundary areas.

**TITLE III—EFFECTIVE DATE**

Sec. 301. In general.

Sec. 302. Effect on existing contracts.

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  
11 Wildlife Service, and the Bureau of Land Manage-  
12 ment;

13 (2) clearcutting and other forms of even-age  
14 logging operations cause substantial alterations in  
15 native biodiversity by—

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

4 (B) manipulating the vegetation toward  
5 greater relative density of the commercial spe-  
6 cies;

7 (C) suppressing competing species; and

8 (D) requiring the planting, on numerous  
9 sites, of a commercial strain of the species that  
10 reduces the relative diversity of other genetic  
11 strains of the species that were traditionally lo-  
12 cated on the same sites;

13 (3) clearcutting and other forms of even-age  
14 logging operations—

15 (A) frequently lead to the death of immo-  
16 bile species and the very young of mobile spe-  
17 cies of wildlife; and

18 (B) deplete the habitat of deep-forest spe-  
19 cies of animals, including endangered species  
20 and threatened species;

21 (4)(A) clearcutting and other forms of even-age  
22 logging operations—

23 (i) expose the soil to direct sunlight and  
24 the impact of precipitation;

25 (ii) disrupt the soil surface;

1 (iii) compact organic layers; and

2 (iv) disrupt the run-off restraining capa-  
3 bilities of roots and low-lying vegetation, result-  
4 ing in soil erosion, the leaching of nutrients, a  
5 reduction in the biological content of soil, and  
6 the impoverishment of soil; and

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

10 (5) clearcutting and other forms of even-age  
11 logging operations aggravate global climate change  
12 by—

13 (A) decreasing the capability of the soil to  
14 retain carbon; and

15 (B) during the critical periods of felling  
16 and site preparation, reducing the capacity of  
17 the biomass to process and to store carbon,  
18 with a resultant loss of stored carbon to the at-  
19 mosphere;

20 (6) clearcutting and other forms of even-age  
21 logging operations render soil increasingly sensitive  
22 to acid deposits by causing a decline of soil wood  
23 and coarse woody debris;

24 (7) a decline of solid wood and coarse woody  
25 debris reduces the capacity of soil to retain water

1 and nutrients, which in turn increases soil heat and  
2 impairs soil's ability to maintain protective carbon  
3 compounds on the soil surface;

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

6 (A) increased stream sedimentation and  
7 the silting of stream bottoms;

8 (B) a decline in water quality;

9 (C) the impairment of life cycles and  
10 spawning processes of aquatic life from benthic  
11 organisms to large fish; and

12 (D) as a result of the effects described in  
13 subparagraphs (A) through (C), a depletion of  
14 the sport and commercial fisheries of the  
15 United States;

16 (9) clearcutting and other forms of even-age  
17 management of Federal forests disrupt natural dis-  
18 turbance regimes that are critical to ecosystem func-  
19 tion;

20 (10) clearcutting and other forms of even-age  
21 logging operations increase harmful edge effects,  
22 including—

23 (A) blowdowns;

24 (B) invasions by weed species; and

1 (C) heavier losses to predators and com-  
2 petitors;

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

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

8 (B) decrease the recreational value of land;

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

14 (13) human beings depend on native biological  
15 resources, including plants, animals, and micro-  
16 organisms—

17 (A) for food, medicine, shelter, and other  
18 important products; and

19 (B) as a source of intellectual and sci-  
20 entific knowledge, recreation, and aesthetic  
21 pleasure;

22 (14) alteration of native biodiversity has serious  
23 consequences for human welfare, as the United  
24 States irretrievably loses resources for research and  
25 agricultural, medicinal, and industrial development;

1           (15) alteration of biodiversity in Federal forests  
2 adversely affects the functions of ecosystems and  
3 critical ecosystem processes that—

4                   (A) moderate climate;

5                   (B) govern nutrient cycles and soil con-  
6 servation and production;

7                   (C) control pests and diseases; and

8                   (D) degrade wastes and pollutants;

9           (16) the harm of clearcutting and other forms  
10 of even-age logging operations on the natural re-  
11 sources of the United States and the quality of life  
12 of the people of the United States is substantial, se-  
13 vere, and avoidable;

14           (17) by substituting selection management, as  
15 required by this Act, for clearcutting and other  
16 forms of even-age logging operations, the Federal  
17 agencies involved with those logging operations  
18 would substantially reduce devastation to the envi-  
19 ronment and improve the quality of life of the people  
20 of the United States;

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

25           (19) selection logging—

1 (A) is more job intensive, and therefore  
2 provides more employment than clearcutting  
3 and other forms of even-age logging operations  
4 to manage the same quantity of timber produc-  
5 tion; and

6 (B) produces higher quality sawlogs than  
7 clearcutting and other forms of even-age log-  
8 ging operations; and

9 (20) the judicial remedies available to enforce  
10 Federal forest laws are inadequate, and should be  
11 strengthened by providing for injunctions, declara-  
12 tory judgments, statutory damages, and reasonable  
13 costs of suit.

14 (b) PURPOSES.—The purposes of this Act are, on all  
15 Federal land, to conserve native biodiversity and protect  
16 all native ecosystems against losses that result from—

17 (1) clearcutting and other forms of even-age  
18 logging operations; and

19 (2) logging in ancient forests, roadless areas,  
20 watershed protection areas, special areas, and Fed-  
21 eral boundary areas.

## 22 **TITLE I—LAND MANAGEMENT**

### 23 **SEC. 101. COMMITTEE OF SCIENTISTS.**

24 Section 6 of the Forest and Rangeland Renewable  
25 Resources Planning Act of 1974 (16 U.S.C. 1604) is

1 amended by striking subsection (h) and inserting the fol-  
2 lowing:

3 “(h) COMMITTEE OF SCIENTISTS.—

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

7 “(A) who are not officers or employees of  
8 the Forest Service, of any other public entity,  
9 or of any entity engaged in whole or in part in  
10 the production of wood or wood products;

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

16 “(C) not more than one-third of whom are  
17 foresters.

18 “(2) QUALIFICATIONS OF FORESTERS.—A for-  
19 ester appointed to the committee shall be an indi-  
20 vidual with—

21 “(A) extensive training in conservation bi-  
22 ology; and

23 “(B) field experience in selection manage-  
24 ment.

1           “(3) DUTIES.—The committee shall provide sci-  
2           entific and technical advice and counsel on proposed  
3           guidelines and procedures and all other issues involv-  
4           ing forestry and native biodiversity to promote an ef-  
5           fective interdisciplinary approach to forestry and na-  
6           tive biodiversity.

7           “(4) TERMINATION.—The committee shall ter-  
8           minate on the date that is 10 years after the date  
9           of enactment of the Act to Save America’s Forests.”

10 **SEC. 102. ADMINISTRATION AND MANAGEMENT.**

11           The Forest and Rangeland Renewable Resources  
12           Planning Act of 1974 is amended by adding after section  
13           6 (16 U.S.C. 1604) the following:

14 **“SEC. 6A. CONSERVATION OF NATIVE BIODIVERSITY.**

15           “(a) APPLICABILITY.—This section applies to the ad-  
16           ministration and management of—

17           “(1) National Forest System land, under this  
18           Act;

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

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

1       “(b) NATIVE BIODIVERSITY IN FORESTED AREAS.—

2 The Secretary shall provide for the conservation or res-  
 3 toration of native biodiversity in each stand and each wa-  
 4 tershed throughout each forested area, except during the  
 5 extraction stage of authorized mineral development or dur-  
 6 ing authorized construction projects, in which cases the  
 7 Secretary shall conserve native biodiversity to the max-  
 8 imum extent practicable.

