

110TH CONGRESS
2D SESSION

H. R. 7090

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, to designate certain Federal land as Ancient forests, roadless areas, watershed protection areas, and special areas where logging and other intrusive activities are prohibited, to transfer administrative jurisdiction of Giant Sequoia National Monument to the National Park Service, to consider areas for inclusion in the National Park System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2008

Ms. ESHOO (for herself, Mrs. MALONEY of New York, Ms. LEE, Mr. VAN HOLLEN, Mr. WEXLER, Ms. SCHWARTZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FARR, Mr. COHEN, Mr. NADLER, Mr. CARSON, Mrs. CAPPS, Mr. FALEOMAVAEGA, Mr. KENNEDY, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Mr. McNULTY, Mr. KUCINICH, Mr. STARK, Mr. ANDREWS, Ms. WOOLSEY, Mr. HINCHEY, Mr. PAYNE, Mr. SERRANO, Mr. SCHIFF, Mr. MORAN of Virginia, Mr. OLVER, Mr. ACKERMAN, Mr. JACKSON of Illinois, Mr. LANGEVIN, Mr. BERMAN, Mr. ROTHMAN, Mr. TOWNS, Mr. BISHOP of New York, Ms. DELAURO, Mr. MOORE of Kansas, Ms. ZOE LOFGREN of California, Mr. HONDA, Mr. WAXMAN, Ms. SLAUGHTER, Mr. HARE, Mrs. TAUSCHER, Mr. MCGOVERN, Mr. McDERMOTT, Mr. CLAY, Mr. HASTINGS of Florida, Mr. CAPUANO, Ms. BERKLEY, Ms. SCHAKOWSKY, Ms. SUTTON, Mr. CARNAHAN, Mr. HOLT, Mr. LEWIS of Georgia, Mr. MILLER of North Carolina, Mr. CONYERS, Mrs. LOWEY, Ms. HIRONO, Mr. EMANUEL, Mr. SESTAK, Mrs. MCCARTHY of New York, Ms. CORRINE BROWN of Florida, Ms. NORTON, Mr. ENGEL, Mr. GUTIERREZ, Mr. WEINER, Mr. MARKEY, Mr. GEORGE MILLER of California, Ms. MCCOLLUM of Minnesota, Mr. FRANK of Massachusetts, Mrs. NAPOLITANO, and Mr. SHAYS) introduced the following bill; which was referred to the Committee on Natural 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, to designate certain Federal land as Ancient forests, roadless areas, watershed protection areas, and special areas where logging and other intrusive activities are prohibited, to transfer administrative jurisdiction of Giant Sequoia National Monument to the National Park Service, to consider areas for inclusion in the National Park System, and for other purposes.

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—GIANT SEQUOIA NATIONAL MONUMENT

- Sec. 301. Findings.
- Sec. 302. Definitions.
- Sec. 303. Additions to Giant Sequoia National Monument.
- Sec. 304. Transfer of administrative jurisdiction over the Giant Sequoia National Monument.
- Sec. 305. Giant Sequoia National Monument Advisory Board.
- Sec. 306. Transfer of remainder of Sequoia National Forest to Sierra National Forest and Inyo National Forest.
- Sec. 307. Authorization of appropriations.

TITLE IV—NATIONAL PARK SYSTEM NEW AREA STUDIES

- Sec. 401. Findings.
- Sec. 402. Reconnaissance surveys of certain areas for inclusion within National Park System.
- Sec. 403. Committee of scientists.

TITLE V—EFFECTIVE DATE AND MISCELLANEOUS PROVISIONS

- Sec. 501. Effective date.
- Sec. 502. Effect on existing contracts.
- Sec. 503. Wilderness Act exclusion.
- Sec. 504. Effect of conflict with Endangered Species Act of 1973.

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

2 (a) FINDINGS.—Congress finds the following:

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;

1 (B) manipulating the vegetation toward
2 greater relative density of the commercial spe-
3 cies;

4 (C) suppressing competing species; and

5 (D) requiring the planting, on numerous
6 sites, of a commercial strain of the species that
7 reduces the relative diversity of other genetic
8 strains of the species that were traditionally lo-
9 cated on the same sites.

