

108TH CONGRESS
1ST SESSION

S. 1938

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

IN THE SENATE OF THE UNITED STATES

NOVEMBER 24, 2003

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

A BILL

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

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

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

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

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

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purposes.

TITLE I—LAND MANAGEMENT

Sec. 101. Committee of scientists.

Sec. 102. Continuous forest inventory.

Sec. 103. Administration and management.

Sec. 104. Conforming amendments.

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

Sec. 201. Findings.

Sec. 202. Definitions.

Sec. 203. Designation of special areas.

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

TITLE III—EFFECTIVE DATE

Sec. 301. Effective date.

Sec. 302. Effect on existing contracts.

Sec. 303. Wilderness act exclusion.

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

7 (a) FINDINGS.—Congress finds that—

8 (1) Federal agencies that permit clearcutting
9 and other forms of even-age logging operations in-
10 clude the Forest Service, the United States Fish and
11 Wildlife Service, and the Bureau of Land Manage-
12 ment;

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

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

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

7 (C) suppressing competing species; and

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

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

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

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

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

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

25 (ii) disrupt the soil surface;

1 (iii) compact organic layers; and

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

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

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

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

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

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

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

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

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

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

8 (B) a decline in water quality;

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

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

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

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

23 (A) blowdowns;

24 (B) invasions by weed species; and

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

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

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

8 (B) decrease the recreational value of land;

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

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

21 (14) human beings depend on native biological
 22 resources, including plants, animals, and micro-orga-
 23 nisms—

24 (A) for food, medicine, shelter, and other
 25 important products; and

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

4 (15) alteration of native biodiversity has serious
 5 consequences for human welfare, as the United
 6 States irretrievably loses resources for research and
 7 agricultural, medicinal, and industrial development;

8 (16) 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 (17)(A) clearcutting and other forms of even-
 17 age management operations have significant delete-
 18 rious effects on native biodiversity, by reducing habi-
 19 tat 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; and

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

7 (ii) 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 (18) 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 (19) 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 (20) 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 (21) 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 (22) 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; and

1 (23) 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 purpose of this Act is to conserve
 7 native biodiversity and protect all native ecosystems on all
 8 Federal land against losses that result from—

9 (1) clearcutting and other forms of even-age
 10 logging operations; and

11 (2) logging in Ancient forests, roadless areas,
 12 watershed protection areas, and special areas.

13 **TITLE I—LAND MANAGEMENT**

14 **SEC. 101. COMMITTEE OF SCIENTISTS.**

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

19 “(h) COMMITTEE OF SCIENTISTS.—

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

23 “(A) who are not officers or employees of
 24 the Forest Service, of any other public entity,

1 or of any entity engaged in whole or in part
2 in the production of wood or wood products;

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

8 “(C) not more than one-third of whom are
9 foresters.

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

13 “(A) extensive training in conservation bi-
14 ology; and

15 “(B) field experience in selection manage-
16 ment.

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

23 “(4) TERMINATION.—The committee shall ter-
24minate on the date that is 10 years after the date
25 of enactment of the Act to Save America’s Forests.”

1 **SEC. 102. CONTINUOUS FOREST INVENTORY.**

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

9 (b) REQUIREMENTS.—A continuous forest inventory
 10 shall constitute a long-term monitoring and inventory sys-
 11 tem that—

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

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

16 (A) assess the impacts that human activi-
 17 ties are having on management of the eco-
 18 system;

19 (B) gauge—

20 (i) floristic and faunistic diversity,
 21 abundance, and dominance; and

22 (ii) economic and social value; and

23 (C) monitor changes in the age, structure,
 24 and diversity of species of trees and other vege-
 25 tation.

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

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

8 (1) develop a system for the continuous forest
 9 inventory by which certain guilds or indicator species
 10 are measured; and

11 (2) identify any changes to the continuous for-
 12 est inventory that are necessary to ensure that the
 13 continuous forest inventory is consistent with the
 14 most accurate scientific methods.

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

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

22 **SEC. 103. 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; SE-**
 2 **LECTION LOGGING; PROHIBITION OF**
 3 **CLEARCUTTING.**

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

6 “(1) National Forest System land, under this
 7 Act;

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

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

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

22 “(c) RESTRICTION ON USE OF CERTAIN LOGGING
 23 PRACTICES.—

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

25 “(A) AGE DIVERSITY.—The term ‘age di-
 26 versity’ means the naturally occurring range

1 and distribution of age classes within a given
2 species.

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

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

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

22 “(E) EVEN-AGE LOGGING OPERATION.—

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

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

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

6 “(III) within a period of 30
7 years, cuts or removes more than the
8 lesser of—

9 “(aa) the growth of the
10 basal area of all tree species (not
11 including a tree of a non-native
12 invasive tree species or an
13 invasive plantation species) in a
14 stand; or

15 “(bb) 20 percent of the
16 basal area of a stand.