9       “(c) RESTRICTION ON USE OF CERTAIN LOGGING  
 10 PRACTICES.—

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

12                   “(A) AGE DIVERSITY.—The term ‘age di-  
 13 versity’ means the naturally occurring range  
 14 and distribution of age classes within a given  
 15 species.

16                   “(B) BASAL AREA.—The term ‘basal area’  
 17 means the area of the cross section of a tree  
 18 stem, including the bark, at 4.5 feet above the  
 19 ground.

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

24                   “(D) CONSERVATION.—The term ‘con-  
 25 servation’ means protective measures for main-

1           taining native biodiversity and active and pas-  
2           sive measures for restoring diversity through  
3           management efforts, in order to protect, re-  
4           store, and enhance as much of the variety of  
5           species and communities as practicable in abun-  
6           dances and distributions that provide for their  
7           continued existence and normal functioning, in-  
8           cluding the viability of populations throughout  
9           their natural geographic distributions.

10           “(E) EVEN-AGE LOGGING OPERATION.—

11           “(i) IN GENERAL.—The term ‘even-  
12           age logging operation’ means a logging ac-  
13           tivity that—

14           “(I) creates a clearing or opening  
15           that exceeds in width in any direction  
16           the height of the tallest tree standing  
17           within 10 feet outside the edge of the  
18           clearing or opening;

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

22           “(III) cuts or removes more than  
23           20 percent of the basal area of a  
24           stand (not including the basal area of

1 any tree of a non-native invasive tree  
2 species) within a period of 30 years.

3 “(ii) INCLUSION.—The term ‘even-age  
4 logging operation’ includes the application  
5 of clearcutting, high grading, seed-tree cut-  
6 ting, shelterwood cutting, or any other log-  
7 ging method in a manner inconsistent with  
8 selection management.

9 “(iii) EXCLUSION.—The term ‘even-  
10 age logging operation’ does not include the  
11 cutting or removal of a tree of a non-native  
12 invasive tree 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) NATIVE BIODIVERSITY.—

23 “(i) IN GENERAL.—The term ‘native  
24 biodiversity’ means—

1           “(I) the full range of variety and  
2           variability within and among living or-  
3           ganisms; and

4           “(II) the ecological complexes in  
5           which the living organisms would have  
6           occurred (including naturally occur-  
7           ring disturbance regimes) in the ab-  
8           sence of significant human impact.

9           “(ii) INCLUSIONS.—The term ‘native  
10          biodiversity’ includes diversity—

11           “(I) within a species (including  
12           genetic diversity, species diversity, and  
13           age diversity);

14           “(II) within a community of spe-  
15           cies;

16           “(III) between communities of  
17           species;

18           “(IV) within a discrete area, such  
19           as a watershed;

20           “(V) along a vertical plane from  
21           ground to sky, including application of  
22           the plane to all the other types of di-  
23           versity; and

24           “(VI) along the horizontal plane  
25           of the land surface, including applica-

1                   tion of the plane to all the other types  
2                   of diversity.

3                   “(I) NON-NATIVE INVASIVE TREE SPE-  
4                   CIES.—

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

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

10                   “(I) Australian pine (*Casaurina*  
11                   *equisetifolia*);

12                   “(II) Brazilian pepper (*Schinus*  
13                   *terebinthifolius*);

14                   “(III) Common buckthorn  
15                   (*Rhamnus cathartica*);

16                   “(IV) Glossy buckthorn  
17                   (*Rhamnus frangula*);

18                   “(V) Melaleuca (*Melaleuca*  
19                   *quinquenervia*);

20                   “(VI) Norway maple (*Acer*  
21                   *platanoides*);

22                   “(VII) Princess tree (*Paulownia*  
23                   *tomentosa*);

24                   “(VIII) Salt cedar (*Tamarix* spe-  
25                   cies);

1                   “(IX) Silk tree (Albizia  
2                   julibrissin);

3                   “(X) Strawberry guava (Psidium  
4                   cattleianum);

5                   “(XI) Tree-of-heaven (Ailanthus  
6                   altissima);

7                   “(XII) Velvet tree (Miconia  
8                   calvescens); and

9                   “(XIII) White poplar (Populus  
10                  alba).

11                  “(J) SEED-TREE CUT.—The term ‘seed-  
12                  tree cut’ means an even-age logging operation  
13                  that leaves a small minority of seed trees in a  
14                  stand for any period of time.

15                  “(K) SELECTION MANAGEMENT.—

16                  “(i) IN GENERAL.—The term ‘selec-  
17                  tion management’ means—

18                  “(I) a method of logging that  
19                  emphasizes the periodic removal of  
20                  trees, including mature, undesirable,  
21                  and cull trees, in a manner that  
22                  ensures—

23                  “(aa) the maintenance of  
24                  continuous high forest cover

1 where high forest cover naturally  
2 occurs;

3 “(bb) the maintenance or  
4 natural regeneration of all native  
5 species in a stand; and

6 “(cc) the growth and devel-  
7 opment of trees through a range  
8 of diameter or age classes to pro-  
9 vide a sustained yield of forest  
10 products including clean water,  
11 rich soil, and native plants and  
12 wildlife; and

13 “(II) cutting methods that de-  
14 velop and maintain selection stands,  
15 including—

16 “(aa) individual-tree selec-  
17 tion, in which individual trees of  
18 varying size and age classes are  
19 selected and logged in a generally  
20 uniform pattern throughout a  
21 stand; and

22 “(bb) group selection, in  
23 which small groups of trees are  
24 selected and logged.

25 “(ii) EXCLUSION.—

1                   “(I) IN GENERAL.—Subject to  
2                   subclause (II), the term ‘selection  
3                   management’ does not include an  
4                   even-age logging operation.

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

7                           “(aa) establish a 150-year  
8                           projected felling age as the  
9                           standard at which individual  
10                          trees in a stand are to be cut; or

11                                  “(bb) limit native biodiver-  
12                                  sity to that which occurs within  
13                                  the context of a 150-year pro-  
14                                  jected felling age.

15                   “(L) SHELTERWOOD CUT.—The term  
16                   ‘shelterwood cut’ means an even-age logging op-  
17                   eration that leaves—

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

20                                  “(ii) a protection cover remaining  
21                                  standing for any period of time.

22                   “(M) SPECIES DIVERSITY.—The term ‘spe-  
23                   cies diversity’ means the richness and variety of  
24                   native species in a particular location.

1           “(N) STAND.—The term ‘stand’ means a  
2 biological community of trees on land described  
3 in subsection (a), comprised of not more than  
4 100 contiguous acres with sufficient identity of  
5 1 or more characteristics (including location, to-  
6 pography, and dominant species) to be managed  
7 as a unit.

8           “(O) TIMBER PURPOSE.—

9           “(i) IN GENERAL.—The term ‘timber  
10 purpose’ means the use, sale, lease, or dis-  
11 tribution of trees, including the felling of  
12 trees or portions of trees.

13           “(ii) EXCEPTION.—The term ‘timber  
14 purpose’ does not include the felling of  
15 trees or portions of trees to create land  
16 space for a Federal administrative struc-  
17 ture.

18           “(P) WITHIN-COMMUNITY DIVERSITY.—

19 The term ‘within-community diversity’ means  
20 the distinctive assemblages of species and eco-  
21 logical processes that occur in various physical  
22 settings of the biosphere and distinct locations.

23           “(2) PROHIBITION OF CLEARCUTTING AND  
24 OTHER FORMS OF EVEN-AGE LOGGING OPER-  
25 ATIONS.—No clearcutting or other form of even-age

1 logging operation shall be permitted in any stand or  
2 watershed.