10 (3) Clearcutting and other forms of even-age
11 logging operations—

12 (A) frequently lead to the death of immo-
13 bile species and the very young of mobile spe-
14 cies of wildlife; and

15 (B) deplete the habitat of deep-forest spe-
16 cies of animals, including endangered species
17 and threatened species.

18 (4) Clearcutting and other forms of even-age
19 logging operations—

20 (A) expose the soil to direct sunlight and
21 the impact of precipitation;

22 (B) disrupt the soil surface;

23 (C) compact organic layers; and

24 (D) disrupt the run-off restraining capa-
25 bilities of roots and low-lying vegetation, result-

1 ing in soil erosion, the leaching of nutrients, a
2 reduction in the biological content of soil, and
3 the impoverishment of soil.

4 (5) All of the consequences described in para-
5 graph (4) have a long-range deleterious effect on all
6 land resources, including timber production.

7 (6) Clearcutting and other forms of even-age
8 logging operations aggravate global climate change
9 by—

10 (A) decreasing the capability of the soil to
11 retain carbon; and

12 (B) during the critical periods of felling
13 and site preparation, reducing the capacity of
14 the biomass to process and to store carbon,
15 with a resultant loss of stored carbon to the at-
16 mosphere.

17 (7) Clearcutting and other forms of even-age
18 logging operations render soil increasingly sensitive
19 to acid deposits by causing a decline of soil wood
20 and coarse woody debris.

21 (8) A decline of solid wood and coarse woody
22 debris reduces the capacity of soil to retain water
23 and nutrients, which in turn increases soil heat and
24 impairs soil's ability to maintain protective carbon
25 compounds on the soil surface.

1 (9) Clearcutting and other forms of even-age
2 logging operations result in—

3 (A) increased stream sedimentation and
4 the silting of stream bottoms;

5 (B) a decline in water quality;

6 (C) the impairment of life cycles and
7 spawning processes of aquatic life from benthic
8 organisms to large fish; and

9 (D) as a result of the effects described in
10 subparagraphs (A) through (C), a depletion of
11 the sport and commercial fisheries of the
12 United States.

13 (10) Clearcutting and other forms of even-age
14 management of Federal forests disrupt natural dis-
15 turbance regimes that are critical to ecosystem func-
16 tion.

17 (11) Clearcutting and other forms of even-age
18 logging operations increase harmful edge effects, in-
19 cluding—

20 (A) blowdowns;

21 (B) invasions by weed species; and

22 (C) heavier losses to predators and com-
23 petitors.

1 (12) By reducing the number of deep, canopied,
2 variegated, permanent forests, clearcutting and other
3 forms of even-age logging operations—

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

6 (B) decrease the recreational value of land.

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

12 (14) Because of the harmful and, in many
13 cases, irreversible, damage to forest species and for-
14 est ecosystems caused by logging of Ancient and
15 roadless forests, clearcutting, and other forms of
16 even-age management, it is important that these
17 practices be halted based on the precautionary prin-
18 ciple.

19 (15) Human beings depend on native biological
20 resources, including plants, animals, and micro-orga-
21 nisms—

22 (A) for food, medicine, shelter, and other
23 important products; and

1 (B) as a source of intellectual and sci-
2 entific knowledge, recreation, and aesthetic
3 pleasure.

4 (16) Alteration of native biodiversity has seri-
5 ous consequences for human welfare, as the United
6 States irretrievably loses resources for research and
7 agricultural, medicinal, and industrial development.

8 (17) Alteration of biodiversity in Federal forests
9 adversely affects the functions of ecosystems and
10 critical ecosystem processes that—

11 (A) moderate climate;

12 (B) govern nutrient cycles and soil con-
13 servation and production;

14 (C) control pests and diseases; and

15 (D) degrade wastes and pollutants.

16 (18) Clearcutting and other forms of even-age
17 management operations have significant deleterious
18 effects on native biodiversity, by reducing habitat
19 and food for cavity-nesting birds and insectivores
20 such as the 3-toed woodpecker and hairy woodpecker
21 and for neotropical migratory bird species.