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

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

1 “(I) a tree of a non-native
2 invasive tree species; or

3 “(II) an invasive plantation spe-
4 cies, if native longleaf pine are plant-
5 ed in place of the removed invasive
6 plantation species.

7 “(F) GENETIC DIVERSITY.—The term ‘ge-
8 netic diversity’ means the differences in genetic
9 composition within and among populations of a
10 species.

11 “(G) HIGH GRADING.—The term ‘high
12 grading’ means the removal of only the larger
13 or more commercially valuable trees in a stand,
14 resulting in an alteration in the natural range
15 of age diversity or species diversity in the stand.

16 “(H) INVASIVE PLANTATION SPECIES.—
17 The term ‘invasive plantation species’ means a
18 loblolly pine or slash pine that was planted or
19 managed by the Forest Service or any other
20 Federal agency as part of an even-aged
21 monoculture tree plantation.

22 “(I) NATIVE BIODIVERSITY.—

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

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

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

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

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

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

16 “(III) between communities of
 17 species;

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

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

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

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

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

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

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

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

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

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

16 “(IV) Eucalyptus (*Eucalyptus*
17 *globulus*);

18 “(V) Glossy buckthorn (*Rhamnus*
19 *frangula*);

20 “(VI) Melaleuca (*Melaleuca*
21 *quinquenervia*);

22 “(VII) Norway maple (*Acer*
23 *platanoides*);

24 “(VIII) Princess tree (*Paulownia*
25 *tomentosa*);

1 “(IX) Salt cedar (*Tamarix spe-*
2 *cies*);

3 “(X) Silk tree (*Albizia*
4 *julibrissin*);

5 “(XI) Strawberry guava
6 (*Psidium cattleianum*);

7 “(XII) Tree-of-heaven (*Ailanthus*
8 *altissima*);

9 “(XIII) Velvet tree (*Miconia*
10 *calvescens*); and

11 “(XIV) White poplar (*Populus*
12 *alba*).

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

17 “(L) SELECTION MANAGEMENT.—

18 “(i) IN GENERAL.—The term ‘selec-
19 tion management’ means a method of log-
20 ging that emphasizes the periodic, indi-
21 vidual selection and removal of varying size
22 and age classes of the weaker, nondomi-
23 nant cull trees in a stand and leaves uncut
24 the stronger dominant trees to survive and

1 reproduce, in a manner that works with
2 natural forest processes and—

3 “(I) ensures the maintenance of
4 continuous high forest cover where
5 high forest cover naturally occurs;

6 “(II) ensures the maintenance or
7 natural regeneration of all native spe-
8 cies in a stand;

9 “(III) ensures the growth and de-
10 velopment of trees through a range of
11 diameter or age classes to provide a
12 sustained yield of forest products in-
13 cluding clean water, rich soil, and na-
14 tive plants and wildlife; and

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

1 and birds, such as cavity nesting
2 woodpeckers).

3 “(ii) EXCLUSION.—

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

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

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

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

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

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

23 “(ii) a protection cover remaining
24 standing for any period of time.

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

4 “(O) STAND.—The term ‘stand’ means a
 5 biological community of trees on land described
 6 in subsection (a), comprised of not more than
 7 100 contiguous acres with sufficient identity of
 8 1 or more characteristics (including location, to-
 9 pography, and dominant species) to be managed
 10 as a unit.

11 “(P) TIMBER PURPOSE.—

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

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

21 “(Q) WITHIN-COMMUNITY DIVERSITY.—
 22 The term ‘within-community diversity’ means
 23 the distinctive assemblages of species and eco-
 24 logical processes that occur in various physical
 25 settings of the biosphere and distinct locations.

1 “(2) PROHIBITION OF CLEARCUTTING AND
 2 OTHER FORMS OF EVEN-AGE LOGGING OPER-
 3 ATIONS.—No clearcutting or other form of even-age
 4 logging operation shall be permitted in any stand or
 5 watershed.

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

13 “(A) prescribe a shift to selection manage-
 14 ment; or

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

17 “(i) undertake an active restoration of
 18 the native biodiversity of the stand; or

19 “(ii) permit the stand to regain native
 20 biodiversity.

21 “(4) ENFORCEMENT.—

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

1 “(B) PURPOSE.—The purpose of this para-
2 graph is to foster the widest and most effective
3 possible enforcement of subsection (g)(3)(B)
4 and this subsection.

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

11 “(D) CITIZEN SUITS.—

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

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

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

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

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

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

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

17 “(E) PAYMENT OF DAMAGES.—

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

23 “(ii) FEDERAL VIOLATOR.—

24 “(I) IN GENERAL.—Not later
25 than 40 days after the date on which

1 judgment is rendered, a damage
2 award under subparagraph (D)(ii) for
3 which the United States is determined
4 to be liable shall be paid from the
5 Treasury, as provided under section
6 1304 of title 31, United States Code,
7 to the person or persons designated to
8 receive the damage award.