3 “(3) MANAGEMENT OF NATIVE BIODIVER-  
4 SITY.—On each stand on which an even-age logging  
5 operation has been conducted on or before the date  
6 of enactment of this section, and on each deforested  
7 area managed for timber purposes on or before the  
8 date of enactment of this section, excluding areas oc-  
9 cupied by existing buildings, the Secretary shall—

10 “(A) prescribe a shift to selection manage-  
11 ment; or

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

14 “(i) undertake an active restoration of  
15 the native biodiversity of the stand; or

16 “(ii) permit the stand to regain native  
17 biodiversity.

18 “(4) ENFORCEMENT.—

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

23 “(B) PURPOSE.—The purpose of this para-  
24 graph is to foster the widest possible enforce-

1           ment of subsection (g)(3)(B) and this sub-  
2           section.

3           “(C) FEDERAL ENFORCEMENT.—The Sec-  
4           retary of Agriculture, the Secretary of the Inte-  
5           rior, and the Attorney General shall enforce  
6           subsection (g)(3)(B) and this subsection against  
7           any person that violates 1 or more of those pro-  
8           visions.

9           “(D) CITIZEN SUITS.—

10           “(i) IN GENERAL.—A citizen harmed  
11           by a violation of subsection (g)(3)(B) or  
12           this subsection may bring a civil action in  
13           United States district court for a declara-  
14           tory judgment, a temporary restraining  
15           order, an injunction, statutory damages, or  
16           other remedy against any alleged violator,  
17           including the United States.

18           “(ii) JUDICIAL RELIEF.—If a district  
19           court of the United States determines that  
20           a violation of subsection (g)(3)(B) or this  
21           subsection has occurred, the district  
22           court—

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

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

4           “(III) shall award to the plain-  
5           tiffs reasonable costs of bringing the  
6           action, including attorney’s fees, wit-  
7           ness fees, and other necessary ex-  
8           penses.

9           “(iii) STANDARD OF PROOF.—The  
10          standard of proof in all actions under this  
11          subparagraph shall be the preponderance  
12          of the evidence.

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

15          “(E) PAYMENT OF DAMAGES.—

16          “(i) NON-FEDERAL VIOLATOR.—A  
17          damage award under subparagraph (B)(ii)  
18          shall be paid to the Treasury by a non-  
19          Federal violator or violators designated by  
20          the court.

21          “(ii) FEDERAL VIOLATOR.—

22          “(I) IN GENERAL.—Not later  
23          than 40 days after the date on which  
24          judgment is rendered, a damage  
25          award under subparagraph (B)(ii) for

1           which the United States is determined  
2           to be liable shall be paid from the  
3           Treasury, as provided under section  
4           1304 of title 31, United States Code,  
5           to the person or persons designated to  
6           receive the damage award.

7           “(II) USE OF DAMAGE AWARD.—

8           A damage award described under sub-  
9           clause (I) shall be used by the recipi-  
10          ent to protect or restore native bio-  
11          diversity on Federal land or on land  
12          adjoining Federal land.

13          “(III) COURT COSTS.—Any

14          award of costs of litigation and any  
15          award of attorney fees shall be paid  
16          by a Federal violator not later than  
17          40 days after the date on which judg-  
18          ment is rendered.

19          “(F) WAIVER OF SOVEREIGN IMMUNITY.—

20          “(i) IN GENERAL.—The United States  
21          (including agents and employees of the  
22          United States) waives its sovereign immu-  
23          nity in all respects in all actions under  
24          subsection (g)(3)(B) and this subsection.

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

3 **SEC. 103. CONFORMING AMENDMENTS.**

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

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

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

11          (3) by striking subparagraph (F).

12 **TITLE II—PROTECTION FOR AN-**  
13 **CIENT FORESTS, ROADLESS**  
14 **AREAS, WATERSHED PROTEC-**  
15 **TION AREAS, SPECIAL AREAS,**  
16 **AND FEDERAL BOUNDARY**  
17 **AREAS**

18 **SEC. 201. FINDINGS.**

19          Congress finds that—

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

23          (2) less than 10 percent of the original  
24          unlogged forests of the United States remain, and  
25          the vast majority of the remnants of the original for-

1       ests of the United States are located on Federal  
2       land;

3           (3) large, unfragmented forest watersheds pro-  
4       vide high-quality water supplies for drinking, agri-  
5       culture, industry, and fisheries across the United  
6       States;

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

10          (5) many neotropical migratory songbird species  
11       are experiencing documented broad-scale population  
12       declines and require large, unfragmented forests to  
13       ensure their survival;

14          (6) destruction of large-scale natural forests  
15       has resulted in a tremendous loss of jobs in the fish-  
16       ing, hunting, tourism, recreation, and guiding indus-  
17       tries, and has adversely affected sustainable non-  
18       timber forest products industries such as the collec-  
19       tion of mushrooms and herbs;

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

23          (8) ancient forests continue to be threatened by  
24       logging and deforestation and are rapidly dis-  
25       appearing;

1           (9) ancient forests help regulate atmospheric  
2 balance, maintain biodiversity, and provide valuable  
3 scientific opportunity for monitoring the health of  
4 the planet;

5           (10) prohibiting extractive logging in the an-  
6 cient forests would create the best conditions for en-  
7 suring stable, well distributed, and viable popu-  
8 lations of the northern spotted owl, marbled  
9 murrelet, American marten, and other vertebrates,  
10 invertebrates, vascular plants, and nonvascular  
11 plants associated with those forests;

12           (11) prohibiting extractive logging in the an-  
13 cient forests would create the best conditions for en-  
14 suring stable, well distributed, and viable popu-  
15 lations of anadromous salmonids, resident  
16 salmonids, and bull trout;

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

19           (13) large unfragmented forests, contained in  
20 large part on roadless areas on Federal land, are  
21 among the last refuges for native animal and plant  
22 biodiversity, and are vital to maintaining viable pop-  
23 ulations of threatened, endangered, sensitive, and  
24 rare species;

1           (14) roads cause soil erosion, disrupt wildlife  
2 migration, and allow nonnative species of plants and  
3 animals to invade native forests;

4           (15) the mortality and reproduction patterns of  
5 forest dwelling animal populations are adversely af-  
6 fected by traffic-related fatalities that accompany  
7 roads;

8           (16) the exceptional recreational, biological, sci-  
9 entific, or economic assets of certain special forested  
10 areas on Federal land are valuable to the public of  
11 the United States and are damaged by extractive  
12 logging;

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

20           (18) certain special forested areas provide habi-  
21 tat for the survival and recovery of endangered and  
22 threatened plant and wildlife species, such as grizzly  
23 bears, spotted owls, Pacific salmon, and Pacific yew,  
24 that are harmed by extractive logging;

1           (19) many special forested areas on Federal  
2 land are considered sacred sites by native peoples;

3           (20) ecological, economic, and aesthetic values  
4 on private property are damaged by logging and  
5 road building in Federal boundary areas; and

6           (21) as a legacy for the enjoyment, knowledge,  
7 and well-being of future generations, provisions must  
8 be made for the protection and perpetuation of the  
9 ancient forests, roadless areas, watershed protection  
10 areas, special areas, and Federal boundary areas of  
11 the United States.

