

107TH CONGRESS
2D SESSION

H. R. 5279

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 lands, to designate certain Federal lands as Ancient Forests, Roadless Areas, Watershed Protection Areas, and Special Areas where logging and other intrusive activities are prohibited, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2002

Ms. ESHOO (for herself, Mr. SIMMONS, Mrs. MALONEY of New York, Ms. SANCHEZ, Mr. RANGEL, Mr. BORSKI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. McDERMOTT, Ms. WOOLSEY, Ms. MCCOLLUM, Ms. BROWN of Florida, Ms. DELAURO, Mr. FILNER, Mr. PASCRELL, Ms. PELOSI, Mr. PAYNE, Mr. HALL of Ohio, Mr. MORAN of Virginia, Ms. MCCARTHY of Missouri, Mr. KLECZKA, Mr. MCGOVERN, Mr. HINCHEY, Mr. BOUCHER, Mr. DELAHUNT, Mr. HOLT, Mr. OLVER, Mr. SERRANO, Mr. MOORE, Mr. CAPUANO, Mr. GONZALEZ, Mr. BLAGOJEVICH, Mr. FORD, Ms. LOFGREN, Ms. SOLIS, Mr. ROTHMAN, Mr. WEXLER, Mr. GUTIERREZ, Mrs. MEEK of Florida, Ms. RIVERS, Mr. EVANS, Mrs. CAPPS, Mr. BONIOR, Mr. CLAY, Mr. KUCINICH, Mr. BERMAN, Mr. BROWN of Ohio, Mr. FARR of California, Mr. CONYERS, Ms. BALDWIN, Mrs. MCCARTHY of New York, Mr. GEORGE MILLER of California, Mr. ENGEL, Mr. WEINER, Ms. WATERS, Mrs. LOWEY, Ms. CARSON of Indiana, Mr. DAVIS of Illinois, Mr. REYES, Mr. PALLONE, Mrs. DAVIS of California, Mr. FRANK, Mr. NEAL of Massachusetts, Mr. WAXMAN, Mr. SHERMAN, Mrs. MINK of Hawaii, Mr. MALONEY of Connecticut, Mr. SHAYS, Ms. LEE, Mr. LUTHER, Ms. SLAUGHTER, Mr. FALEOMAVAEGA, Ms. MILLENDER-MCDONALD, Mrs. NAPOLITANO, Mr. HONDA, Mr. LANTOS, Ms. NORTON, Mr. McNULTY, Mr. TIERNEY, Ms. VELÁZQUEZ, Mrs. JONES of Ohio, Ms. ROYBAL-ALLARD, Mr. HOEFFEL, Ms. SCHAKOWSKY, Mr. MEEKS of New York, Mr. CLEMENT, Mr. RUSH, Mr. CARDIN, Ms. BERKLEY, Mr. SANDERS, Mr. COYNE, Mr. WYNN, Mr. TOWNS, Mr. STARK, Mr. KENNEDY of Rhode Island, Mr. LEWIS of Georgia, Mr. UNDERWOOD, Mr. ANDREWS, Mr. LAMPSON, Mr. MEEHAN, Mr. LARSON of Connecticut, Mr. MENENDEZ, Mr. MARKEY, Mr. CLYBURN, Mr. WATT of North Carolina, Mr. JACKSON of Illinois, Mr. LIPINSKI, Mr. ABERCROMBIE, Mr. HASTINGS of Florida, Mr. NADLER, Mr. ISRAEL, Mr. CROWLEY, Mr. SAWYER, Mr. ACKERMAN, Ms. JACKSON-LEE of Texas, Mr. THOMPSON of Mississippi, Mrs.

TAUSCHER, Mr. CUMMINGS, Mr. FATTAH, Mrs. CHRISTENSEN, Mr. JEFFERSON, Mr. LYNCH, and Mr. ACEVEDO-VILÁ) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Resources, 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 lands, to designate certain Federal lands as Ancient Forests, Roadless Areas, Watershed Protection Areas, and Special Areas where logging and other intrusive activities are prohibited, 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. Administration and management.