22 (19) The reduction in habitat and food supply
23 could disrupt the lines of dependency among species
24 and their food resources and thereby jeopardize crit-

1 ical ecosystem function, including limiting outbreaks
2 of destructive insect populations. For example—

3 (A) the 3-toed woodpecker requires
4 clumped snags in spruce-fir forests, and 99 per-
5 cent of its winter diet is composed of insects,
6 primarily spruce beetles; and

7 (B) a 3-toed woodpecker can consume as
8 much as 26 percent of the brood of an endemic
9 population of spruce bark beetle and reduce
10 brood survival of the population by 70 to 79
11 percent.

12 (20) The harm of clearcutting and other forms
13 of even-age logging operations on the natural re-
14 sources of the United States and the quality of life
15 of the people of the United States is substantial, se-
16 vere, and avoidable.

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

24 (22) Selection management—

1 (A) retains natural forest structure and
2 function;

3 (B) focuses on long-term rather than
4 short-term management;

5 (C) works with, rather than against, the
6 checks and balances inherent in natural proc-
7 esses; and

8 (D) permits the normal, natural processes
9 in a forest to allow the forest to go through the
10 natural stages of succession to develop a forest
11 with old growth ecological functions.

12 (23) By protecting native biodiversity, as re-
13 quired by this Act, Federal agencies would maintain
14 vital native ecosystems and improve the quality of
15 life of the people of the United States.

16 (24) Selection logging—

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

22 (B) produces higher quality sawlogs than
23 clearcutting and other forms of even-age log-
24 ging operations.

1 (25) The judicial remedies available to enforce
2 Federal forest laws are inadequate, and should be
3 strengthened by providing for injunctions, declara-
4 tory judgments, statutory damages, and reasonable
5 costs of suit.

6 (b) PURPOSE.—The purposes of this Act are as fol-
7 lows:

8 (1) To conserve native biodiversity and protect
9 native ecosystems on Federal land against losses
10 that result from—

11 (A) clearcutting and other forms of even-
12 age logging operations; and

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

16 (2) To transfer administrative jurisdiction of
17 Giant Sequoia National Monument to the National
18 Park Service.

19 (3) To require the Secretary of the Interior to
20 study and recommend new areas of Federal land po-
21 tentially suited for inclusion in the National Park
22 System.

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 ‘clear-
24 cutting’ means an even-age logging operation

1 that removes all of the trees over a considerable
2 portion of a stand at one 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 one or more characteristics (including location,
3 topography, and dominant species) to be man-
4 aged 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 one or more of those
6 provisions.

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 one or more in-
24 junctions or other forms of equitable
25 relief; 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 the following:

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 spe-
7 cies are experiencing documented broad-scale popu-
8 lation declines and require large, unfragmented for-
9 ests to 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
17 land are carried out at enormous financial costs to
18 the 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 salmo-
12 nids, 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,
4 scientific, or economic assets of certain special for-
5 ested areas on Federal land are valuable to the pub-
6 lic of the United States and are damaged by extrac-
7 tive 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 (20) As a legacy for the enjoyment, knowledge,
23 and well-being of future generations, provisions must
24 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 one 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 6,500
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 “Wildcat 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-

est, Mena Ranger District, in Le Flore County, totaling approximately 3,000 acres, known as “Cow Creek Drainage, Oklahoma”, and bounded approximately—

(A) on the west, by the Beech Creek National Scenic Area;

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

(C) on the east, by the Arkansas-Oklahoma border; and

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

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

(18) PENNSYLVANIA.—

(A) THE BEAR CREEK SPECIAL AREA.—

Certain land in the Allegheny National Forest, Marienville Ranger District, Elk County, totaling approximately 7,800 acres, and comprised 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-

taling approximately 10,000 acres, and comprised of Allegheny National Forest land bounded—

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

(ii) on the south, by Chappel Bay;

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

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

and

(v) on the east, by private land.