12 **SEC. 202. DEFINITIONS.**

13 In this title:

14           (1) ANCIENT FOREST.—The term “ancient for-  
15 est” means—

16                   (A) the northwest ancient forests,  
17 including—

18                           (i) Federal land identified as late-suc-  
19 cessional reserves, riparian reserves, and  
20 key watersheds under the heading “Alter-  
21 native 1” of the report entitled “Final  
22 Supplemental Environmental Impact  
23 Statement on Management of Habitat for  
24 Late-Successional and Old-Growth Forest  
25 Related Species Within the Range of the

1 Northern Spotted Owl, Vol. I.”, and dated  
2 February 1994; and

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

7 (B) the eastside Cascade ancient forests,  
8 including—

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

24 (ii) Federal land east of the Cascade  
25 crest in the States of Oregon and Wash-

1           ington, defined as “late successional and  
2           old-growth forests” in the general defini-  
3           tion on page 28 of the report described in  
4           clause (i); and

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

8           (C) the Sierra Nevada ancient forests,  
9           including—

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

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

22                   (iii) Federal land identified as “Poten-  
23                   tial Aquatic Diversity Management Areas”  
24                   on the map on page 1497 of Volume II of  
25                   the report described in clause (i).

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

4           (3) **FEDERAL BOUNDARY AREA.**—The term  
5           “Federal boundary area” means land that is—

6                   (A) managed by the Forest Service, the  
7           Bureau of Land Management, or the United  
8           States Fish and Wildlife Service; and

9                   (B) located within 200 feet of a property  
10          line.

11          (4) **IMPROVED ROAD.**—The term “improved  
12          road” means any road maintained for travel by  
13          standard passenger type vehicles.

14          (5) **ROADLESS AREA.**—The term “roadless  
15          area” means a contiguous parcel of Federal land  
16          that is—

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

19                   (B) composed of—

20                           (i) at least 1,000 acres west of the  
21                           100th meridian (with up to ½ mile of im-  
22                           proved roads per 1,000 acres);

23                           (ii) at least 1,000 acres east of the  
24                           100th meridian (with up to ½ mile of im-  
25                           proved roads per 1,000 acres); or

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

5 (6) SECRETARY.—The term “Secretary”, with  
6 respect to any Federal land in an ancient forest,  
7 roadless area, watershed protection area, special  
8 area, or Federal boundary area, means the head of  
9 the Federal agency having jurisdiction over the Fed-  
10 eral land.

11 (7) SPECIAL AREA.—The term “special area”  
12 means an area of Federal forest land designated  
13 under section 3 that may not meet the definition of  
14 an ancient forest, roadless area, watershed protec-  
15 tion area, or Federal boundary area, but that—

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

18 (B) is exemplary on a regional, national, or  
19 international level.

20 (8) WATERSHED PROTECTION AREA.—The  
21 term “watershed protection area” means Federal  
22 land that extends—

23 (A) 300 feet from both sides of the active  
24 stream channel of any permanently flowing  
25 stream or river;

1 (B) 100 feet from both sides of the active  
 2 channel of any intermittent, ephemeral, or sea-  
 3 sonal stream, or any other nonpermanently  
 4 flowing drainage feature having a definable  
 5 channel and evidence of annual scour or deposi-  
 6 tion of flow-related debris;

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

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

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

13 (a) IN GENERAL.—

14 (1) FINDING.—A special area shall possess at  
 15 least 1 of the values described in paragraphs (2)  
 16 through (5).

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

19 (A) threatened species or endangered spe-  
 20 cies of plants or animals;

21 (B) rare or endangered ecosystems;

22 (C) key habitats necessary for the recovery  
 23 of endangered species or threatened species;

24 (D) recovery or restoration areas of rare or  
 25 underrepresented forest ecosystems;

- 1 (E) migration corridors;
- 2 (F) areas of outstanding biodiversity;
- 3 (G) old growth forests;
- 4 (H) commercial fisheries; and
- 5 (I) sources of clean water such as key wa-
- 6 tersheds.

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

- 9 (A) unusual geological formations;
- 10 (B) designated wild and scenic rivers;
- 11 (C) unique biota; and
- 12 (D) vistas.

13 (4) RECREATIONAL VALUES.—The recreational  
14 values of a special area may include the presence  
15 of—

- 16 (A) designated national recreational trails  
17 or recreational areas;
- 18 (B) areas that are popular for such recre-  
19 ation and sporting activities as—
  - 20 (i) hunting;
  - 21 (ii) fishing;
  - 22 (iii) camping;
  - 23 (iv) hiking;
  - 24 (v) aquatic recreation; and
  - 25 (vi) winter recreation;

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

3 (D) land adjacent to designated wilderness  
4 areas; and

5 (E) solitude.

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

8 (A) sites with Native American religious  
9 significance; and

10 (B) historic or prehistoric archaeological  
11 sites eligible for listing on the national historic  
12 register.

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

16 (c) DESIGNATION OF SPECIAL AREAS.—There are  
17 designated the following special areas, which shall be sub-  
18 ject to the management restrictions specified in section  
19 204:

20 (1) ALABAMA.—

21 (A) SIPSEY WILDERNESS HEADWATERS.—  
22 Certain land in the Bankhead National Forest,  
23 Bankhead Ranger District, in Lawrence Coun-  
24 ty, totaling approximately 22,000 acres, located

1 directly north and upstream of the Sipsey Wil-  
2 derness, and directly south of Forest Road 213.

3 (B) BRUSHY FORK.—Certain land in the  
4 Bankhead National Forest, Bankhead Ranger  
5 District, in Lawrence County, totaling approxi-  
6 mately 6,200 acres, bounded by Forest Roads  
7 249, 254, and 246 and Alabama Highway 33.

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

16 (D) AUGUSTA MINE RIDGE.—Certain land  
17 in the Talladega National Forest, Shoal Creek  
18 Ranger District, Cherokee County and Cleburn  
19 County, totaling approximately 6,000 acres, and  
20 comprised of all Talladega National Forest land  
21 north of the Chief Ladiga Rail Trail.

22 (E) MAYFIELD CREEK.—Certain land in  
23 the Talladega National Forest, Oakmulgee  
24 Ranger District, in Rail County, totaling ap-

1           proximately 4,000 acres, and bounded by For-  
2           est Roads 731, 723, 718, and 718A.

3           (F) BEAR BAY.—Certain land in the  
4           Conecuh National Forest, Conecuh District, in  
5           Covington County, totaling approximately 3,000  
6           acres, bounded by County Road 11, Forest  
7           Road 305, County Road 3, and the County  
8           Road connecting County Roads 3 and 11.

9           (2) ALASKA.—

10           (A) TURNAGAIN ARM.—Certain land in the  
11           Chugach National Forest, on the Kenai Penin-  
12           sula, totaling approximately 100,000 acres, ex-  
13           tending from sea level to ridgetop surrounding  
14           the inlet of Turnagain Arm, known as  
15           “Turnagain Arm”.

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

1           (3) ARIZONA: NORTH RIM OF THE GRAND CAN-  
2 YON.—Certain land in the Kaibab National Forest  
3 that is included in the Grand Canyon Game Pre-  
4 serve, totaling approximately 500,000 acres, abut-  
5 ting the northern side of the Grand Canyon in the  
6 area generally known as the “North Rim of the  
7 Grand Canyon”.

8           (4) ARKANSAS.—

9           (A) COW CREEK DRAINAGE, ARKANSAS.—  
10 Certain land in the Ouachita National Forest,  
11 Mena Ranger District, in Polk County, totaling  
12 approximately 7,000 acres, known as “Cow  
13 Creek Drainage, Arkansas”, and bounded  
14 approximately—

15                   (i) to the north, by County Road 95;

16                   (ii) to the south, by County Road 157;

17                   (iii) to the east, by County Road 48;

18                   and

19                   (iv) to the west, by the Arkansas-  
20 Oklahoma border.

