

109TH CONGRESS  
2D SESSION

# H. R. 6237

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

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2006

Ms. ESHOO (for herself, Mrs. MALONEY, Mr. ACKERMAN, Mr. ANDREWS, Ms. BALDWIN, Ms. BERKLEY, Mr. BISHOP of New York, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLYBURN, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DELAURO, Mr. EMANUEL, Mr. ENGEL, Mr. EVANS, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Rhode Island, Mr. KUCINICH, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEWIS of Georgia, Mr. LIPINSKI, Ms. ZOE LOFGREN of California, Mr. LYNCH, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. McDERMOTT, Mr. MCGOVERN, Mr. McNULTY, Mr. MEEHAN, Mr. MEEKS of New York, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Mr. RANGEL, Mr. ROTHMAN, Mr. RUSH, Mr. SCHIFF, Ms. SCHWARTZ of Pennsylvania, Mr. SERRANO, Mr. SHAYS, Ms. SLAUGHTER, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. TIERNEY, Mr. TOWNS, Mr. VAN HOLLEN, Mr. WAXMAN, Mr. WEXLER, Ms. WOOLSEY, Mr. WYNN, and Mr. WEINER) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

# A BILL

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

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

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

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

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

Sec. 1. Short title; table of contents  
 Sec. 2. Findings and purposes

## TITLE I—LAND MANAGEMENT

Sec. 101. Committee of scientists  
 Sec. 102. Continuous forest inventory  
 Sec. 103. Administration and management  
 Sec. 104. Conforming amendments

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

Sec. 201. Findings  
 Sec. 202. Definitions  
 Sec. 203. Designation of special areas  
 Sec. 204. Restrictions on management activities in Ancient forests, roadless areas, watershed protection areas, and special areas

## TITLE III—EFFECTIVE DATE

Sec. 301. Effective date  
 Sec. 302. Effect on existing contracts  
 Sec. 303. Wilderness Act exclusion

## TITLE IV—GIANT SEQUOIA NATIONAL MONUMENT

- Sec. 401. Findings
- Sec. 402. Definitions
- Sec. 403. Additions to Giant Sequoia National Monument
- Sec. 404. Transfer of administrative jurisdiction over the Giant Sequoia National Monument
- Sec. 405. Additions to the Sierra National Forest and Inyo National Forest
- Sec. 406. Authorization of appropriations

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) Federal agencies that permit clearcutting  
4 and other forms of even-age logging operations in-  
5 clude the Forest Service, the United States Fish and  
6 Wildlife Service, and the Bureau of Land Manage-  
7 ment;

8 (2) clearcutting and other forms of even-age  
9 logging operations cause substantial alterations in  
10 native biodiversity by—

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

14 (B) manipulating the vegetation toward  
15 greater relative density of the commercial spe-  
16 cies;

17 (C) suppressing competing species; and

18 (D) requiring the planting, on numerous  
19 sites, of a commercial strain of the species that  
20 reduces the relative diversity of other genetic  
21 strains of the species that were traditionally lo-  
22 cated on the same sites;

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

3           (A) frequently lead to the death of immo-  
4 bile species and the very young of mobile spe-  
5 cies of wildlife; and

6           (B) deplete the habitat of deep-forest spe-  
7 cies of animals, including endangered species  
8 and threatened species;

9           (4)(A) clearcutting and other forms of even-age  
10 logging operations—

11           (i) expose the soil to direct sunlight and  
12 the impact of precipitation;

13           (ii) disrupt the soil surface;

14           (iii) compact organic layers; and

15           (iv) disrupt the run-off restraining capa-  
16 bilities of roots and low-lying vegetation, result-  
17 ing in soil erosion, the leaching of nutrients, a  
18 reduction in the biological content of soil, and  
19 the impoverishment of soil; and

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

23           (5) clearcutting and other forms of even-age  
24 logging operations aggravate global climate change  
25 by—

1 (A) decreasing the capability of the soil to  
2 retain carbon; and

3 (B) during the critical periods of felling  
4 and site preparation, reducing the capacity of  
5 the biomass to process and to store carbon,  
6 with a resultant loss of stored carbon to the at-  
7 mosphere;

8 (6) clearcutting and other forms of even-age  
9 logging operations render soil increasingly sensitive  
10 to acid deposits by causing a decline of soil wood  
11 and coarse woody debris;

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

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

19 (A) increased stream sedimentation and  
20 the silting of stream bottoms;

21 (B) a decline in water quality;

22 (C) the impairment of life cycles and  
23 spawning processes of aquatic life from benthic  
24 organisms to large fish; and

1 (D) as a result of the effects described in  
2 subparagraphs (A) through (C), a depletion of  
3 the sport and commercial fisheries of the  
4 United States;

5 (9) clearcutting and other forms of even-age  
6 management of Federal forests disrupt natural dis-  
7 turbance regimes that are critical to ecosystem func-  
8 tion;

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

12 (A) blowdowns;

13 (B) invasions by weed species; and

14 (C) heavier losses to predators and com-  
15 petitors;

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

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

21 (B) decrease the recreational value of land;

22 (12) clearcutting and other forms of even-age  
23 logging operations replace forests described in para-  
24 graph (11) with a surplus of clearings that grow into

1 relatively impenetrable thickets of saplings, and then  
2 into monoculture tree plantations;

3 (13) because of the harmful and, in many  
4 cases, irreversible, damage to forest species and for-  
5 est ecosystems caused by logging of Ancient and  
6 roadless forests, clearcutting, and other forms of  
7 even-age management, it is important that these  
8 practices be halted based on the precautionary prin-  
9 ciple;

10 (14) human beings depend on native biological  
11 resources, including plants, animals, and micro-orga-  
12 nisms—

13 (A) for food, medicine, shelter, and other  
14 important products; and

15 (B) as a source of intellectual and sci-  
16 entific knowledge, recreation, and aesthetic  
17 pleasure;

18 (15) alteration of native biodiversity has serious  
19 consequences for human welfare, as the United  
20 States irretrievably loses resources for research and  
21 agricultural, medicinal, and industrial development;

22 (16) alteration of biodiversity in Federal forests  
23 adversely affects the functions of ecosystems and  
24 critical ecosystem processes that—

25 (A) moderate climate;

1 (B) govern nutrient cycles and soil con-  
2 servation and production;

3 (C) control pests and diseases; and

4 (D) degrade wastes and pollutants;

5 (17)(A) clearcutting and other forms of even-  
6 age management operations have significant delete-  
7 rious effects on native biodiversity, by reducing habi-  
8 tat and food for cavity-nesting birds and insectivores  
9 such as the 3-toed woodpecker and hairy woodpecker  
10 and for neotropical migratory bird species; and

11 (B) the reduction in habitat and food supply  
12 could disrupt the lines of dependency among species  
13 and their food resources and thereby jeopardize crit-  
14 ical ecosystem function, including limiting outbreaks  
15 of destructive insect populations; for example—

16 (i) the 3-toed woodpecker requires clumped  
17 snags in spruce-fir forests, and 99 percent of its  
18 winter diet is composed of insects, primarily  
19 spruce beetles; and

20 (ii) a 3-toed woodpecker can consume as  
21 much as 26 percent of the brood of an endemic  
22 population of spruce bark beetle and reduce  
23 brood survival of the population by 70 to 79  
24 percent;



1           (18) the harm of clearcutting and other forms  
2 of even-age logging operations on the natural re-  
3 sources of the United States and the quality of life  
4 of the people of the United States is substantial, se-  
5 vere, and avoidable;