(D) THE FOOLS CREEK SPECIAL AREA.—

Certain land in the Allegheny National Forest, Bradford Ranger District, Warren County, totaling approximately 1,500 acres, and comprised of Allegheny National Forest land south and west of Forest Service Road 255 and west of FR 255A, bounded—

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

(ii) on the south, by private land.

(E) THE HICKORY CREEK SPECIAL

AREA.—Certain land in the Allegheny National Forest, Bradford Ranger District, Warren 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, totaling approximately 6,600 acres, and
16 comprised of Allegheny National Forest land
17 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°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, totaling
7 approximately 27,000 acres, and comprised of
8 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

Forest, Andrew Pickens Ranger District, in Oconee County, totaling approximately 2,000 acres, known as “Rock Gorge, South Carolina Area”, 12 miles southeast of Highlands, North Carolina.

(I) TAMASSEE.—Certain land in the Sumter National Forest, Andrew Pickens Ranger District, in Oconee County, totaling approximately 5,500 acres, known as “Tamassee”, approximately 10 miles north of Walhalla, South Carolina.

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

(20) SOUTH DAKOTA.—

(A) BLACK FOX AREA.—Certain land in the Black Hills National Forest, totaling approximately 12,400 acres, located in the upper reaches of the Rapid Creek watershed, known as the “Black Fox Area”, and roughly bounded—

(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-

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

(C) CITICO CREEK WATERSHED CLUSTER TENNESSEE AREAS.—Certain land in the Tellico Ranger District of the Cherokee National Forest, in Monroe County, totaling approximately 14,256 acres, known as the “Citico Creek Watershed Cluster, Tennessee Areas”, comprised of 4 parcels known as “Flats Mountain”, “Miller Ridge”, “Cowcamp Ridge”, and “Joyce Kilmer-Slickrock Extension”, near the town of Tellico Plains.

(D) IRON MOUNTAINS CLUSTER.—Certain land in the Cherokee National Forest, Watauga Ranger District, totaling approximately 58,090 acres, known as the “Iron Mountains Cluster”, comprised of 8 parcels known as “Big Laurel Branch Addition”, “Hickory Flat Branch”, “Flint Mill”, “Lower Iron Mountain”, “Upper Iron Mountain”, “London Bridge”, “Beaverdam Creek”, and “Rodgers Ridge”, located near the towns of Bristol and Elizabethton, in Sullivan County and Johnson County.

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

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

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

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

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

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

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

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

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

1 (23) VERMONT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (24) VIRGINIA.—

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

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

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

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

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

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

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

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

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

6 (A) FLYNN LAKE.—Certain land in the
7 Chequamegon-Nicolet National Forest, Wash-
8 burn Ranger District, totaling approximately
9 5,700 acres, known as “Flynn Lake”, in the
10 Flynn Lake semi-primitive nonmotorized area,
11 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 Brunsweler River semi-primitive non-
10 motorized areas; and

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

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

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

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

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

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

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

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

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

20 (26) WYOMING: SAND CREEK AREA.—

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

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

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

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

8 (iii) forest road 802.1B;

9 (iv) forest road 802.1;

10 (v) an unnamed road;

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

13 (vii) forest road 829.1;

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

16 (ix) forest road 852.1; and

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

19 (d) COMMITTEE OF SCIENTISTS.—

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

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

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

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

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

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

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

21 (B) rare or endangered ecosystems;

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

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

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

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

11 **SEC. 204. RESTRICTIONS ON MANAGEMENT ACTIVITIES IN**
 12 **ANCIENT FORESTS, ROADLESS AREAS, WA-**
 13 **TERSHERD PROTECTION AREAS, 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 one 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—GIANT SEQUOIA**
15 **NATIONAL MONUMENT**

16 **SEC. 301. FINDINGS.**

17 Congress finds the following:

18 (1) In accordance with section 2 of the Act of
19 June 8, 1906 (16 U.S.C. 431), the Giant Sequoia
20 National Monument was established by Presidential
21 Proclamation number 7295, dated April 15, 2000
22 (65 Fed. Reg. 24095).