Sec. 103. Conforming amendments.

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

Sec. 201. Findings.

Sec. 202. Definitions.

Sec. 203. Designation of special areas.

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

TITLE III—EFFECTIVE DATE

Sec. 301. In general.

Sec. 302. Effect on existing contracts.

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

2 (a) FINDINGS.—Congress finds that—

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

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

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

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

17 (C) suppressing competing species; and

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

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

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

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

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

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

13 (ii) disrupt the soil surface;

14 (iii) compact organic layers; and

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

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

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

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

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

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

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

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

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

21 (B) a decline in water quality; and

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

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

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

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

12 (A) blowdowns;

13 (B) invasions by weed species; and

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

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

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

21 (B) decrease the recreational value of land;

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

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

3 (13) human beings depend on native biological
4 resources, including plants, animals, and micro-
5 organisms—

6 (A) for food, medicine, shelter, and other
7 important products; and

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

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

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

18 (A) moderate climate;

19 (B) govern nutrient cycles and soil con-
20 servation and production;

21 (C) control pests and diseases; and

22 (D) degrade wastes and pollutants;

23 (16) the harm of clearcutting and other forms
24 of even-age logging operations on the natural re-
25 sources of the United States and the quality of life

1 of the people of the United States is substantial, se-
2 vere, and avoidable;

3 (17) by substituting selection management, as
4 required by this Act, for clearcutting and other
5 forms of even-age logging operations, the Federal
6 agencies involved with such logging operations would
7 substantially reduce devastation to the environment
8 and improve the quality of life of the people of the
9 United States;

10 (18) by protecting native biodiversity, as re-
11 quired by this Act, Federal agencies would maintain
12 vital native ecosystems and improve the quality of
13 life of the people of the United States;

14 (19) selection logging—

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

20 (B) produces higher quality sawlogs than
21 clearcutting and other forms of even-age log-
22 ging operations; and

23 (20) the judicial remedies available to enforce
24 Federal forest laws are inadequate, and should be
25 strengthened by providing for injunctions, declara-

1 tory judgments, statutory damages, and reasonable
2 costs of suit.

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

6 (1) clearcutting and other forms of even-age
7 logging operations; and

8 (2) logging in ancient forests, roadless areas,
9 watershed protection areas, and special areas.

10 **TITLE I—LAND MANAGEMENT**

11 **SEC. 101. COMMITTEE OF SCIENTISTS.**

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

16 “(h) COMMITTEE OF SCIENTISTS.—

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

20 “(A) who are not officers or employees of
21 the Forest Service, of any other public entity,
22 or of any entity engaged in whole or in part in
23 the production of wood or wood products;

24 “(B) not more than one-third of whom
25 have contracted with or represented any entity

1 described in subparagraph (A) during the 5-
2 year period ending on the date of the proposed
3 appointment to the committee; and

4 “(C) not more than one-third of whom are
5 foresters.

6 “(2) QUALIFICATIONS OF FORESTERS.—A for-
7 ester appointed to the committee shall be an indi-
8 vidual with—

9 “(A) extensive training in conservation bi-
10 ology; and

11 “(B) field experience in selection manage-
12 ment.

13 “(3) DUTIES.—The committee shall provide sci-
14 entific and technical advice and counsel on proposed
15 guidelines and procedures and all other issues involv-
16 ing forestry and native biodiversity to promote an ef-
17 fective interdisciplinary approach to forestry and na-
18 tive biodiversity.

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

22 **SEC. 102. ADMINISTRATION AND MANAGEMENT.**

23 The Forest and Rangeland Renewable Resources
24 Planning Act of 1974 is amended by adding after section
25 6 (16 U.S.C. 1604) the following:

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

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

4 “(1) National Forest System land, under this
5 Act;

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

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

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

20 “(c) **RESTRICTION ON USE OF CERTAIN LOGGING**
21 **PRACTICES.**—

22 “(1) **DEFINITIONS.**—In this subsection:

23 “(A) **AGE DIVERSITY.**—The term ‘age di-
24 versity’ means the naturally occurring range
25 and distribution of age classes within a given
26 species.