6           (19) by substituting selection management, as  
7 required by this Act, for clearcutting and other  
8 forms of even-age logging operations, the Federal  
9 agencies involved with those logging operations  
10 would substantially reduce devastation to the envi-  
11 ronment and improve the quality of life of the people  
12 of the United States;

13           (20) selection management—

14           (A) retains natural forest structure and  
15 function;

16           (B) focuses on long-term rather than  
17 short-term management;

18           (C) works with, rather than against, the  
19 checks and balances inherent in natural proc-  
20 esses; and

21           (D) permits the normal, natural processes  
22 in a forest to allow the forest to go through the  
23 natural stages of succession to develop a forest  
24 with old growth ecological functions;

1           (21) by protecting native biodiversity, as re-  
2           quired by this Act, Federal agencies would maintain  
3           vital native ecosystems and improve the quality of  
4           life of the people of the United States;

5           (22) selection logging—

6           (A) is more job intensive, and therefore  
7           provides more employment than clearcutting  
8           and other forms of even-age logging operations  
9           to manage the same quantity of timber produc-  
10          tion; and

11          (B) produces higher quality sawlogs than  
12          clearcutting and other forms of even-age log-  
13          ging operations; and

14          (23) the judicial remedies available to enforce  
15          Federal forest laws are inadequate, and should be  
16          strengthened by providing for injunctions, declara-  
17          tory judgments, statutory damages, and reasonable  
18          costs of suit.

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

22               (1) clearcutting and other forms of even-age  
23               logging operations; and

24               (2) logging in Ancient forests, roadless areas,  
25               watershed protection areas, and special areas.

1     **TITLE I—LAND MANAGEMENT**

2     **SEC. 101. COMMITTEE OF SCIENTISTS.**

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

7           “(h) COMMITTEE OF SCIENTISTS.—

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

11                           “(A) who are not officers or employees of  
12 the Forest Service, of any other public entity,  
13 or of any entity engaged in whole or in part in  
14 the production of wood or wood products;

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

20                           “(C) not more than one-third of whom are  
21 foresters.

22                   “(2) QUALIFICATIONS OF FORESTERS.—A for-  
23 ester appointed to the committee shall be an indi-  
24 vidual with—

1           “(A) extensive training in conservation bi-  
2           ology; and

3           “(B) field experience in selection manage-  
4           ment.

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

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

15 **SEC. 102. CONTINUOUS FOREST INVENTORY.**

16          (a) IN GENERAL.—Not later than 2 years after the  
17          date of enactment of this Act, each of the Chief of the  
18          Forest Service, the Director of the United States Fish and  
19          Wildlife Service, and the Director of the Bureau of Land  
20          Management (referred to individually as an “agency  
21          head”) shall prepare a continuous inventory of forest land  
22          administered by those agency heads, respectively.

23          (b) REQUIREMENTS.—A continuous forest inventory  
24          shall constitute a long-term monitoring and inventory sys-  
25          tem that—

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

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

5           (A) assess the impacts that human activi-  
6 ties are having on management of the eco-  
7 system;

8           (B) gauge—

9           (i) floristic and faunistic diversity,  
10 abundance, and dominance; and

11           (ii) economic and social value; and

12           (C) monitor changes in the age, structure,  
13 and diversity of species of trees and other vege-  
14 tation.

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

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

22           (1) develop a system for the continuous forest  
23 inventory by which certain guilds or indicator species  
24 are measured; and

1           (2) identify any changes to the continuous for-  
2           est inventory that are necessary to ensure that the  
3           continuous forest inventory is consistent with the  
4           most accurate scientific methods.

5           (e) **WHOLE-SYSTEM MEASURES.**—At the end of each  
6 forest planning period, an agency head shall document  
7 whole-system measures that will be taken as a result of  
8 a decennial inventory.

9           (f) **PUBLIC AVAILABILITY.**—Results of a continuous  
10 forest inventory shall be made available to the public with-  
11 out charge.

12 **SEC. 103. ADMINISTRATION AND MANAGEMENT.**

13           The Forest and Rangeland Renewable Resources  
14 Planning Act of 1974 is amended by adding after section  
15 6 (16 U.S.C. 1604) the following:

16 **“SEC. 6A. CONSERVATION OF NATIVE BIODIVERSITY; SE-**  
17 **LECTION LOGGING; PROHIBITION OF**  
18 **CLEARCUTTING.**

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

21           “(1) National Forest System land, under this  
22 Act;

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

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

4           “(b) NATIVE BIODIVERSITY IN FORESTED AREAS.—  
5           The Secretary shall provide for the conservation or res-  
6           toration of native biodiversity in each stand and each wa-  
7           tershed throughout each forested area, except during the  
8           extraction stage of authorized mineral development or dur-  
9           ing authorized construction projects, in which cases the  
10          Secretary shall conserve native biodiversity to the max-  
11          imum extent practicable.

12          “(c) RESTRICTION ON USE OF CERTAIN LOGGING  
13          PRACTICES.—

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

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

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

23                         “(C) CLEARCUTTING.—The term  
24                         ‘clearcutting’ means an even-age logging oper-

1           ation that removes all of the trees over a con-  
2           siderable portion of a stand at 1 time.

3           “(D) CONSERVATION.—The term ‘con-  
4           servation’ means protective measures for main-  
5           taining native biodiversity and active and pas-  
6           sive measures for restoring diversity through  
7           management efforts, in order to protect, re-  
8           store, and enhance as much of the variety of  
9           species and communities as practicable in abun-  
10          dances and distributions that provide for their  
11          continued existence and normal functioning, in-  
12          cluding the viability of populations throughout  
13          their natural geographic distributions.

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

15                 “(i) IN GENERAL.—The term ‘even-  
16                 age logging operation’ means a logging ac-  
17                 tivity that—

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

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

23                         “(III) within a period of 30  
24                         years, cuts or removes more than the  
25                         lesser of—



1                   “(aa) the growth of the  
2                   basal area of all tree species (not  
3                   including a tree of a non-native  
4                   invasive tree species or an  
5                   invasive plantation species) in a  
6                   stand; or

7                   “(bb) 20 percent of the  
8                   basal area of a stand.

9                   “(ii) INCLUSION.—The term ‘even-age  
10                  logging operation’ includes the application  
11                  of clearcutting, high grading, seed-tree cut-  
12                  ting, shelterwood cutting, or any other log-  
13                  ging method in a manner inconsistent with  
14                  selection management.

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

18                         “(I) a tree of a non-native  
19                         invasive tree species; or

20                         “(II) an invasive plantation spe-  
21                         cies, if native longleaf pine are plant-  
22                         ed in place of the removed invasive  
23                         plantation species.

24                         “(F) GENETIC DIVERSITY.—The term ‘ge-  
25                         netic diversity’ means the differences in genetic

1 composition within and among populations of a  
2 species.

3 “(G) HIGH GRADING.—The term ‘high  
4 grading’ means the removal of only the larger  
5 or more commercially valuable trees in a stand,  
6 resulting in an alteration in the natural range  
7 of age diversity or species diversity in the stand.

8 “(H) INVASIVE PLANTATION SPECIES.—  
9 The term ‘invasive plantation species’ means a  
10 loblolly pine or slash pine that was planted or  
11 managed by the Forest Service or any other  
12 Federal agency as part of an even-aged  
13 monoculture tree plantation.

14 “(I) NATIVE BIODIVERSITY.—

15 “(i) IN GENERAL.—The term ‘native  
16 biodiversity’ means—

17 “(I) the full range of variety and  
18 variability within and among living or-  
19 ganisms; and

20 “(II) the ecological complexes in  
21 which the living organisms would have  
22 occurred (including naturally occur-  
23 ring disturbance regimes) in the ab-  
24 sence of significant human impact.