21           (B) LEADER AND BRUSH MOUNTAINS.—

22 Certain land in the Ouachita National Forest,  
23 Montgomery County and Polk County, totaling  
24 approximately 120,000 acres, known as “Lead-  
25 er Mountain” and “Brush Mountain”, located

1 in the vicinity of the Blaylock Creek Watershed  
2 between Long Creek and the South Fork of the  
3 Saline River.

4 (C) POLK CREEK AREA.—Certain land in  
5 the Ouachita National Forest, Mena Ranger  
6 District, totaling approximately 20,000 acres,  
7 bounded by Arkansas Highway 4 and Forest  
8 Roads 73 and 43, known as the “Polk Creek  
9 area”.

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

20 (E) UPPER BUFFALO RIVER WATER-  
21 SHED.—Certain land in the Ozark National  
22 Forest, Buffalo Ranger District, totaling ap-  
23 proximately 220,000 acres, comprised of Forest  
24 Service that has not been designated as a wil-  
25 derness area before the date of enactment of

1           this Act, known as the “Upper Buffalo River  
2           Watershed”, located approximately 35 miles  
3           from the town of Harrison, Madison County,  
4           Newton County, and Searcy County, upstream  
5           of the confluence of the Buffalo River and Rich-  
6           land Creek in the watersheds of—

- 7                       (i) the Buffalo River;  
8                       (ii) the various streams comprising  
9                       the Headwaters of the Buffalo River;  
10                      (iii) Richland Creek;  
11                      (iv) Little Buffalo Headwaters;  
12                      (v) Edgmon Creek;  
13                      (vi) Big Creek; and  
14                      (vii) Cane Creek.

15           (5) CALIFORNIA: GIANT SEQUOIA PRESERVE.—  
16           Certain land in the Sequoia National Forest and Si-  
17           erra National Forest, known as the “Giant Sequoia  
18           Preserve”, comprised of 3 discontinuous parcels and  
19           approximately 442,425 acres, located in Fresno  
20           County, Tulare County, and Kern County, in the  
21           Southern Sierra Nevada mountain range,  
22           including—  
23                       (A) the Kings River Unit (145,600 acres)  
24                       and nearby Redwood Mountain Unit (11,730

1            acres), located approximately 25 miles east of  
2            the city of Fresno; and

3            (B) the South Unit (285,095 acres), lo-  
4            cated approximately 15 miles east of the city of  
5            Porterville.

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

15                (A) Elk Mountain and West Elk Mountain;

16                (B) the Grand Mesa;

17                (C) the Uncompahgre Plateau;

18                (D) the northern San Juan Mountains;

19                (E) the La Garitas Mountains; and

20                (F) the Cochetopa Hills.

21            (7) GEORGIA.—

22                (A) ARMUCHEE CLUSTER.—Certain land  
23            in the Chattahoochee National Forest,  
24            Armuchee Ranger District, known as the  
25            “Armuchee Cluster”, totaling approximately

1 19,700 acres, comprised of 3 parcels known as  
2 “Rocky Face”, “Johns Mountain”, and “Hid-  
3 den Creek”, located approximately 10 miles  
4 southwest of Dalton and 14 miles north of  
5 Rome, in Whitfield County, Walker County,  
6 Chattooga County, Floyd County, and Gordon  
7 County.

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

19 (C) CHATTOOGA WATERSHED CLUSTER,  
20 GEORGIA AREAS.—Certain land in the Chat-  
21 tahoochee National Forest, Tallulah Ranger  
22 District, totaling 63,500 acres, known as the  
23 “Chattooga Watershed Cluster, Georgia Areas”,  
24 comprised of 7 areas known as “Rabun Bald”,  
25 “Three Forks”, “Ellicott Rock Extension”,

1 “Rock Gorge”, “Big Shoals”, “Thrift’s Ferry”,  
2 and “Five Falls”, in Rabun County, near the  
3 towns of Clayton, Georgia, and Dillard, South  
4 Carolina.

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

14 (E) DUNCAN RIDGE CLUSTER.—Certain  
15 land in the Chattahoochee National Forest,  
16 Brasstown and Toccoa Ranger Districts, total-  
17 ing approximately 17,000 acres, known as the  
18 “Duncan Ridge Cluster”, comprised of the par-  
19 cels known as “Licklog Mountain”, “Duncan  
20 Ridge”, “Board Camp”, and “Cooper Creek  
21 Scenic Area Extension”, approximately 10 to  
22 15 miles south of the town of Blairsville, in  
23 Union County and Fannin County.

24 (F) ED JENKINS NATIONAL RECREATION  
25 AREA CLUSTER.—Certain land in the Chat-

1           tahoochee National Forest, Toccoa and  
2           Chestatee Ranger Districts, totaling approxi-  
3           mately 19,300 acres, known as the “Ed Jenkins  
4           National Recreation Area Cluster”, comprised  
5           of the Springer Mountain, Mill Creek, and  
6           Toonowee parcels, 30 miles north of the town  
7           of Dahlonega, in Fannin County, Dawson  
8           County, and Lumpkin County.

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

18          (H) NORTHERN BLUE RIDGE CLUSTER,  
19          GEORGIA AREAS.—Certain land in the Chat-  
20          tahoochee National Forest, Brasstown and  
21          Tallulah Ranger Districts, totaling approxi-  
22          mately 46,000 acres, known as the “Northern  
23          Blue Ridge Cluster, Georgia Areas”, comprised  
24          of 8 areas known as “Andrews Cove”, “Anna  
25          Ruby Falls Scenic Area Extension”, “High

1 Shoals”, “Tray Mountain Extension”, “Kelly  
2 Ridge-Moccasin Creek”, “Buzzard Knob”,  
3 “Southern Nantahala Extension”, and “Patter-  
4 son Gap”, approximately 5 to 15 miles north of  
5 Helen, 5 to 15 miles southeast of Hiawassee,  
6 north of Clayton, and west of Dillard, in White  
7 County, Towns County, and Rabun County.

8 (I) RICH MOUNTAIN CLUSTER.—Certain  
9 land in the Chattahoochee National Forest,  
10 Toccoa Ranger District, totaling approximately  
11 9,500 acres, known as the “Rich Mountain  
12 Cluster”, comprised of the parcels known as  
13 “Rich Mountain Extension” and “Rocky Moun-  
14 tain”, located 10 to 15 miles northeast of the  
15 town of Ellijay, in Gilmer County and Fannin  
16 County.

17 (J) WILDERNESS HEARTLANDS CLUSTER,  
18 GEORGIA AREAS.—Certain land in the Chat-  
19 tahoochee National Forest, Chestatee,  
20 Brasstown and Chattooga Ranger Districts, to-  
21 taling approximately 16,500 acres, known as  
22 the “Wilderness Heartlands Cluster, Georgia  
23 Areas”, comprised of 4 parcels known as the  
24 “Blood Mountain Extensions”, “Raven Cliffs  
25 Extensions”, “Mark Trail Extensions”, and

1 “Brasstown Extensions”, near the towns of  
2 Dahlonega, Cleveland, Helen, and Blairsville, in  
3 Lumpkin County, Union County, White County,  
4 and Towns County.

5 (8) IDAHO.—

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

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

17 (C) FRENCH CREEK/PATRICK BUTTE.—  
18 Certain land in the Payette National Forest, to-  
19 taling approximately 141,000 acres, located ap-  
20 proximately 20 miles north of the town of  
21 McCall in the area generally known as “French  
22 Creek/Patrick Butte”.