1 “(B) BASAL AREA.—The term ‘basal area’
2 means the area of the cross section of a tree
3 stem, including the bark, at 4.5 feet above the
4 ground.

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

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

20 “(E) EVEN-AGE LOGGING OPERATION.—

21 “(i) IN GENERAL.—The term ‘even-
22 age logging operation’ means a logging ac-
23 tivity that—

24 “(I) creates a clearing or opening
25 that exceeds in width in any direction

1 the height of the tallest tree standing
2 within 10 feet outside the edge of the
3 clearing or opening;

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

7 “(III) cuts or removes more than
8 20 percent of the basal area of a
9 stand (not including the basal area of
10 any tree of a non-native invasive tree
11 species) within a period of 30 years.

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

18 “(iii) EXCLUSION.—The term ‘even-
19 age logging operation’ does not include the
20 cutting or removal of a tree of a non-native
21 invasive tree species.

22 “(F) GENETIC DIVERSITY.—The term ‘ge-
23 netic diversity’ means the differences in genetic
24 composition within and among populations of a
25 species.

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

6 “(H) NATIVE BIODIVERSITY.—

7 “(i) IN GENERAL.—The term ‘native
8 biodiversity’ means—

9 “(I) the full range of variety and
10 variability within and among living or-
11 ganisms; and

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

17 “(ii) INCLUSIONS.—The term ‘native
18 biodiversity’ includes diversity—

19 “(I) within a species (including
20 genetic diversity, species diversity, and
21 age diversity);

22 “(II) within a community of spe-
23 cies;

24 “(III) between communities of
25 species;

1 “(IV) within a discrete area, such
2 as a watershed;

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

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

11 “(I) NON-NATIVE INVASIVE TREE SPE-
12 CIES.—

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

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

18 “(I) Australian pine (*Casaurina*
19 *equisetifolia*);

20 “(II) Brazilian pepper (*Schinus*
21 *terebinthifolius*);

22 “(III) Common buckthorn
23 (*Rhamnus cathartica*);

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

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

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

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

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

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

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

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

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

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

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

23 “(K) SELECTION MANAGEMENT.—

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

1 “(I) a method of logging that
2 emphasizes the periodic removal of
3 trees, including mature, undesirable,
4 and cull trees, in a manner that
5 ensures—

6 “(aa) the maintenance of
7 continuous high forest cover
8 where high forest cover naturally
9 occurs;

10 “(bb) the maintenance or
11 natural regeneration of all native
12 species in a stand; and

13 “(cc) the growth and devel-
14 opment of trees through a range
15 of diameter or age classes to pro-
16 vide a sustained yield of forest
17 products including clean water,
18 rich soil, and native plants and
19 wildlife; and

20 “(II) cutting methods that de-
21 velop and maintain selection stands,
22 including—

23 “(aa) individual-tree selec-
24 tion, in which individual trees of
25 varying size and age classes are

1 selected and logged in a generally
2 uniform pattern throughout a
3 stand; and

4 “(bb) group selection, in
5 which small groups of trees are
6 selected and logged.

7 “(ii) EXCLUSION.—

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

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

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

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

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

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

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

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

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

15 “(O) TIMBER PURPOSE.—

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

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

1 “(P) WITHIN-COMMUNITY DIVERSITY.—

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

6 “(2) PROHIBITION OF CLEARCUTTING OR
7 OTHER EVEN-AGE LOGGING OPERATIONS.—No
8 clearcutting or other form of even-age logging oper-
9 ation shall be permitted in any stand or watershed.

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

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

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

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

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

25 “(4) ENFORCEMENT.—

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

5 “(B) PURPOSE.—The purpose of this para-
6 graph is to foster the widest possible enforce-
7 ment of subsection (g)(3)(B) and this sub-
8 section.