1                   “(ii) INCLUSIONS.—The term ‘native  
2 biodiversity’ includes diversity—

3                   “(I) within a species (including  
4 genetic diversity, species diversity, and  
5 age diversity);

6                   “(II) within a community of spe-  
7 cies;

8                   “(III) between communities of  
9 species;

10                  “(IV) within a discrete area, such  
11 as a watershed;

12                  “(V) along a vertical plane from  
13 ground to sky, including application of  
14 the plane to all the other types of di-  
15 versity; and

16                  “(VI) along the horizontal plane  
17 of the land surface, including applica-  
18 tion of the plane to all the other types  
19 of diversity.

20                  “(J) NON-NATIVE INVASIVE TREE SPE-  
21 CIES.—

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

- 1                   “(ii) INCLUSIONS.—The term ‘non-na-  
2                   tive invasive tree species’ includes—  
3                   “(I) Australian pine (*Casaurina*  
4                   *equisetifolia*);  
5                   “(II) Brazilian pepper (*Schinus*  
6                   *terebinthifolius*);  
7                   “(III) Common buckthorn  
8                   (*Rhamnus cathartica*);  
9                   “(IV) Eucalyptus (*Eucalyptus*  
10                   *globulus*);  
11                   “(V) Glossy buckthorn (*Rhamnus*  
12                   *frangula*);  
13                   “(VI) Melaleuca (*Melaleuca*  
14                   *quinquenervia*);  
15                   “(VII) Norway maple (*Acer*  
16                   *platanoides*);  
17                   “(VIII) Princess tree (*Paulownia*  
18                   *tomentosa*);  
19                   “(IX) Salt cedar (*Tamarix spe-*  
20                   *cies*);  
21                   “(X) Silk tree (*Albizia*  
22                   *julibrissin*);  
23                   “(XI) Strawberry guava  
24                   (*Psidium cattleianum*);

1                   “(XII) Tree-of-heaven (*Ailanthus*  
2                   *altissima*);

3                   “(XIII) Velvet tree (*Miconia*  
4                   *calvescens*); and

5                   “(XIV) White poplar (*Populus*  
6                   *alba*).

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

11                   “(L) SELECTION MANAGEMENT.—

12                   “(i) IN GENERAL.—The term ‘selec-  
13                   tion management’ means a method of log-  
14                   ging that emphasizes the periodic, indi-  
15                   vidual selection and removal of varying size  
16                   and age classes of the weaker, nondomi-  
17                   nant cull trees in a stand and leaves uncut  
18                   the stronger dominant trees to survive and  
19                   reproduce, in a manner that works with  
20                   natural forest processes and—

21                   “(I) ensures the maintenance of  
22                   continuous high forest cover where  
23                   high forest cover naturally occurs;

1           “(II) ensures the maintenance or  
2 natural regeneration of all native spe-  
3 cies in a stand;

4           “(III) ensures the growth and de-  
5 velopment of trees through a range of  
6 diameter or age classes to provide a  
7 sustained yield of forest products in-  
8 cluding clean water, rich soil, and na-  
9 tive plants and wildlife; and

10          “(IV) ensures that some dead  
11 trees, standing and downed, shall be  
12 left in each stand where selection log-  
13 ging occurs, to fulfill their necessary  
14 ecological functions in the forest eco-  
15 system, including providing elemental  
16 and organic nutrients to the soil,  
17 water retention, and habitat for en-  
18 demic insect species that provide the  
19 primary food source for predators (in-  
20 cluding various species of amphibians  
21 and birds, such as cavity nesting  
22 woodpeckers).

23          “(ii) EXCLUSION.—

24           “(I) IN GENERAL.—Subject to  
25 subclause (II), the term ‘selection

1 management’ does not include an  
2 even-age logging operation.

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

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

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

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

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

18 “(ii) a protection cover remaining  
19 standing for any period of time.

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

23 “(O) STAND.—The term ‘stand’ means a  
24 biological community of trees on land described  
25 in subsection (a), comprised of not more than

1           100 contiguous acres with sufficient identity of  
2           1 or more characteristics (including location, to-  
3           pography, and dominant species) to be managed  
4           as a unit.

5           “(P) TIMBER PURPOSE.—

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

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

15           “(Q) WITHIN-COMMUNITY DIVERSITY.—

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

20           “(2) PROHIBITION OF CLEARCUTTING AND  
21           OTHER FORMS OF EVEN-AGE LOGGING OPER-  
22           ATIONS.—No clearcutting or other form of even-age  
23           logging operation shall be permitted in any stand or  
24           watershed.



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

8                   “(A) prescribe a shift to selection manage-  
9                   ment; or

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

12                           “(i) undertake an active restoration of  
13                           the native biodiversity of the stand; or

14                           “(ii) permit the stand to regain native  
15                           biodiversity.

16           “(4) ENFORCEMENT.—

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

21                   “(B) PURPOSE.—The purpose of this para-  
22                   graph is to foster the widest and most effective  
23                   possible enforcement of subsection (g)(3)(B)  
24                   and this subsection.

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

7           “(D) CITIZEN SUITS.—

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

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

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

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

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

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

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

12           “(E) PAYMENT OF DAMAGES.—

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

18           “(ii) FEDERAL VIOLATOR.—

19           “(I) IN GENERAL.—Not later  
20           than 40 days after the date on which  
21           judgment is rendered, a damage  
22           award under subparagraph (D)(ii) for  
23           which the United States is determined  
24           to be liable shall be paid from the  
25           Treasury, as provided under section

1 1304 of title 31, United States Code,  
2 to the person or persons designated to  
3 receive the damage award.

4 “(II) USE OF DAMAGE AWARD.—  
5 A damage award described under sub-  
6 clause (I) shall be used by the recipi-  
7 ent to protect or restore native bio-  
8 diversity on Federal land or on land  
9 adjoining Federal land.

10 “(III) COURT COSTS.—Any  
11 award of costs of litigation and any  
12 award of attorney fees shall be paid  
13 by a Federal violator not later than  
14 40 days after the date on which judg-  
15 ment is rendered.

16 “(F) WAIVER OF SOVEREIGN IMMUNITY.—

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

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

1 **SEC. 104. CONFORMING AMENDMENTS.**

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

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

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

9 (3) by striking subparagraph (F).

10 **TITLE II—PROTECTION FOR AN-**  
11 **CIENT FORESTS, ROADLESS**  
12 **AREAS, WATERSHED PROTEC-**  
13 **TION AREAS, AND SPECIAL**  
14 **AREAS**

15 **SEC. 201. FINDINGS.**

16 Congress finds that—

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

20 (2) less than 10 percent of the original  
21 unlogged forests of the United States remain, and  
22 the vast majority of the remnants of the original for-  
23 ests of the United States are located on Federal  
24 land;

25 (3) large, unfragmented forest watersheds pro-  
26 vide high-quality water supplies for drinking, agri-

1 culture, industry, and fisheries across the United  
2 States;

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

6 (5) many neotropical migratory songbird species  
7 are experiencing documented broad-scale population  
8 declines and require large, unfragmented forests to  
9 ensure their survival;

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

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

19 (8) Ancient forests continue to be threatened by  
20 logging and deforestation and are rapidly dis-  
21 appearing;

22 (9) Ancient forests help regulate atmospheric  
23 balance, maintain biodiversity, and provide valuable  
24 scientific opportunity for monitoring the health of  
25 the planet;