23 (9) ILLINOIS.—

24 (A) CRIPPS BEND.—Certain land in the  
25 Shawnee National Forest, totaling approxi-

1           mately 39 acres, located in Jackson County in  
2           the Big Muddy River watershed, in the area  
3           generally known as “Cripps Bend”.

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

10          (C) QUARREL CREEK.—Certain land in the  
11          Shawnee National Forest, totaling approxi-  
12          mately 490 acres, located in northern Pope  
13          County in the Quarrel Creek watershed, in the  
14          area generally known as “Quarrel Creek”.

15          (10) MICHIGAN: TRAP HILLS.—Certain land in  
16          the Ottawa National Forest, Bergland Ranger Dis-  
17          trict, totaling approximately 37,120 acres, known as  
18          the “Trap Hills”, located approximately 5 miles  
19          from the town of Bergland, in Ontonagon County.

20          (11) MINNESOTA.—

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

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

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

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

19          (14) NEW MEXICO.—

20                 (A) ANGOSTURA.—Certain land in the  
21                 eastern half of the Carson National Forest, Ca-  
22                 mino Real Ranger District, totaling approxi-  
23                 mately 10,000 acres, located in Township 21,  
24                 Ranges 12 and 13, known as “Angostura”, and  
25                 bounded—

1 (i) to the northeast, by Highway 518;

2 (ii) to the southeast, by the Angostura

3 Creek watershed boundary;

4 (iii) to the southern side, by Trail 19

5 and the Pecos Wilderness; and

6 (iv) to the west, by the Agua Piedra

7 Creek watershed.

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

14 (i) to the north, by the Tierra  
15 Amarilla Land Grant;

16 (ii) to the south, by Canada  
17 Escondida;

18 (iii) to the west, by the Sustained  
19 Yield Unit boundary and the Tierra  
20 Amarilla Land Grant; and

21 (iv) to the east, by the Rio Vallecitos.

22 (C) ELK MOUNTAIN.—Certain land in the  
23 Santa Fe National Forest, totaling approxi-  
24 mately 7,220 acres, known as “Elk Mountain”

1 located in Townships 17 and 18 and Ranges 12  
2 and 13, and bounded—

3 (i) to the north, by the Pecos Wilder-  
4 ness;

5 (ii) to the east, by the Cow Creek Wa-  
6 tershed;

7 (iii) to the west, by the Cow Creek;  
8 and

9 (iv) to the south, by Rito de la Osha.

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

15 (15) NORTH CAROLINA.—

16 (A) CENTRAL NANTAHALA CLUSTER,  
17 NORTH CAROLINA AREAS.—Certain land in the  
18 Nantahala National Forest, Tusquitee, Cheoah,  
19 and Wayah Ranger Districts, totaling approxi-  
20 mately 107,000 acres, known as the “Central  
21 Nantahala Cluster, North Carolina Areas”,  
22 comprised of 9 parcels known as “Tusquitee  
23 Bald”, “Shooting Creek Bald”, “Cheoah Bald”,  
24 “Piercy Bald”, “Wesser Bald”, “Tellico Bald”,  
25 “Split White Oak”, “Siler Bald”, and “South-

1           ern Nantahala Extensions”, near the towns of  
2           Murphy, Franklin, Bryson City, Andrews, and  
3           Beechertown, in Cherokee County, Macon  
4           County, Clay County, and Swain County.

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

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

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

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

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

23 (G) LINVILLE CLUSTER.—Certain land in  
24 the Pisgah National Forest, Grandfather Dis-  
25 trict, totaling approximately 42,000 acres,

1 known as the “Linville Cluster”, comprised of  
2 7 parcels known as “Dobson Knob”, “Linville  
3 Gorge Extension”, “Steels Creek”, “Sugar  
4 Knob”, “Harper Creek”, “Lost Cove”, and  
5 “Upper Wilson Creek”, near the towns of Mar-  
6 ion, Morgantown, Spruce Pine, Linville, and  
7 Blowing Rock, in Burke County, McDowell  
8 County, Avery County, and Caldwell County.

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

16 (I) PISGAH CLUSTER, NORTH CAROLINA  
17 AREAS.—Certain land in the Pisgah National  
18 Forest, Pisgah Ranger District, totaling ap-  
19 proximately 52,000 acres, known as the “Pis-  
20 gah Cluster, North Carolina Areas”, comprised  
21 of 5 parcels known as “Shining Rock and Mid-  
22 dle Prong Extensions”, “Daniel Ridge”, “Cedar  
23 Rock Mountain”, “South Mills River”, and  
24 “Laurel Mountain”, 5 to 12 miles north of the  
25 town of Brevard and southwest of the city of

1 Asheville, in Haywood County, Transylvania  
2 County, and Henderson County.

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

8 (16) OHIO.—

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

15 (i) to the northwest, by State High-  
16 way 26;

17 (ii) to the northeast, by State High-  
18 way 260;

19 (iii) to the southeast, by the Ohio  
20 River; and

21 (iv) to the southwest, by Bear Run  
22 and Danas Creek.

23 (B) BLUEGRASS RIDGE.—Certain land in  
24 the Ironton Ranger District on the Wayne Na-  
25 tional Forest, in Lawrence County, known as

1 “Bluegrass Ridge”, totaling approximately  
2 4,000 acres, located 3 miles east of Etna in  
3 Township 4 North, Range 17 West, Sections 19  
4 through 23 and 27 through 30.

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

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

18 (i) to the southwest, by State High-  
19 way 93; and

20 (ii) to the northwest, by State High-  
21 way 4.

22 (E) MORGAN SISTERS.—Certain land in  
23 the Ironton Ranger District of the Wayne Na-  
24 tional Forest, in Lawrence County, known as  
25 “Morgan Sisters”, totaling approximately 2,500

1            acres, located 1 mile east of Gallia and bounded  
2            by State Highway 233 in Township 6 North,  
3            Range 17 West, sections 13, 14, 23 and 24 and  
4            Township 5 North, Range 16 West, sections 18  
5            and 19.

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

12                    (i) to the southeast, by State Highway  
13                    682 and State Highway 13;

14                    (ii) to the southwest, by US Highway  
15                    33 and State Highway 216; and

16                    (iii) to the north, by State Highway  
17                    665.

18            (G) WILDCAT HOLLOW.—Certain land in  
19            the Athens Ranger District of the Wayne Na-  
20            tional Forest, in Perry County and Morgan  
21            County, known as “Wildcat Hollow”, totaling  
22            approximately 4,500 acres, located 1 mile east  
23            of Corning in Township 12 North, Range 14  
24            West, sections 1, 2, 11–14, 23 and 24 and

1 Township 8 North, Range 13 West, sections 7,  
2 18, and 19.

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

9 (A) to the west, by the Beech Creek Na-  
10 tional Scenic Area;

11 (B) to the north, by State Highway 63;

12 (C) to the east, by the Arkansas-Oklahoma  
13 border; and

14 (D) to the south, by County Road 9038 on  
15 the south.

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

23 (19) SOUTH CAROLINA.—

24 (A) BIG SHOALS, SOUTH CAROLINA  
25 AREA.—Certain land in the Sumter National

1 Forest, Andrew Pickens Ranger District, in  
2 Oconee County, totaling approximately 2,000  
3 acres, known as “Big Shoals, South Carolina  
4 Area”, 15 miles south of Highlands, North  
5 Carolina.

6 (B) BRASSTOWN CREEK, SOUTH CAROLINA  
7 AREA.—Certain land in the Sumter National  
8 Forest, Andrew Pickens Ranger District, in  
9 Oconee County, totaling approximately 3,500  
10 acres, known as “Brasstown Creek, South  
11 Carolina Area”, approximately 15 miles west of  
12 Westminster, South Carolina.