23 (2) The Proclamation provided the following:
24 “The rich and varied landscape of the Giant Sequoia
25 National Monument holds a diverse array of sci-

1 entific and historic resources. Magnificent groves of
2 towering giant sequoias, the world's largest trees,
3 are interspersed within a great belt of coniferous
4 forest, jeweled with mountain meadows. Bold gra-
5 nitic domes and spires, and plunging gorges, texture
6 the landscape. The area's elevation climbs from
7 about 2,500 to 9,700 feet over a distance of only a
8 few miles, capturing an extraordinary number of
9 habitats within a relatively small area. This spec-
10 trum of ecosystems is home to a diverse array of
11 plants and animals, many of which are rare or en-
12 demic to the southern Sierra Nevada. The monu-
13 ment embraces limestone caverns and holds unique
14 paleological resources documenting tens of thou-
15 sands of years of ecosystem change.”.

16 (3) The various ecosystems cited as the basis
17 for establishment of the Monument—

18 (A) extend beyond the existing boundaries
19 of the Monument; and

20 (B) encompass the fragile and extremely
21 diverse southern Sierra Nevada bioregions.

22 (4) To protect all the ecosystems and objects
23 described in the Proclamation, the southeastern
24 boundary of the Monument should be extended down
25 to the bottom of the watershed at the Kern River to

1 provide for watershed integrity, seasonal wildlife mi-
2 grations, and other benefits.

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

9 (6) Even though the primary reason for estab-
10 lishing the Monument was to rescue the area from
11 the effects of road building and severe logging imple-
12 mented by the Forest Service, the Proclamation left
13 the Monument under the jurisdiction of the Forest
14 Service, which, in part, has a mission to provide sus-
15 tained yields of resources, including timber.

16 (7) In 2006 a Federal court rescinded a pro-
17 grammatic environmental plan for the Monument
18 and enjoined four timber projects, noting that “the
19 Forest Service’s interest in harvesting timber has
20 trampled the applicable environmental laws”.

21 (8) Because of the Forest Service’s mission and
22 demonstrated desire to allow logging in the Giant
23 Sequoia National Monument, another Federal land
24 management agency should have jurisdiction over
25 the Monument.

1 (9) The National Park Service, which has a
2 mission to preserve natural and cultural resources
3 and manages 73 national monuments, including
4 many which were originally under the jurisdiction of
5 the Forest Service, is the appropriate agency to
6 manage the Monument.

7 (10) To save the ecological integrity of the
8 Monument, it is essential that the approximately
9 49,440 acres of land between the Greenhorn Moun-
10 tains (commonly known as the “Western Divide”)
11 and the center line of the Kern River, south from
12 the mouth of South Creek to the mouth of Bull Run
13 Creek, be included in the Monument.

14 (11) Because there will no longer be any se-
15 quoia trees remaining within the boundary of Se-
16 quoia National Forest, the name Sequoia National
17 Forest is no longer appropriate; therefore, the Se-
18 quoia National Forest land north of Sequoia Na-
19 tional Park should be added to the Sierra National
20 Forest, which adjoins the Sequoia National Forest
21 on the north and for reasons of accessibility, econ-
22 omy, and general efficiency of operation, the remain-
23 ing Sequoia National Forest territory south of Se-
24 quoia National Park should be made part of the
25 Inyo National Forest, which already shares the

1 Golden Trout Wilderness with the Sequoia National
2 Forest.

3 **SEC. 302. DEFINITIONS.**

4 In this title:

5 (1) **ADVISORY BOARD.**—The term “Advisory
6 Board” means the Giant Sequoia National Monu-
7 ment Advisory Board.

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

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

14 (4) **PROCLAMATION.**—The term “Proclama-
15 tion” means the Presidential Proclamation number
16 7295, dated April 15, 2000 (65 Fed. Reg. 24095).

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

20 (6) **SUPERINTENDENT.**—The term “Super-
21 intendent” means the Superintendent of the Monu-
22 ment.