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

8           (11) prohibiting extractive logging in the An-  
9           cient forests would create the best conditions for en-  
10          suring stable, well distributed, and viable popu-  
11          lations of anadromous salmonids, resident  
12          salmonids, and bull trout;

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

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

21          (14) roads cause soil erosion, disrupt wildlife  
22          migration, and allow nonnative species of plants and  
23          animals to invade native forests;

24          (15) the mortality and reproduction patterns of  
25          forest dwelling animal populations are adversely af-

1        fected by traffic-related fatalities that accompany  
2        roads;

3            (16) the exceptional recreational, biological, sci-  
4        entific, or economic assets of certain special forested  
5        areas on Federal land are valuable to the public of  
6        the United States and are damaged by extractive  
7        logging;

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

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

20            (19) many special forested areas on Federal  
21        land are considered sacred sites by native peoples;  
22        and

23            (20) as a legacy for the enjoyment, knowledge,  
24        and well-being of future generations, provisions must  
25        be made for the protection and perpetuation of the



1 Ancient forests, roadless areas, watershed protection  
2 areas, and special areas of the United States.

3 **SEC. 202. DEFINITIONS.**

4 In this title:

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

7 (A) the northwest Ancient forests, includ-  
8 ing—

9 (i) Federal land identified as late-suc-  
10 cessional reserves, riparian reserves, and  
11 key watersheds under the heading “Alter-  
12 native 1” of the report entitled “Final  
13 Supplemental Environmental Impact  
14 Statement on Management of Habitat for  
15 Late-Successional and Old-Growth Forest  
16 Related Species Within the Range of the  
17 Northern Spotted Owl, Vol. I.”, and dated  
18 February 1994; and

19 (ii) Federal land identified by the  
20 term “medium and large conifer multi-sto-  
21 ried, canopied forests” as defined in the re-  
22 port described in clause (i);

23 (B) the eastside Cascade Ancient forests,  
24 including—

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

16 (ii) Federal land east of the Cascade  
17 crest in the States of Oregon and Wash-  
18 ington, defined as “late successional and  
19 old-growth forests” in the general defini-  
20 tion on page 28 of the report described in  
21 clause (i); and

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

1 (C) the Sierra Nevada Ancient forests, in-  
2 cluding—

3 (i) Federal land identified as “Areas  
4 of Late-Successional Emphasis (ALSE)”  
5 in the report entitled, “Final Report to  
6 Congress: Status of the Sierra Nevada”,  
7 prepared by the Sierra Nevada Ecosystem  
8 Project (Wildland Resources Center Report  
9 #40, University of California, Davis, 1996/  
10 97);

11 (ii) Federal land identified as “Late-  
12 Succession/Old-Growth Forests Rank 3, 4  
13 or 5” in the report described in clause (i);  
14 and

15 (iii) Federal land identified as “Poten-  
16 tial Aquatic Diversity Management Areas”  
17 on the map on page 1497 of Volume II of  
18 the report described in clause (i).

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

22 (3) IMPROVED ROAD.—The term “improved  
23 road” means any road maintained for travel by  
24 standard passenger type vehicles.

1           (4) ROADLESS AREA.—The term “roadless  
2 area” means a contiguous parcel of Federal land  
3 that is—

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

6           (B) composed of—

7           (i) at least 1,000 acres west of the  
8 100th meridian (with up to ½ mile of im-  
9 proved roads per 1,000 acres);

10           (ii) at least 1,000 acres east of the  
11 100th meridian (with up to ½ mile of im-  
12 proved roads per 1,000 acres); or

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

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

22           (6) SPECIAL AREA.—The term “special area”  
23 means an area of Federal forest land designated  
24 under section 3 that may not meet the definition of

1 an Ancient forest, roadless area, or watershed pro-  
2 tection area, but that—

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

5 (B) is exemplary on a regional, national, or  
6 international level.

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

10 (A) 300 feet from both sides of the active  
11 stream channel of any permanently flowing  
12 stream or river;

13 (B) 100 feet from both sides of the active  
14 channel of any intermittent, ephemeral, or sea-  
15 sonal stream, or any other nonpermanently  
16 flowing drainage feature having a definable  
17 channel and evidence of annual scour or deposi-  
18 tion of flow-related debris;

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

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

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

25 (a) IN GENERAL.—

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

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

6                   (A) threatened species or endangered spe-  
7                   cies of plants or animals;

8                   (B) rare or endangered ecosystems;

9                   (C) key habitats necessary for the recovery  
10                  of endangered species or threatened species;

11                  (D) recovery or restoration areas of rare or  
12                  underrepresented forest ecosystems;

13                  (E) migration corridors;

14                  (F) areas of outstanding biodiversity;

15                  (G) old growth forests;

16                  (H) commercial fisheries; and

17                  (I) sources of clean water such as key wa-  
18                  tersheds.

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

21                   (A) unusual geological formations;

22                   (B) designated wild and scenic rivers;

23                   (C) unique biota; and

24                   (D) vistas.

1           (4) RECREATIONAL VALUES.—The recreational  
2 values of a special area may include the presence  
3 of—

4           (A) designated national recreational trails  
5 or recreational areas;

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

8           (i) hunting;

9           (ii) fishing;

10           (iii) camping;

11           (iv) hiking;

12           (v) aquatic recreation; and

13           (vi) winter recreation;

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

16           (D) land adjacent to designated wilderness  
17 areas; and

18           (E) solitude.

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

21           (A) sites with Native American religious  
22 significance; and

23           (B) historic or prehistoric archaeological  
24 sites eligible for listing on the national historic  
25 register.

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

4 (c) DESIGNATION OF SPECIAL AREAS.—There are  
5 designated the following special areas, which shall be sub-  
6 ject to the management restrictions specified in section  
7 204:

8 (1) ALABAMA.—

9 (A) SIPSEY WILDERNESS HEADWATERS.—  
10 Certain land in the Bankhead National Forest,  
11 Bankhead Ranger District, in Lawrence Coun-  
12 ty, totaling approximately 22,000 acres, located  
13 directly north and upstream of the Sipsey Wil-  
14 derness, and directly south of Forest Road 213.

15 (B) BRUSHY FORK.—Certain land in the  
16 Bankhead National Forest, Bankhead Ranger  
17 District, in Lawrence County, totaling approxi-  
18 mately 6,200 acres, bounded by Forest Roads  
19 249, 254, and 246 and Alabama Highway 33.

20 (C) REBECCA MOUNTAIN.—Certain land in  
21 the Talladega National Forest, Talladega Rang-  
22 er District, Talladega County and Clay County,  
23 totaling approximately 9,000 acres, comprised  
24 of all Talladega National Forest lands south of  
25 Forest Roads 621 and 621 B, east of Alabama



1 Highway 48/77 and County Highway 308, and  
2 north of the power transmission line.

3 (D) AUGUSTA MINE RIDGE.—Certain land  
4 in the Talladega National Forest, Shoal Creek  
5 Ranger District, Cherokee County and Cleburn  
6 County, totaling approximately 6,000 acres, and  
7 comprised of all Talladega National Forest land  
8 north of the Chief Ladiga Rail Trail.

9 (E) MAYFIELD CREEK.—Certain land in  
10 the Talladega National Forest, Oakmulgee  
11 Ranger District, in Rail County, totaling ap-  
12 proximately 4,000 acres, and bounded by For-  
13 est Roads 731, 723, 718, and 718A.

14 (F) BEAR BAY.—Certain land in the  
15 Conecuh National Forest, Conecuh District, in  
16 Covington County, totaling approximately 3,000  
17 acres, bounded by County Road 11, Forest  
18 Road 305, County Road 3, and the County  
19 Road connecting County Roads 3 and 11.