13 (C) CHAUGA.—Certain land in the Sumter  
14 National Forest, Andrew Pickens Ranger Dis-  
15 trict, in Oconee County, totaling approximately  
16 16,000 acres, known as “Chauga”, approxi-  
17 mately 10 miles west of Walhalla, South Caro-  
18 lina.

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

1           (E) ELLICOTT ROCK EXTENSION, SOUTH  
2 CAROLINA AREA.—Certain land in the Sumter  
3 National Forest, Andrew Pickens Ranger Dis-  
4 trict, in Oconee County, totaling approximately  
5 2,000 acres, known as “Ellicott Rock Exten-  
6 sion, South Carolina Area”, located approxi-  
7 mately 10 miles south of Cashiers, North Caro-  
8 lina.

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

16           (G) PERSIMMON MOUNTAIN.—Certain land  
17 in the Sumter National Forest, Andrew Pickens  
18 Ranger District, in Oconee County, totaling ap-  
19 proximately 7,000 acres, known as “Persimmon  
20 Mountain”, approximately 12 miles south of  
21 Cashiers, North Carolina.

22           (H) ROCK GORGE, SOUTH CAROLINA  
23 AREA.—Certain land in the Sumter National  
24 Forest, Andrew Pickens Ranger District, in  
25 Oconee County, totaling approximately 2,000

1            acres, known as “Rock Gorge, South Carolina  
2            Area”, 12 miles southeast of Highlands, North  
3            Carolina.

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

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

16            (20) SOUTH DAKOTA.—

17            (A) BLACK FOX AREA.—Certain land in  
18            the Black Hills National Forest, totaling ap-  
19            proximately 12,400 acres, located in the upper  
20            reaches of the Rapid Creek watershed, known  
21            as the “Black Fox Area”, and roughly  
22            bounded—

23                    (i) to the north, by FDR 206;

24                    (ii) to the south, by the steep slopes  
25                    north of Forest Road 231; and

1 (iii) to the west, by a fork of Rapid  
2 Creek.

3 (B) BREAKNECK AREA.—Certain land in  
4 the Black Hills National Forest, totaling 6,700  
5 acres, located along the northeast edge of the  
6 Black Hills in the vicinity of the Black Hills  
7 National Cemetery and the Bureau of Land  
8 Management’s Fort Meade Recreation Area,  
9 known as the “Breakneck Area”, and  
10 generally—

11 (i) bounded by Forest Roads 139 and  
12 169 on the north, west, and south; and

13 (ii) demarcated along the eastern and  
14 western boundaries by the ridge-crests di-  
15 viding the watershed.

16 (C) NORBECK PRESERVE.—Certain land in  
17 the Black Hills National Forest, totaling ap-  
18 proximately 27,766 acres, known as the  
19 “Norbeck Preserve”, and encompassed approxi-  
20 mately by a boundary that, starting at the  
21 southeast corner—

22 (i) runs north along FDR 753 and  
23 United States Highway Alt. 16, then along  
24 SD 244 to the junction of Palmer Creek

1 Road, which serves generally as a north-  
2 west limit;

3 (ii) heads south from the junction of  
4 Highways 87 and 89;

5 (iii) runs southeast along Highway  
6 87; and

7 (iv) runs east back to FDR 753, ex-  
8 cluding a corridor of private land along  
9 FDR 345.

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

16 (i) to the east and northeast, by For-  
17 est Roads 318 and 319;

18 (ii) to the north and northwest, by  
19 Road 312; and

20 (iii) to the southwest, by private land.

21 (E) STAGEBARN CANYONS.—Certain land  
22 in the Black Hills National Forest, known as  
23 “Stagebarn Canyons”, totaling approximately  
24 7,300 acres, approximately 10 miles west of  
25 Rapid City, South Dakota.

1 (21) TENNESSEE.—

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

17 (B) BIG FROG/COHUTTA CLUSTER.—Cer-  
18 tain land in the Cherokee National Forest, in  
19 Polk County, Ocoee Ranger District, Hiwassee  
20 Ranger District, and Tennessee Ranger Dis-  
21 trict, totaling approximately 28,800 acres,  
22 known as the “Big Frog/Cohutta Cluster”,  
23 comprised of 4 parcels known as “Big Frog Ex-  
24 tensions”, “Little Frog Extensions”, “Smith  
25 Mountain”, and “Rock Creek”, located near the

1 towns of Copperhill, Ducktown, Turtletown, and  
2 Benton.

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

13 (D) IRON MOUNTAINS CLUSTER.—Certain  
14 land in the Cherokee National Forest, Watauga  
15 Ranger District, totaling approximately 58,090  
16 acres, known as the “Iron Mountains Cluster”,  
17 comprised of 8 parcels known as “Big Laurel  
18 Branch Addition”, “Hickory Flat Branch”,  
19 “Flint Mill”, “Lower Iron Mountain”, “Upper  
20 Iron Mountain”, “London Bridge”,  
21 “Beaverdam Creek”, and “Rodgers Ridge”, lo-  
22 cated near the towns of Bristol and  
23 Elizabethton, in Sullivan County and Johnson  
24 County.

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

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

22 (G) SOUTHERN UNICOI MOUNTAINS CLUS-  
23 TER.—Certain land in the Hiwassee Ranger  
24 District of the Cherokee National Forest, in  
25 Polk County, Monroe County, and McMinn

1 County, totaling approximately 11,251 acres,  
2 known as the “Southern Unicoi Mountains  
3 Cluster”, comprised of 3 parcels known as “Gee  
4 Creek Extension”, “Coker Creek”, and “Buck  
5 Bald”, near the towns of Etowah, Benton, and  
6 Turtletown.

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

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

21 (A) to the west, by Upland Island Wilder-  
22 ness Area;

23 (B) to the south, by the Neches River; and

24 (C) to the northeast, by Sam Rayburn  
25 Reservoir.

1 (23) VERMONT.—

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

7 (i) to the north, by Kelly Stand Road;

8 (ii) to the east, by Forest Road 71;

9 (iii) to the south, by Route 9; and

10 (iv) to the west, by Route 7.

11 (B) LAMB BROOK.—Certain land in the  
12 Green Mountain National Forest, totaling ap-  
13 proximately 5,500 acres, located 3 miles south-  
14 west of Wilmington, generally known as “Lamb  
15 Brook”, and bounded—

16 (i) to the west, by Route 8;

17 (ii) to the south, by Route 100;

18 (iii) to the north, by Route 9; and

19 (iv) to the east, by land owned by  
20 New England Power Company.

21 (C) ROBERT FROST MOUNTAIN AREA.—  
22 Certain land in the Green Mountain National  
23 Forest, totaling approximately 8,500 acres,  
24 known as “Robert Frost Mountain Area”, lo-

1 cated northeast of Middlebury, consisting of the  
2 Forest Service land bounded—

3 (i) to the west, by Route 116;

4 (ii) to the north, by Bristol Notch  
5 Road;

6 (iii) to the east, by Lincoln/Ripton  
7 Road; and

8 (iv) to the south, by Route 125.

9 (24) VIRGINIA.—

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

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

20 (C) DISMAL CREEK.—Certain land totaling  
21 approximately 6,000 acres, in the Jefferson Na-  
22 tional Forest, Blacksburg Ranger District,  
23 known as “Dismal Creek”, north of State  
24 Route 42, in Giles County and Bland County.