1 **SEC. 303. ADDITIONS TO GIANT SEQUOIA NATIONAL MONU-**
2 **MENT.**

3 (a) IN GENERAL.—There is added to the Monument
4 the following:

5 (1) The approximately 49,440 acres of land be-
6 tween the Greenhorn Mountains (commonly known
7 as the “Western Divide”) and the center line of the
8 Kern River, south from the mouth of South Creek
9 to the mouth of Bull Run Creek then up Bull Run
10 Creek to Deep Creek, then up Deep Creek to a point
11 due east of Sunday Peak, then due west to Sunday
12 Peak and continuing along the original Monument
13 boundary.

14 (2) The Jennie Lakes Wilderness.

15 (b) BOUNDARY REVISION.—The boundary of the
16 Monument is revised to reflect the addition of the land
17 to the Monument under subsection (a).

18 **SEC. 304. TRANSFER OF ADMINISTRATIVE JURISDICTION**
19 **OVER THE GIANT SEQUOIA NATIONAL MONU-**
20 **MENT.**

21 (a) TRANSFER.—Administrative jurisdiction over the
22 Monument is transferred from the Secretary of Agri-
23 culture to the Secretary of the Interior.

24 (b) APPLICABLE LAW.—The Monument shall be ad-
25 ministered in accordance with the Proclamation, except
26 that any deliberations by the Chief of the Forest Service

1 with respect to management of the Monument are hereby
2 set aside.

3 (c) SUPERINTENDENT.—The Secretary shall appoint
4 a Superintendent for the Monument to administer the
5 Monument.

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

11 (e) VISITOR CENTERS.—Visitors centers for the
12 Monument shall be located at—

13 (1) Grant Grove Visitor Center in Kings Can-
14 yon National Park;

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

17 (3) Kernville.

18 **SEC. 305. GIANT SEQUOIA NATIONAL MONUMENT ADVI-**
19 **SORY BOARD.**

20 (a) ESTABLISHMENT.—The Superintendent shall es-
21 tablish an advisory board, to be known as the “Giant Se-
22 quoia National Monument Advisory Board”, composed of
23 9 members, to be appointed by the Superintendent.

1 (b) PROHIBITION ON FEDERAL GOVERNMENT EM-
2 PLOYMENT.—Members of the Advisory Board shall not be
3 employees of the Federal Government.

4 (c) TERMS.—

5 (1) IN GENERAL.—A member of the Advisory
6 Board shall serve for a term of not more than 4
7 years.

8 (2) INTERVALS.—The Superintendent shall ap-
9 point members of the Advisory Board in a manner
10 that allows the terms of the members to expire at
11 staggered intervals.

12 (d) DUTIES.—The Advisory Board shall—

13 (1) assist in the preparation of the management
14 plan; and

15 (2) provide recommendations with respect to
16 the management of the Monument.

17 (e) PROCEDURES.—The Superintendent shall estab-
18 lish procedures and standards for the Advisory Board.

19 (f) OPEN MEETINGS.—Meetings of the Advisory
20 Board shall be open to the public.

21 **SEC. 306. TRANSFER OF REMAINDER OF SEQUOIA NA-**
22 **TIONAL FOREST TO SIERRA NATIONAL FOR-**
23 **EST AND INYO NATIONAL FOREST.**

24 (a) SIERRA NATIONAL FOREST.—

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

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

8 (b) INYO NATIONAL FOREST.—

9 (1) IN GENERAL.—The portion of the Sequoia
 10 National Forest south of Sequoia National Park
 11 that is not included in the Monument is added to the
 12 Inyo National Forest.

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

16 **SEC. 307. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated such sums
 18 as are necessary to carry out this title.

19 **TITLE IV—NATIONAL PARK**
 20 **SYSTEM NEW AREA STUDIES**

21 **SEC. 401. FINDINGS.**

22 Congress finds the following:

23 (1) The National Park System began with the
 24 establishment in 1872 of Yellowstone National Park.

1 (2) The National Park System has grown to
2 391 units across the country, protecting many of the
3 greatest natural and cultural treasures of the United
4 States for future generations.