20 (2) ALASKA.—

21 (A) TURNAGAIN ARM.—Certain land in the  
22 Chugach National Forest, on the Kenai Penin-  
23 sula, totaling approximately 100,000 acres, ex-  
24 tending from sea level to ridgetop surrounding

1 the inlet of Turnagain Arm, known as  
2 “Turnagain Arm”.

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

12 (3) ARIZONA: NORTH RIM OF THE GRAND CAN-  
13 YON.—Certain land in the Kaibab National Forest  
14 that is included in the Grand Canyon Game Pre-  
15 serve, totaling approximately 500,000 acres, abut-  
16 ting the northern side of the Grand Canyon in the  
17 area generally known as the “North Rim of the  
18 Grand Canyon”.

19 (4) ARKANSAS.—

20 (A) COW CREEK DRAINAGE, ARKANSAS.—  
21 Certain land in the Ouachita National Forest,  
22 Mena Ranger District, in Polk County, totaling  
23 approximately 7,000 acres, known as “Cow  
24 Creek Drainage, Arkansas”, and bounded ap-  
25 proximately—

- 1 (i) on the north, by County Road 95;  
2 (ii) on the south, by County Road  
3 157;  
4 (iii) on the east, by County Road 48;  
5 and  
6 (iv) on the west, by the Arkansas-  
7 Oklahoma border.

8 (B) LEADER AND BRUSH MOUNTAINS.—  
9 Certain land in the Ouachita National Forest,  
10 Montgomery County and Polk County, totaling  
11 approximately 120,000 acres, known as “Lead-  
12 er Mountain” and “Brush Mountain”, located  
13 in the vicinity of the Blaylock Creek Watershed  
14 between Long Creek and the South Fork of the  
15 Saline River.

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

22 (D) LOWER BUFFALO RIVER WATER-  
23 SHED.—Certain land in the Ozark National  
24 Forest, Sylamore Ranger District, totaling ap-  
25 proximately 6,000 acres, including Forest Serv-

1 ice land that has not been designated as a wil-  
2 derness area before the date of enactment of  
3 this Act, located in the watershed of Big Creek  
4 southwest of the Leatherwood Wilderness Area,  
5 Searcy County and Marion County, and known  
6 as the “Lower Buffalo River Watershed”.

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

19 (i) the Buffalo River;

20 (ii) the various streams comprising  
21 the Headwaters of the Buffalo River;

22 (iii) Richland Creek;

23 (iv) Little Buffalo Headwaters;

24 (v) Edgmon Creek;

25 (vi) Big Creek; and

1 (vii) Cane Creek.

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

11 (A) Elk Mountain and West Elk Mountain;

12 (B) the Grand Mesa;

13 (C) the Uncompahgre Plateau;

14 (D) the northern San Juan Mountains;

15 (E) the La Garitas Mountains; and

16 (F) the Cochetopa Hills.

17 (6) GEORGIA.—

18 (A) ARMUCHEE CLUSTER.—Certain land  
19 in the Chattahoochee National Forest,  
20 Armuchee Ranger District, known as the  
21 “Armuchee Cluster”, totaling approximately  
22 19,700 acres, comprised of 3 parcels known as  
23 “Rocky Face”, “Johns Mountain”, and “Hid-  
24 den Creek”, located approximately 10 miles  
25 southwest of Dalton and 14 miles north of

1 Rome, in Whitfield County, Walker County,  
2 Chattooga County, Floyd County, and Gordon  
3 County.

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

15 (C) CHATTOOGA WATERSHED CLUSTER,  
16 GEORGIA AREAS.—Certain land in the Chat-  
17 tahoochee National Forest, Tallulah Ranger  
18 District, totaling 63,500 acres, known as the  
19 “Chattooga Watershed Cluster, Georgia Areas”,  
20 comprised of 7 areas known as “Rabun Bald”,  
21 “Three Forks”, “Ellicott Rock Extension”,  
22 “Rock Gorge”, “Big Shoals”, “Thrift’s Ferry”,  
23 and “Five Falls”, in Rabun County, near the  
24 towns of Clayton, Georgia, and Dillard, South  
25 Carolina.

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

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

20 (F) ED JENKINS NATIONAL RECREATION  
21 AREA CLUSTER.—Certain land in the Chat-  
22 tahoochee National Forest, Toccoa and  
23 Chestatee Ranger Districts, totaling approxi-  
24 mately 19,300 acres, known as the “Ed Jenkins  
25 National Recreation Area Cluster”, comprised

1 of the Springer Mountain, Mill Creek, and  
2 Toonowee parcels, 30 miles north of the town  
3 of Dahlonega, in Fannin County, Dawson  
4 County, and Lumpkin County.

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

14 (H) NORTHERN BLUE RIDGE CLUSTER,  
15 GEORGIA AREAS.—Certain land in the Chat-  
16 tahoochee National Forest, Brasstown and  
17 Tallulah Ranger Districts, totaling approxi-  
18 mately 46,000 acres, known as the “Northern  
19 Blue Ridge Cluster, Georgia Areas”, comprised  
20 of 8 areas known as “Andrews Cove”, “Anna  
21 Ruby Falls Scenic Area Extension”, “High  
22 Shoals”, “Tray Mountain Extension”, “Kelly  
23 Ridge-Moccasin Creek”, “Buzzard Knob”,  
24 “Southern Nantahala Extension”, and “Patter-  
25 son Gap”, approximately 5 to 15 miles north of



1 Helen, 5 to 15 miles southeast of Hiawassee,  
2 north of Clayton, and west of Dillard, in White  
3 County, Towns County, and Rabun County.

4 (I) RICH MOUNTAIN CLUSTER.—Certain  
5 land in the Chattahoochee National Forest,  
6 Toccoa Ranger District, totaling approximately  
7 9,500 acres, known as the “Rich Mountain  
8 Cluster”, comprised of the parcels known as  
9 “Rich Mountain Extension” and “Rocky Moun-  
10 tain”, located 10 to 15 miles northeast of the  
11 town of Ellijay, in Gilmer County and Fannin  
12 County.

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

1 (7) IDAHO.—

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

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

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

19 (8) ILLINOIS.—

20 (A) CRIPPS BEND.—Certain land in the  
21 Shawnee National Forest, totaling approxi-  
22 mately 39 acres, located in Jackson County in  
23 the Big Muddy River watershed, in the area  
24 generally known as “Cripps Bend”.

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

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

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

17          (10) MINNESOTA.—

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

22                (B) LULLABY WHITE PINE RESERVE.—  
23                Certain land in the Superior National Forest,  
24                Gunflint Ranger District, totaling approxi-  
25                mately 2,518 acres, in the South Brule Oppor-

1           tunity Area, northwest of Grand Marais in  
2           Cook County, known as the “Lullaby White  
3           Pine Reserve”.

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

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

15          (13) NEW MEXICO.—

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

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

23                         (ii) on the southeast, by the Angos-  
24                         tura Creek watershed boundary;

1 (iii) on the southern side, by Trail 19  
2 and the Pecos Wilderness; and

3 (iv) on the west, by the Agua Piedra  
4 Creek watershed.