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

15 “(D) CITIZEN SUITS.—

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

24 “(ii) JUDICIAL RELIEF.—If a district
25 court of the United States determines that

1 a violation of subsection (g)(3)(B) or this
2 subsection has occurred, the district
3 court—

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

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

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

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

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

20 “(E) PAYMENT OF DAMAGES.—

21 “(i) NON-FEDERAL VIOLATOR.—A
22 damage award under subparagraph (B)(ii)
23 shall be paid to the Treasury by a non-
24 Federal violator or violators designated by
25 the court.

1 “(ii) FEDERAL VIOLATOR.—

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

12 “(II) USE OF DAMAGE AWARD.—
13 A damage award described under sub-
14 clause (I) shall be used by the recipi-
15 ent to protect or restore native bio-
16 diversity on Federal land or on land
17 adjoining Federal land.

18 “(III) COURT COSTS.—Any
19 award of costs of litigation and any
20 award of attorney fees shall be paid
21 by a Federal violator not later than
22 40 days after the date on which judg-
23 ment is rendered.

24 “(F) WAIVER OF SOVEREIGN IMMUNITY.—

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

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

8 **SEC. 103. CONFORMING AMENDMENTS.**

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

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

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

16 (3) by striking subparagraph (F).

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

22 **SEC. 201. FINDINGS.**

23 Congress finds that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 **SEC. 202. DEFINITIONS.**

15 In this title:

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

18 (A) the northwest ancient forest,
19 including—

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

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

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

9 (B) the eastside Cascade ancient forest,
10 including—

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

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

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

10 (C) the Sierra Nevada ancient forest,
11 including—

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

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

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

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

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

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

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

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

14 (B) composed of—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (a) IN GENERAL.—

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

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

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

17 (B) rare or endangered ecosystems;

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

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

22 (E) migration corridors;

23 (F) areas of outstanding biodiversity;

24 (G) old growth forests;

25 (H) commercial fisheries; and

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

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

5 (A) unusual geological formations;

6 (B) designated wild and scenic rivers;

7 (C) unique biota; and

8 (D) vistas.

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

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

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

16 (i) hunting;

17 (ii) fishing;

18 (iii) camping;

19 (iv) hiking;

20 (v) aquatic recreation; and

21 (vi) winter recreation;

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

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

1 (E) solitude.

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

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

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

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

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

16 (1) ALABAMA.—

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

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

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

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

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

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

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

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

3 (2) ALASKA.—

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

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

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

1 (4) ARKANSAS.—

2 (A) COW CREEK DRAINAGE, ARKANSAS.—

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

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

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

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

11 and

12 (iv) to the west, by the Arkansas-
13 Oklahoma border.

14 (B) LEADER AND BRUSH MOUNTAINS.—

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

22 (C) POLK CREEK AREA.—Certain land in
23 the Ouachita National Forest, Mena Ranger
24 District, totaling approximately 20,000 acres,
25 bounded by Arkansas Highway 4 and Forest

1 Roads 73 and 43, known as the “Polk Creek
2 area”.

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

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

25 (i) the Buffalo River;

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

8 (5) CALIFORNIA: GIANT SEQUOIA PRESERVE.—
9 Certain land in the Sequoia National Forest and Si-
10 erra National Forest, known as the “Giant Sequoia
11 Preserve”, comprised of 3 discontinuous parcels and
12 approximately 442,425 acres, located in Fresno
13 County, Tulare County, and Kern County, in the
14 Southern Sierra Nevada mountain range,
15 including—

16 (A) the Kings River Unit (145,600 acres)
17 and nearby Redwood Mountain Unit (11,730
18 acres), located approximately 25 miles east of
19 the city of Fresno; and

20 (B) the South Unit (285,095 acres), lo-
21 cated approximately 15 miles east of the city of
22 Porterville.