5 (3) The National Park System provides tremen-
6 dous benefits to local, regional, and national econo-
7 mies, generating more than four dollars in value to
8 the public for every tax dollar invested and sup-
9 porting \$13.3 billion of local private-sector economic
10 activity and 267,000 private-sector jobs.

11 (4) The National Park System safeguards more
12 than 99 percent of National Park System land as
13 undeveloped backcountry, while still accommodating
14 more than 250 million visitor days per year.

15 (5) The National Park System preserves vital
16 natural assets, including ancient forests and old-
17 growth ecosystems, native habitats that protect and
18 nurture endangered, threatened, or rare species, liv-
19 ing landscapes that contain the full range of native
20 wildlife, and healthy populations of game species
21 that replenish adjacent hunting lands.

22 (6) National Park System land plays an impor-
23 tant role in efforts to address the impacts of global
24 warming, since the land absorbs vast amounts of
25 carbon, protects resilient ecosystems and expansive

open spaces that allow for migration and adaptation of plant and wildlife species to climate change, serves as natural laboratories for research, and helps educate the public about this critical issue.

(7) The expansion of certain existing units of the National Park System and the establishment of new units can provide significant ecological, economic, recreational, and cultural benefits to the American people.

(8) The National Park Service should undertake studies to determine possible additions to the National Park System, including lands currently managed by other Federal agencies.

(9) These studies should include determination of ecological representation in the National Park System based on the scientifically accepted Environmental Protection Agency Level III Ecoregions of the Continental United States classification system.

**SEC. 402. RECONNAISSANCE SURVEYS OF CERTAIN AREAS
FOR INCLUSION WITHIN NATIONAL PARK
SYSTEM.**

(a) RECONNAISSANCE SURVEYS.—

(1) SURVEYS REQUIRED.—The Secretary of the Interior (in this title referred to as the “Secretary”) shall conduct reconnaissance surveys of areas classi-

1 fied as “Level III Ecoregions of the Continental
2 United States” by the Environmental Protection
3 Agency that—

4 (A) are not represented ecologically by any
5 unit of the National Park System or National
6 Wilderness Preservation System;

7 (B) do not have adequate representation of
8 their native biological diversity by existing Na-
9 tional Park System units;

10 (C) do not have adequate connectivity be-
11 tween existing National Park System units or
12 other protected areas to ensure the long-term
13 conservation of their native biological diversity;
14 and

15 (D) are near major population centers,
16 thereby furthering the goal of providing access
17 to the National Park System to all Americans.

18 (2) PURPOSE.—The Secretary shall conduct the
19 reconnaissance surveys of the areas described in
20 paragraph (1) to determine if there are resources
21 that possess national significance, to make a prelimi-
22 nary evaluation of the suitability and feasibility of
23 their inclusion as units of the National Park System,
24 and to recommend whether or not to proceed to a
25 special resource study. The survey shall include a

1 thorough review of existing information from various
2 sources, site visits, and consultation with interested
3 parties, including potentially affected State and local
4 governments and private landowners.

5 (3) CONSIDERED LAND.—The areas the Sec-
6 retary considers under this subsection may include
7 Federal land, land held by a State or local govern-
8 ment, or private land.

9 (4) COMPLETION.—The Secretary shall com-
10 plete a reconnaissance survey within 3 years after
11 commencement of the survey.

12 (b) SUBMISSION TO CONGRESS.—Not later than
13 three years after funds are first made available for the
14 reconnaissance surveys, the Secretary shall submit to the
15 Congress a report containing the results of the reconnais-
16 sance surveys and any special resource studies carried out
17 in response to the Secretary's recommendations under
18 paragraph (2).

19 (c) STUDY CRITERIA.—In conducting the reconnais-
20 sance surveys, the Secretary shall consider whether the
21 area being studied—

22 (1) possesses nationally significant natural or
23 cultural resources and represents one of the most
24 important examples of a particular resource type in
25 the United States; and

1 (2) is a suitable and feasible addition to the
2 National Park System.