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

11 (i) on the north, by the Tierra  
12 Amarilla Land Grant;

13 (ii) on the south, by Canada  
14 Escondida;

15 (iii) on the west, by the Sustained  
16 Yield Unit boundary and the Tierra  
17 Amarilla Land Grant; and

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

19 (C) ELK MOUNTAIN.—Certain land in the  
20 Santa Fe National Forest, totaling approxi-  
21 mately 7,220 acres, known as “Elk Mountain”  
22 located in Townships 17 and 18 and Ranges 12  
23 and 13, and bounded—

24 (i) on the north, by the Pecos Wilder-  
25 ness;

1 (ii) on the east, by the Cow Creek  
2 Watershed;

3 (iii) on the west, by the Cow Creek;  
4 and

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

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

11 (14) NORTH CAROLINA.—

12 (A) CENTRAL NANTAHALA CLUSTER,  
13 NORTH CAROLINA AREAS.—Certain land in the  
14 Nantahala National Forest, Tusquitee, Cheoah,  
15 and Wayah Ranger Districts, totaling approxi-  
16 mately 107,000 acres, known as the “Central  
17 Nantahala Cluster, North Carolina Areas”,  
18 comprised of 9 parcels known as “Tusquitee  
19 Bald”, “Shooting Creek Bald”, “Cheoah Bald”,  
20 “Piercy Bald”, “Wesser Bald”, “Tellico Bald”,  
21 “Split White Oak”, “Siler Bald”, and “South-  
22 ern Nantahala Extensions”, near the towns of  
23 Murphy, Franklin, Bryson City, Andrews, and  
24 Beechertown, in Cherokee County, Macon  
25 County, Clay County, and Swain County.

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

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

21 (D) BALD MOUNTAINS.—Certain land in  
22 the Pisgah National Forest, French Broad  
23 Ranger District, totaling approximately 13,000  
24 acres known as the “Bald Mountains”, located

1           12 miles northeast of the town of Hot Springs,  
2           in Madison County.

3           (E) BIG IVY TRACT.—Certain land in the  
4           Pisgah National Forest, totaling approximately  
5           14,000 acres, located approximately 15 miles  
6           west of Mount Mitchell in the area generally  
7           known as the “Big Ivy Tract”.

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

19          (G) LINVILLE CLUSTER.—Certain land in  
20          the Pisgah National Forest, Grandfather Dis-  
21          trict, totaling approximately 42,000 acres,  
22          known as the “Linville Cluster”, comprised of  
23          7 parcels known as “Dobson Knob”, “Linville  
24          Gorge Extension”, “Steels Creek”, “Sugar  
25          Knob”, “Harper Creek”, “Lost Cove”, and



1 “Upper Wilson Creek”, near the towns of Mar-  
2 ion, Morgantown, Spruce Pine, Linville, and  
3 Blowing Rock, in Burke County, McDowell  
4 County, Avery County, and Caldwell County.

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

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

24 (J) WILDCAT.—Certain land in the Pisgah  
25 National Forest, French Broad Ranger Dis-

1           trict, totaling approximately 6,500 acres, known  
2           as “Wildcat”, located 20 miles northwest of the  
3           town of Canton, in Haywood County.

4           (15) OHIO.—

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

11                   (i) on the northwest, by State High-  
12          way 26;

13                   (ii) on the northeast, by State High-  
14          way 260;

15                   (iii) on the southeast, by the Ohio  
16          River; and

17                   (iv) on the southwest, by Bear Run  
18          and Danas Creek.

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

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

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

14                 (i) on the southwest, by State High-  
15                 way 93; and

16                 (ii) on the northwest, by State High-  
17                 way 4.

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

1 Township 5 North, Range 16 West, sections 18  
2 and 19.

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

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

11 (ii) on the southwest, by US Highway  
12 33 and State Highway 216; and

13 (iii) on the north, by State Highway  
14 665.

15 (G) WILDCAT HOLLOW.—Certain land in  
16 the Athens Ranger District of the Wayne Na-  
17 tional Forest, in Perry County and Morgan  
18 County, known as “Wildecatt Hollow”, totaling  
19 approximately 4,500 acres, located 1 mile east  
20 of Corning in Township 12 North, Range 14  
21 West, sections 1, 2, 11–14, 23 and 24 and  
22 Township 8 North, Range 13 West, sections 7,  
23 18, and 19.

24 (16) OKLAHOMA: COW CREEK DRAINAGE, OKLA-  
25 HOMA.—Certain land in the Ouachita National For-

1 est, Mena Ranger District, in Le Flore County, to-  
2 taling approximately 3,000 acres, known as “Cow  
3 Creek Drainage, Oklahoma”, and bounded approxi-  
4 mately—

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

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

8 (C) on the east, by the Arkansas-Okla-  
9 homa border; and

10 (D) on the south, by County Road 9038 on  
11 the south.

12 (17) OREGON: APPLGATE WILDERNESS.—Cer-  
13 tain land in the Siskiyou National Forest and Rogue  
14 River National Forest, totaling approximately  
15 20,000 acres, approximately 20 miles southwest of  
16 the town of Grants Pass and 10 miles south of the  
17 town of Williams, in the area generally known as the  
18 “Applegate Wilderness”.

19 (18) PENNSYLVANIA.—

20 (A) THE BEAR CREEK SPECIAL AREA.—  
21 Certain land in the Allegheny National Forest,  
22 Marienville Ranger District, Elk County, total-  
23 ing approximately 7,800 acres, and comprised  
24 of Allegheny National Forest land bounded—

1 (i) on the west, by Forest Service  
2 Road 136;

3 (ii) on the north, by Forest Service  
4 Roads 339 and 237;

5 (iii) on the east, by Forest Service  
6 Road 143; and

7 (iv) on the south, by Forest Service  
8 Road 135.

9 (B) THE BOGUS ROCKS SPECIAL AREA.—  
10 Certain land in the Allegheny National Forest,  
11 Marienville Ranger District, Forest County, to-  
12 taling approximately 1,015 acres, and com-  
13 prised of Allegheny National Forest land in  
14 compartment 714 bounded—

15 (i) on the northeast and east, by State  
16 Route 948;

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

18 (iii) On the southwest and west, by  
19 Township Road 370;

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

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

23 (C) THE CHAPPEL FORK SPECIAL AREA.—  
24 Certain land in the Allegheny National Forest,  
25 Bradford Ranger District, McKean County, to-

1 taling approximately 10,000 acres, and com-  
2 prised of Allegheny National Forest land  
3 bounded—

4 (i) on the south and southeast, by  
5 State Road 321;

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

7 (iii) on the west, by the Allegheny  
8 Reservoir;

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

10 and

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

12 (D) THE FOOLS CREEK SPECIAL AREA.—

13 Certain land in the Allegheny National Forest,  
14 Bradford Ranger District, Warren County, to-  
15 taling approximately 1,500 acres, and com-  
16 prised of Allegheny National Forest land south  
17 and west of Forest Service Road 255 and west  
18 of FR 255A, bounded—

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

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

21 (E) THE HICKORY CREEK SPECIAL

22 AREA.—Certain land in the Allegheny National  
23 Forest, Bradford Ranger District, Warren  
24 County, totaling approximately 2,000 acres, and

1           comprised of Allegheny National Forest land  
2           bounded—

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

5                   (ii) on the south, by Hickory Creek  
6           Wilderness Area;

7                   (iii) on the northwest, by private land;  
8           and

9                   (iv) on the north, by Allegheny Front  
10          National Recreation Area.

11           (F) THE LAMENTATION RUN SPECIAL  
12          AREA.—Certain land in the Allegheny National  
13          Forest, Marienville Ranger District, Forest  
14          County, totaling approximately 4,500 acres,  
15          and—

16                   (i) comprised of Allegheny National  
17          Forest land bounded—

18                   (I) on the north, by Tionesta  
19          Creek;

20                   (II) on the east, by Salmon  
21          Creek;

22                   (III) on the southeast and south-  
23          west, by private land; and

24                   (IV) on the south, by Forest  
25          Service Road 210; and



1 (ii) including the lower reaches of  
2 Bear Creek.