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

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

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

18 (G) WILSON MOUNTAIN.—Certain land  
19 known as “Wilson Mountain”, in the Jefferson  
20 National Forest, Glenwood Ranger District, to-  
21 taling approximately 5,100 acres, east of Inter-  
22 state 81, in Botetourt County and Rockbridge  
23 County.

24 (H) FEATHERCAMP.—Certain land in the  
25 Mt. Rodgers Recreation Area of the Jefferson

1 National Forest, totaling 4,974 acres, known as  
2 “Feathercamp”, located northeast of the town  
3 of Damascus and north of State Route 58 on  
4 the Feathercamp ridge, in Washington County.  
5 (25) WISCONSIN.—

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

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

20 (C) LAKE OWENS CLUSTER.—Certain land  
21 in the Chequamegon-Nicolet National Forest,  
22 Great Divide and Washburn Ranger Districts,  
23 totaling approximately 3,600 acres, known as  
24 “Lake Owens Cluster”, comprised of parcels  
25 known as “Lake Owens”, “Eighteenmile

1 Creek”, “Northeast Lake”, and “Sugarbush  
2 Lake”, in Bayfield County.

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

16 (E) PARK FALLS CLUSTER.—Certain land  
17 in the Chequamegon-Nicolet National Forest,  
18 Medford-Park Falls Ranger District, totaling  
19 approximately 23,000 acres, known as “Park  
20 Falls Cluster”, comprised of 11 parcels known  
21 as “Sixteen Lakes”, “Chippewa Trail”, “Tuck-  
22 er and Amik Lakes”, “Lower Rice Creek”,  
23 “Doering Tract”, “Foulds Creek”, “Bootjack  
24 Conifers”, “Pond”, “Mud and Riley Lake

1 Peatlands”, “Little Willow Drumlin”, and “Elk  
2 River”, in Price County and Vilas County.

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

8 (i) the Marengo River and  
9 Brunswailer River semi-primitive non-  
10 motorized areas; and

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

16 (G) SOUTHEAST GREAT DIVIDE CLUS-  
17 TER.—Certain land in the Chequamegon-  
18 Nicolet National Forest, Medford Park Falls  
19 Ranger District, totaling approximately 25,000  
20 acres, known as the “Southeast Great Divide  
21 Cluster”, comprised of parcels known as  
22 “Snoose Lake”, “Cub Lake”, “Springbrook  
23 Hardwoods”, “Upper Moose River”, “East  
24 Fork Chippewa River”, “Upper Torch River”,  
25 “Venison Creek”, “Upper Brunet River”,

1 “Bear Lake Slough”, and “Noname Lake”, in  
2 Ashland County and Sawyer County.

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

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

19 (J) BONITA GRADE.—Certain land in the  
20 Chequamegon-Nicolet National Forest, Lake-  
21 wood-Laona Ranger District, totaling approxi-  
22 mately 1,200 acres, known as “Bonita Grade”,  
23 comprised of parcels known as “Mountain  
24 Lakes”, “Temple Lake”, “Second South

1 Branch”, “First South Branch”, and “South  
2 Branch Oconto River”, in Langlade County.

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

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

20 (26) WYOMING: SAND CREEK AREA.—

21 (A) IN GENERAL.—Certain land in the  
22 Black Hills National Forest, totaling approxi-  
23 mately 8,300 acres known as the “Sand Creek  
24 area”, located in Crook County, in the far  
25 northwest corner of the Black Hills.

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

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

6 (ii) a line linking forest roads 866.1B  
7 and 802.1B;

8 (iii) forest road 802.1B;

9 (iv) forest road 802.1;

10 (v) an unnamed road;

11 (vi) Spotted Tail Creek (excluding all  
12 private land);

13 (vii) forest road 829.1;

14 (viii) a line connecting forest roads  
15 829.1 and 864;

16 (ix) forest road 852.1; and

17 (x) a line connecting forest roads  
18 852.1 and 863.

19 (d) COMMITTEE OF SCIENTISTS.—

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

23 (A) are not officers or employees of the  
24 Federal Government;

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

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

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

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

19                (A) threatened or endangered species of  
20                plants or animals;

21                (B) rare or endangered ecosystems;

22                (C) key habitats necessary for the recovery  
23                of endangered or threatened species;

24                (D) recovery or restoration areas of rare or  
25                underrepresented forest ecosystems;

- 1 (E) migration corridors;
- 2 (F) areas of outstanding biodiversity;
- 3 (G) old growth forests;
- 4 (H) commercial fisheries; and
- 5 (I) sources of clean water such as key wa-
- 6 tersheds.

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

11 **SEC. 204. RESTRICTIONS ON MANAGEMENT ACTIVITIES IN**  
 12 **ANCIENT FORESTS, ROADLESS AREAS, WA-**  
 13 **TERSHERD PROTECTION AREAS, SPECIAL**  
 14 **AREAS, AND FEDERAL BOUNDARY AREAS.**

15 (a) RESTRICTION OF MANAGEMENT ACTIVITIES.—  
 16 On Federal land located in ancient forests, roadless areas  
 17 (except military installations), watershed protection areas  
 18 (except military installations), special areas, and Federal  
 19 boundary areas—

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.

25 (b) MAINTENANCE OF EXISTING ROADS.—

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

6           (2) ABANDONED ROADS.—Any road that the  
7           Secretary determines to have been abandoned before  
8           the date of enactment of this Act shall not be main-  
9           tained or reconstructed.

10          (c) ENFORCEMENT.—

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

14           (2) PURPOSE.—The purpose of this subsection  
15           is to foster the widest possible enforcement of this  
16           section.

17           (3) FEDERAL ENFORCEMENT.—The Secretary  
18           and the Attorney General of the United States shall  
19           enforce this section against any person that violates  
20           this section.

21           (4) CITIZEN SUITS.—

22           (A) IN GENERAL.—A citizen harmed by a  
23           violation of this section may enforce this section  
24           by bringing a civil action for a declaratory judg-  
25           ment, a temporary restraining order, an injunc-

1           tion, statutory damages, or other remedy  
2           against any alleged violator, including the  
3           United States, in any district court of the  
4           United States.

5           (B) JUDICIAL RELIEF.—If a district court  
6           of the United States determines that a violation  
7           of this section has occurred, the district court—

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

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

12                   (iii) shall award to each prevailing  
13                   party the reasonable costs of bringing the  
14                   action, including attorney’s fees, witness  
15                   fees, and other necessary expenses.

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

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

21           (E) PAYMENT OF DAMAGES.—

22                   (i) NON-FEDERAL VIOLATOR.—A  
23                   damage award under subparagraph (B)(i)  
24                   shall be paid by a non-Federal violator or

1 violators designated by the court to the  
2 Treasury.

3 (ii) FEDERAL VIOLATOR.—

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

14 (II) USE OF DAMAGE AWARD.—A  
15 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 award  
21 of costs of litigation and any award of  
22 attorney fees shall be paid by a Fed-  
23 eral violator not later than 40 days  
24 after the date on which judgment is  
25 rendered.

1 (5) WAIVER OF SOVEREIGN IMMUNITY.—

2 (A) IN GENERAL.—The United States (in-  
3 cluding agents and employees of the United  
4 States) waives its sovereign immunity in all re-  
5 spects in all actions under this section.

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

## 8 **TITLE III—EFFECTIVE DATE**

### 9 **SEC. 301. IN GENERAL.**

10 This Act and the amendments made by this Act take  
11 effect on the date of enactment of this Act.

### 12 **SEC. 302. EFFECT ON EXISTING CONTRACTS.**

13 This Act and the amendments made by this Act shall  
14 not apply to any contract for the sale of timber that was  
15 entered into on or before the date of enactment of this  
16 Act.

○