3 (d) SPECIAL CONSIDERATIONS.—In each reconnais-
4 sance survey, the Secretary shall—

5 (1) consider the following factors with regard to
6 the area being studied—

7 (A) the rarity and integrity of the re-
8 sources;

9 (B) the threats to those resources;

10 (C) whether similar resources are already
11 protected in the National Park System or in
12 other public or private ownership;

13 (D) the public use potential;

14 (E) the interpretive and educational poten-
15 tial;

16 (F) costs associated with acquisition, devel-
17 opment and operation;

18 (G) the socioeconomic impacts of any des-
19 ignation;

20 (H) the level of local and general public
21 support;

22 (I) whether the area is of appropriate con-
23 figuration to ensure long-term resource protec-
24 tion and visitor use.

1 (2) identify what alternative or combination of
2 alternatives would, in the professional judgment of
3 the Director of the National Park Service, be most
4 effective and efficient in protecting significant nat-
5 ural and cultural assets and providing for public en-
6 joyment;

7 (3) include any other information that the Sec-
8 retary considers to be relevant; and

9 (4) ensure that it is completed in compliance
10 with section 8 of Public Law 91–383 (16 U.S.C. 1a–
11 5).

12 (e) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated such sums as are nec-
14 essary to carry out this section.

15 **SEC. 403. COMMITTEE OF SCIENTISTS.**

16 (a) APPOINTMENT AND ROLE.—In conducting the re-
17 connaissance surveys required by section 402, the Sec-
18 retary shall appoint and consult with a committee com-
19 posed of nine scientists who are not officers or employees
20 of the National Park Service, of any other public entity,
21 or of any entity engaged in whole or in part in logging
22 or livestock grazing, production of wood or wood products,
23 oil, gas or mineral exploration or production, mining,
24 roadbuilding, off-road motorized recreation, or other re-
25 source extraction or development-related activities.

1 (b) QUALIFICATIONS OF COMMITTEE MEMBERS.—A
2 majority of the scientists appointed to the committee shall
3 be individuals with significant training and field experi-
4 ence in conservation biology and the balance shall include
5 individuals with significant training and field experience
6 in other biological and earth sciences.

7 (c) DUTIES.—The committee shall provide the Sec-
8 retary and Congress with the following:

9 (1) Scientific and technical advice and counsel
10 on the reconnaissance surveys.

11 (2) An assessment of each of the Environ-
12 mental Protection Agency Level III Ecoregions of
13 the Continental United States that describes—

14 (A) important biological features and their
15 distinctiveness;

16 (B) current conservation status, including
17 habitat loss, remaining blocks of intact habitat,
18 degree of fragmentation, degree of protection,
19 and threats; and

20 (C) priority areas for increased conserva-
21 tion.

22 (3) Reports documenting the committee's—

23 (A) assessment of each of the Environ-
24 mental Protection Agency Level III Ecoregions
25 of the Continental United States, not later than

1 1 year after the date of the enactment of this
2 Act; and

3 (B) overall findings, conclusions, and rec-
4 ommendations, not later than 3 years after the
5 date of the enactment of this Act.

6 (4) Continued consultation, testimony, review,
7 and recommendations to the Secretary or Congress
8 as long as needed pursuant to the surveys.

9 (d) APPLICABLE LAW.—The Advisory Council shall
10 function in accordance with the Federal Advisory Com-
11 mittee Act (5 U.S.C. App.) and other applicable laws.

12 **TITLE V—EFFECTIVE DATE AND** 13 **MISCELLANEOUS PROVISIONS**

14 **SEC. 501. EFFECTIVE DATE.**

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

17 **SEC. 502. EFFECT ON EXISTING CONTRACTS.**

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

22 **SEC. 503. WILDERNESS ACT EXCLUSION.**

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

1 **SEC. 504. EFFECT OF CONFLICT WITH ENDANGERED SPE-**
2 **CIES ACT OF 1973.**

3 In the event of any conflict between a provision of
4 this Act, or an amendment made by this Act, and the En-
5 dangered Species Act of 1973 (16 U.S.C. 1531), the En-
6 dangered Species Act of 1973 shall prevail.

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