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

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

20 (I) THE MILLSTONE CREEK SPECIAL  
21 AREA.—Certain land in the Allegheny National  
22 Forest, Marienville Ranger District, Forest  
23 County, totaling approximately 30,000 acres,  
24 and comprised of Allegheny National Forest  
25 land bounded—

- 1 (i) on the north, by State Route 66;  
2 (ii) on the northeast, by Forest Serv-  
3 ice Road 226;  
4 (iii) on the east, by Forest Service  
5 Roads 130, 774, and 228;  
6 (iv) on the southeast, by State Road  
7 3002 and Forest Service Road 189;  
8 (v) on the south, by the Clarion River;  
9 and  
10 (vi) on the southwest, west, and  
11 northwest, by private land.

12 (J) THE MINISTER CREEK SPECIAL  
13 AREA.—Certain land in the Allegheny National  
14 Forest, Bradford Ranger District, Warren  
15 County, totalling approximately 6,600 acres,  
16 and comprised of Allegheny National Forest  
17 land bounded—

- 18 (i) on the north, by a snowmobile  
19 trail;  
20 (ii) on the east, by Minister Road;  
21 (iii) on the south, by State Route 666  
22 and private land;  
23 (iv) on the southwest, by Forest Serv-  
24 ice Road 420; and

1 (v) on the west, by warrants 3109 and  
2 3014.

3 (K) THE MUZETTE SPECIAL AREA.—Cer-  
4 tain land in the Allegheny National Forest,  
5 Marienville Ranger District, Forest County, to-  
6 taling approximately 325 acres, and comprised  
7 of Allegheny National Forest land bounded—

8 (i) on the west, by  $79^{\circ}16'$  longitude,  
9 approximately;

10 (ii) on the north, by Forest Service  
11 Road 561;

12 (iii) on the east, by Forest Service  
13 Road 212; and

14 (iv) on the south, by private land.

15 (L) THE SUGAR RUN SPECIAL AREA.—Cer-  
16 tain land in the Allegheny National Forest,  
17 Bradford Ranger District, McKean County, to-  
18 taling approximately 8,800 acres, and com-  
19 prised of Allegheny National Forest land  
20 bounded—

21 (i) on the north, by State Route 346  
22 and private land;

23 (ii) on the east, by Forest Service  
24 Road 137; and

1 (iii) on the south and west, by State  
2 Route 321.

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

9 (i) on the west, by private land and  
10 State Route 948;

11 (ii) on the northwest, by Forest Serv-  
12 ice Road 258;

13 (iii) on the north, by Hoffman Farm  
14 Recreation Area and Forest Service Road  
15 486;

16 (iv) on the northeast, by private land  
17 and State Route 6;

18 (v) on the east, by private land south  
19 to Forest Road 133, then by snowmobile  
20 trail from Forest Road 133 to Windy City,  
21 then by private land and Forest Road 327  
22 to Russell City; and

23 (vi) on the southwest, by State Routes  
24 66 and 948.

25 (19) SOUTH CAROLINA.—

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

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

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

21           (D) DARK BOTTOMS.—Certain land in the  
22 Sumter National Forest, Andrew Pickens Rang-  
23 er District, in Oconee County, totaling approxi-  
24 mately 4,000 acres, known as “Dark Bottoms”,

1 approximately 10 miles northwest of West-  
2 minster, South Carolina.

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

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

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

24 (H) ROCK GORGE, 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 “Rock Gorge, South Carolina  
4 Area”, 12 miles southeast of Highlands, North  
5 Carolina.

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

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

18 (20) SOUTH DAKOTA.—

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

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

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

3 (iii) on the west, by a fork of Rapid  
4 Creek.

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

13 (i) bounded by Forest Roads 139 and  
14 169 on the north, west, and south; and

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

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

24 (i) runs north along FDR 753 and  
25 United States Highway Alt. 16, then along



1 SD 244 to the junction of Palmer Creek  
2 Road, which serves generally as a north-  
3 west limit;

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

6 (iii) runs southeast along Highway  
7 87; and

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

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

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

19 (ii) on the north and northwest, by  
20 Road 312; and

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

22 (E) STAGEBARN CANYONS.—Certain land  
23 in the Black Hills National Forest, known as  
24 “Stagebarn Canyons”, totaling approximately

1           7,300 acres, approximately 10 miles west of  
2           Rapid City, South Dakota.

3           (21) TENNESSEE.—

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

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

1           tensions”, “Little Frog Extensions”, “Smith  
2           Mountain”, and “Rock Creek”, located near the  
3           towns of Copperhill, Ducktown, Turtletown, and  
4           Benton.

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

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

1 Elizabethton, in Sullivan County and Johnson  
2 County.

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

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

24 (G) SOUTHERN UNICOI MOUNTAINS CLUS-  
25 TER.—Certain land in the Hiwassee Ranger

1 District of the Cherokee National Forest, in  
2 Polk County, Monroe County, and McMinn  
3 County, totaling approximately 11,251 acres,  
4 known as the “Southern Unicoi Mountains  
5 Cluster”, comprised of 3 parcels known as “Gee  
6 Creek Extension”, “Coker Creek”, and “Buck  
7 Bald”, near the towns of Etowah, Benton, and  
8 Turtletown.

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

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

23 (A) on the west, by Upland Island Wilder-  
24 ness Area;

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

1 (C) on the northeast, by Sam Rayburn  
2 Reservoir.

3 (23) VERMONT.—

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

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

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

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

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

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

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

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

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

21 (iv) on the east, by land owned by  
22 New England Power Company.

23 (C) ROBERT FROST MOUNTAIN AREA.—  
24 Certain land in the Green Mountain National  
25 Forest, totaling approximately 8,500 acres,

1 known as “Robert Frost Mountain Area”, lo-  
2 cated northeast of Middlebury, consisting of the  
3 Forest Service land bounded—

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

5 (ii) on the north, by Bristol Notch  
6 Road;

7 (iii) on the east, by Lincoln/Ripton  
8 Road; and

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

10 (24) VIRGINIA.—

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

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

21 (C) DISMAL CREEK.—Certain land totaling  
22 approximately 6,000 acres, in the Jefferson Na-  
23 tional Forest, Blacksburg Ranger District,  
24 known as “Dismal Creek”, north of State  
25 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 **TERSHPED PROTECTION AREAS, AND SPECIAL**  
14 **AREAS.**

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

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

20 (2) no extractive logging shall be permitted; and

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

23 (b) RESTRICTION OF MANAGEMENT ACTIVITIES IN  
24 ROADLESS AREAS.—On Federal land located in roadless  
25 areas (except military installations)—



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

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

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

9           (c) RESTRICTION OF MANAGEMENT ACTIVITIES IN  
10          WATERSHED PROTECTION AREAS.—On Federal land lo-  
11          cated in watershed protection areas—

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

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

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

20          (d) RESTRICTION OF MANAGEMENT ACTIVITIES IN  
21          SPECIAL AREAS.—On Federal land located in special  
22          areas—

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

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

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

7           (e) MAINTENANCE OF EXISTING ROADS.—

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

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

17          (f) ENFORCEMENT.—

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

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

24          (3) FEDERAL ENFORCEMENT.—The Secretary  
25          and the Attorney General of the United States shall

1 enforce this section against any person that violates  
2 this section.

3 (4) CITIZEN SUITS.—

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

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

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

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

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

23 (C) STANDARD OF PROOF.—The standard  
24 of proof in all actions under this paragraph  
25 shall be the preponderance of the evidence.