23 (6) COLORADO: COCHETOPA HILLS.—Certain
24 land in the Gunnison Basin area, known as the
25 “Cochetopa Hills”, administered by the Gunnison

1 National Forest, Grand Mesa National Forest,
2 Uncompahgre National Forest, and Rio Grand Na-
3 tional Forest, totaling approximately 500,000 acres,
4 spanning the continental divide south and east of
5 the city of Gunnison, in Saguache County, and
6 including—

- 7 (A) Elk Mountain and West Elk Mountain;
- 8 (B) the Grand Mesa;
- 9 (C) the Uncompahgre Plateau;
- 10 (D) the northern San Juan Mountains;
- 11 (E) the La Garitas Mountains; and
- 12 (F) the Cochetopa Hills.

13 (7) GEORGIA.—

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

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

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

23 (D) COHUTTA CLUSTER.—Certain land in
24 the Chattahoochee National Forest, Cohutta
25 Ranger District, totaling approximately 28,000

1 acres, known as the “Cohutta Cluster”, com-
2 prised of 4 parcels known as “Cohutta Exten-
3 sions”, “Grassy Mountain”, “Emery Creek”,
4 and “Mountaintown”, near the towns of
5 Chatsworth and Ellijay, in Murray County,
6 Fannin County, and Gilmer County.

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

17 (F) ED JENKINS NATIONAL RECREATION
18 AREA CLUSTER.—Certain land in the Chat-
19 tahoochee National Forest, Toccoa and
20 Chestatee Ranger Districts, totaling approxi-
21 mately 19,300 acres, known as the “Ed Jenkins
22 National Recreation Area Cluster”, comprised
23 of the Springer Mountain, Mill Creek, and
24 Toonowee parcels, 30 miles north of the town

1 of Dahlonega, in Fannin County, Dawson
2 County, and Lumpkin County.

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

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

1 north of Clayton, and west of Dillard, in White
2 County, Towns County, and Rabun County.

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

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

25 (8) IDAHO.—

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

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

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

18 (9) ILLINOIS.—

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

24 (B) OPPORTUNITY AREA 6.—Certain land
25 in the Shawnee National Forest, totaling ap-

1 proximately 50,000 acres, located in northern
2 Pope County surrounding Bell Smith Springs
3 Natural Area, in the area generally known as
4 “Opportunity Area 6”.

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

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

15 (11) MINNESOTA.—

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

20 (B) LULLABY WHITE PINE RESERVE.—
21 Certain land in the Superior National Forest,
22 Gunflint Ranger District, totaling approxi-
23 mately 2,518 acres, in the South Brule Oppor-
24 tunity Area, northwest of Grand Marais in

1 Cook County, known as the “Lullaby White
2 Pine Reserve”.

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

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

14 (14) NEW MEXICO.—

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

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

22 (ii) to the southeast, by the Angostura
23 Creek watershed boundary;

24 (iii) to the southern side, by Trail 19
25 and the Pecos Wilderness; and

1 (iv) to the west, by the Agua Piedra
2 Creek watershed.

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

9 (i) to the north, by the Tierra
10 Amarilla Land Grant;

11 (ii) to the south, by Canada
12 Escondida;

13 (iii) to the west, by the Sustained
14 Yield Unit boundary and the Tierra
15 Amarilla Land Grant; and

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

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

22 (i) to the north, by the Pecos Wilder-
23 ness;

24 (ii) to the east, by the Cow Creek Wa-
25 tershed;

1 (iii) to the west, by the Cow Creek;

2 and

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

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

9 (15) NORTH CAROLINA.—

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

24 (B) CHATTOOGA WATERSHED CLUSTER,
25 NORTH CAROLINA AREAS.—Certain land in the

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

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

19 (D) BALD MOUNTAINS.—Certain land in
20 the Pisgah National Forest, French Broad
21 Ranger District, totaling approximately 13,000
22 acres known as the “Bald Mountains”, located
23 12 miles northeast of the town of Hot Springs,
24 in Madison County.