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

3 (E) PAYMENT OF DAMAGES.—

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

9 (ii) FEDERAL VIOLATOR.—

10 (I) IN GENERAL.—Not later than  
11 40 days after the date on which judg-  
12 ment is rendered, a damage award  
13 under subparagraph (B)(i) for which  
14 the United States is determined to be  
15 liable shall be paid from the Treasury,  
16 as provided under section 1304 of title  
17 31, United States Code, to the person  
18 or persons designated to receive the  
19 damage award.

20 (II) USE OF DAMAGE AWARD.—A  
21 damage award described under sub-  
22 clause (I) shall be used by the recipi-  
23 ent to protect or restore native bio-  
24 diversity on Federal land or on land  
25 adjoining Federal land.

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

7 (5) WAIVER OF SOVEREIGN IMMUNITY.—

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

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

## 14 **TITLE III—EFFECTIVE DATE**

### 15 **SEC. 301. EFFECTIVE DATE.**

16 This Act and the amendments made by this Act take  
17 effect on the date of enactment of this Act.

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

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

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

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

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

7 **SEC. 401. FINDINGS.**

8 Congress finds that—

9 (1) in accordance with section 2 of the Act of  
10 June 8, 1906 (16 U.S.C. 431), the Giant Sequoia  
11 National Monument was established by Presidential  
12 Proclamation number 7295, dated April 15, 2000  
13 (65 Fed. Reg. 24095);

14 (2) the Proclamation provided the following:  
15 “The rich and varied landscape of the Giant Sequoia  
16 National Monument holds a diverse array of sci-  
17 entific and historic resources. Magnificent groves of  
18 towering giant sequoias, the world’s largest trees,  
19 are interspersed within a great belt of coniferous  
20 forest, jeweled with mountain meadows. Bold gra-  
21 nitic domes and spires, and plunging gorges, texture  
22 the landscape. The area’s elevation climbs from  
23 about 1,600 to 10,365 feet over a distance of only  
24 a few miles, capturing an extraordinary number of  
25 habitats within a relatively small area. This spec-  
26 trum of ecosystems is home to a diverse array of

1 plants and animals, many of which are rare or en-  
2 demic to the southern Sierra Nevada. The monu-  
3 ment embraces limestone caverns and holds unique  
4 paleological resources documenting tens of thou-  
5 sands of years of ecosystem change. The monument  
6 also has many archaeological sites recording Native  
7 American occupation and adaptations to this com-  
8 plex landscape, and historic commercial exploitation  
9 of the giant sequoias. The monument provides exem-  
10 plary opportunities for biologists, geologists, paleon-  
11 tologists, archaeologists, and historians to study  
12 these objects.”;

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

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

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

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

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

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

13          (7) the final environmental impact statement  
14          for a management plan for the Monument prepared  
15          by the Forest Service would continue the widespread  
16          felling of forests in the Monument in direct con-  
17          travention of the intent and text of the Proclama-  
18          tion;

19          (8) the Proclamation provided that “[t]hese for-  
20          ests [in the Monument] need restoration to counter-  
21          act the effects of a century of fire suppression and  
22          logging”;

23          (9) throughout the history of the Forest Serv-  
24          ice, the Forest Service has been focused on the log-  
25          ging of public land for the purpose of selling timber;



1           (10) because of this emphasis on logging and  
2           for other reasons, the National Park Service would  
3           be better able to manage the Monument than the  
4           Forest Service;

5           (11) the National Park Service manages 73 na-  
6           tional monuments, most of which were originally  
7           under the jurisdiction of the Forest Service and were  
8           later transferred to the National Park System by an  
9           Act of Congress or by Executive Order;

10          (12) for example, in 1933 President Herbert  
11          Hoover and President Franklin D. Roosevelt gave  
12          the National Park Service jurisdiction over all 16  
13          national monuments that were not already units of  
14          the National Park System;

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

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

1           (15) national monuments that were converted  
2 into national parks include the Grand Canyon Na-  
3 tional Park, Olympic National Park, and Death Val-  
4 ley National Park;

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

9           (17) prominent examples of conversions in the  
10 region of the Monument are—

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

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

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

22           (18) the Monument has more acres of sequoia  
23 groves than are contained in Sequoia, Kings Canyon,  
24 Yosemite, and Calaveras Big Tree, which are the

1 only national parks and State parks in which se-  
2 quoias occur;

3 (19) the largest tree in the world may still  
4 await discovery in some remote area of the Monu-  
5 ment;

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

13 (21) Sequoia National Forest land, north of Se-  
14 sequoia National Park, should be added to the Sierra  
15 National Forest, which adjoins the Sierra National  
16 Forest on the north;

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

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

1 **SEC. 402. DEFINITIONS.**

2 In this title:

3 (1) **ADVISORY BOARD.**—The term “Advisory  
4 Board” means the Giant Sequoia National Monu-  
5 ment Advisory Board established under section  
6 404(d)(1).

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

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

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

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

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

22 **SEC. 403. ADDITIONS TO GIANT SEQUOIA NATIONAL MONU-**  
23 **MENT.**

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

1           (1) the approximately 40,640 acres of land be-  
2           tween the Western Divide (commonly known as the  
3           “Greenhorn Mountains”) and the center line of the  
4           Kern River, south to the boundary line between  
5           Tulare and Kern counties; and

6           (2) the Jenny Lakes Wilderness.

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

10 **SEC. 404. TRANSFER OF ADMINISTRATIVE JURISDICTION**

11                           **OVER THE GIANT SEQUOIA NATIONAL MONU-**

12                           **MENT.**

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

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

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

24           (d) ADVISORY BOARD.—

1           (1) IN GENERAL.—The Superintendent shall es-  
2           tablish an advisory board, to be known as the  
3           “Giant Sequoia National Monument Advisory  
4           Board”, comprised of 9 members, to be appointed by  
5           the Superintendent.

6           (2) PROHIBITION ON FEDERAL GOVERNMENT  
7           EMPLOYMENT.—Members of the Advisory Board  
8           shall not be employees of the Federal Government.

9           (3) TERMS.—

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

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

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

18           (A) assist in the preparation of the man-  
19           agement plan; and

20           (B) provide recommendations with respect  
21           to the management of the Monument.

22           (5) PROCEDURES.—The Superintendent shall  
23           establish procedures and standards for the Advisory  
24           Board.

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

3           (e) HEADQUARTERS.—The headquarters for the  
4           Monument shall be located at the National Park Service  
5           facility at Three Rivers, California, which is the head-  
6           quarters of Sequoia National Park and Kings Canyon Na-  
7           tional Park.

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

10           (1) Grant Grove Visitor Center in Kings Can-  
11           yon National Park;

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

14           (3) Kernville.

15 **SEC. 405. ADDITIONS TO THE SIERRA NATIONAL FOREST**  
16 **AND INYO NATIONAL FOREST.**

17           (a) SIERRA NATIONAL FOREST.—

18           (1) IN GENERAL.—The portion of the Sequoia  
19           National Forest located north of Sequoia National  
20           Park that is not included in the Monument is added  
21           to the Sierra National Forest.

22           (2) BOUNDARY REVISION.—The boundary of  
23           the Sequoia National Forest is adjusted to include  
24           the land added by paragraph (1).

25           (b) INYO NATIONAL FOREST.—

1           (1) IN GENERAL.—The portion of the Sequoia  
2           National Forest south of Sequoia National Park  
3           that is not included in the Monument is added to the  
4           Inyo National Forest.

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

8   **SEC. 406. AUTHORIZATION OF APPROPRIATIONS.**

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

○