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

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

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

1 Blowing Rock, in Burke County, McDowell
2 County, Avery County, and Caldwell County.

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

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

22 (J) WILDCAT.—Certain land in the Pisgah
23 National Forest, French Broad Ranger Dis-
24 trict, totaling approximately 6,500 acres, known

1 as “Wildcat”, located 20 miles northwest of the
2 town of Canton, in Haywood County.

3 (16) OHIO.—

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

10 (i) to the northwest, by State High-
11 way 26;

12 (ii) to the northeast, by State High-
13 way 260;

14 (iii) to the southeast, by the Ohio
15 River; and

16 (iv) to the southwest, by Bear Run
17 and Danas Creek.

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

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

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

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

16 (ii) to 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
8 bounded—

9 (i) to the southeast, by State Highway
10 682 and State Highway 13;

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

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

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

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

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

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

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

8 (C) to the east, by the Arkansas-Oklahoma
9 border; and

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

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

19 (19) SOUTH CAROLINA.—

20 (A) BIG SHOALS, SOUTH CAROLINA
21 AREA.—Certain land in the Sumter National
22 Forest, Andrew Pickens Ranger District, in
23 Oconee County, totaling approximately 2,000
24 acres, known as “Big Shoals, South Carolina

1 Area”, 15 miles south of Highlands, North
2 Carolina.

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

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

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

22 (E) ELLICOTT ROCK EXTENSION, SOUTH
23 CAROLINA AREA.—Certain land in the Sumter
24 National Forest, Andrew Pickens Ranger Dis-
25 trict, in Oconee County, totaling approximately

1 2,000 acres, known as “Ellicott Rock Extension,
2 South Carolina Area”, located approximately
3 10 miles south of Cashiers, North Carolina.
4 lina.

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

12 (G) PERSIMMON MOUNTAIN.—Certain land
13 in the Sumter National Forest, Andrew Pickens
14 Ranger District, in Oconee County, totaling approximately
15 7,000 acres, known as “Persimmon
16 Mountain”, approximately 12 miles south of
17 Cashiers, North Carolina.

18 (H) ROCK GORGE, SOUTH CAROLINA
19 AREA.—Certain land in the Sumter National
20 Forest, Andrew Pickens Ranger District, in
21 Oconee County, totaling approximately 2,000
22 acres, known as “Rock Gorge, South Carolina
23 Area”, 12 miles southeast of Highlands, North
24 Carolina.

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

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

13 (20) SOUTH DAKOTA.—

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

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

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

23 (iii) to the west, by a fork of Rapid
24 Creek.

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

9 (i) bounded by Forest Roads 139 and
10 169 on the north, west, and south; and

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

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

20 (i) runs north along FDR 753 and
21 United States Highway Alt. 16, then along
22 SD 244 to the junction of Palmer Creek
23 Road, which serves generally as a north-
24 west limit;

1 (ii) heads south from the junction of
2 Highways 87 and 89;

3 (iii) runs southeast along Highway
4 87; and

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

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

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

16 (ii) to the north and northwest, by
17 Road 312; and

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

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

24 (21) TENNESSEE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (23) VERMONT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (24) VIRGINIA.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Slough”, and “Noname Lake”, in Ashland
2 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.—
16 On Federal land located in ancient forests, roadless areas
17 (except military installations), watershed protection areas
18 (except military installations), and special areas—

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

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

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

24 (b) MAINTENANCE OF EXISTING ROADS.—

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

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

10 (c) ENFORCEMENT.—

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

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

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

21 (4) CITIZEN SUITS.—

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

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

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

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

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

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

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

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

21 (E) PAYMENT OF DAMAGES.—

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

1 violators designated by the court to the
2 Treasury.

3 (ii) FEDERAL VIOLATOR.—

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

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

20 (III) COURT COSTS.—Any award
21 of costs of litigation and any award of
22 attorney fees shall be paid by a Fed-
23 eral violator not later than 40 days
24 after the date on which judgment is
25 rendered.

1 (5) WAIVER OF SOVEREIGN IMMUNITY.—

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

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

8 **TITLE III—EFFECTIVE DATE**

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

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

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

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

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