9 “(II) USE OF DAMAGE AWARD.—

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

15 “(III) COURT COSTS.—Any

16 award of costs of litigation and any
17 award of attorney fees shall be paid
18 by a Federal violator not later than
19 40 days after the date on which judg-
20 ment is rendered.

21 “(F) WAIVER OF SOVEREIGN IMMUNITY.—

22 “(i) IN GENERAL.—The United States
23 (including agents and employees of the
24 United States) waives its sovereign immu-

1 nity in all respects in all actions under
 2 subsection (g)(3)(B) and this subsection.

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

5 **SEC. 104. CONFORMING AMENDMENTS.**

6 Section 6(g)(3) of the Forest and Rangeland Renew-
 7 able Resource Planning Act of 1974 (16 U.S.C.
 8 1604(g)(3)) is amended—

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

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

13 (3) by striking subparagraph (F).

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

19 **SEC. 201. FINDINGS.**

20 Congress finds that—

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

24 (2) less than 10 percent of the original
 25 unlogged forests of the United States remain, and

1 the vast majority of the remnants of the original for-
2 ests of the United States are located on Federal
3 land;

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

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

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

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

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

1 (8) Ancient forests continue to be threatened by
2 logging and deforestation and are rapidly dis-
3 appearing;

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

8 (10) 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 the northern spotted owl, marbled
12 murrelet, American marten, and other vertebrates,
13 invertebrates, vascular plants, and nonvascular
14 plants associated with those forests;

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

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

22 (13) large unfragmented forests, contained in
23 large part on roadless areas on Federal land, are
24 among the last refuges for native animal and plant
25 biodiversity, and are vital to maintaining viable pop-

1 ulations of threatened, endangered, sensitive, and
2 rare species;

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

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

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

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

22 (18) certain special forested areas provide habi-
23 tat for the survival and recovery of endangered and
24 threatened plant and wildlife species, such as grizzly

1 bears, spotted owls, Pacific salmon, and Pacific yew,
 2 that are harmed by extractive logging;

3 (19) many special forested areas on Federal
 4 land are considered sacred sites by native peoples;
 5 and

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

11 **SEC. 202. DEFINITIONS.**

12 In this title:

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

15 (A) the northwest Ancient forests, includ-
 16 ing—

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

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

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

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

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

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

ington, defined as “late successional and old-growth forests” in the general definition on page 28 of the report described in clause (i); and

(iii) Federal land classified as “Oregon Aquatic Diversity Areas”, as defined in the report described in clause (i); and

(C) the Sierra Nevada Ancient forests, including—

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

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

(iii) Federal land identified as “Potential Aquatic Diversity Management Areas” on the map on page 1497 of Volume II of the report described in clause (i).

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

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

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

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

12 (B) composed of—

13 (i) at least 1,000 acres west of the
 14 100th meridian (with up to ½ mile of im-
 15 proved roads per 1,000 acres);

16 (ii) at least 1,000 acres east of the
 17 100th meridian (with up to ½ mile of im-
 18 proved roads per 1,000 acres); or

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

23 (5) SECRETARY.—The term “Secretary”, with
 24 respect to any Federal land in an Ancient forest,
 25 roadless area, watershed protection area, or special

1 area, means the head of the Federal agency having
2 jurisdiction over the Federal land.

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

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

10 (B) is exemplary on a regional, national, or
11 international level.

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

15 (A) 300 feet from both sides of the active
16 stream channel of any permanently flowing
17 stream or river;

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

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

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

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

5 (a) IN GENERAL.—

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

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

11 (A) threatened species or endangered spe-
12 cies of plants or animals;

13 (B) rare or endangered ecosystems;

14 (C) key habitats necessary for the recovery
15 of endangered species or threatened species;

16 (D) recovery or restoration areas of rare or
17 underrepresented forest ecosystems;

18 (E) migration corridors;

19 (F) areas of outstanding biodiversity;

20 (G) old growth forests;

21 (H) commercial fisheries; and

22 (I) sources of clean water such as key wa-
23 tersheds.

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

- 1 (A) unusual geological formations;
- 2 (B) designated wild and scenic rivers;
- 3 (C) unique biota; and
- 4 (D) vistas.

5 (4) RECREATIONAL VALUES.—The recreational
 6 values of a special area may include the presence
 7 of—

- 8 (A) designated national recreational trails
- 9 or recreational areas;
- 10 (B) areas that are popular for such recre-
- 11 ation and sporting activities as—
 - 12 (i) hunting;
 - 13 (ii) fishing;
 - 14 (iii) camping;
 - 15 (iv) hiking;
 - 16 (v) aquatic recreation; and
 - 17 (vi) winter recreation;
- 18 (C) Federal land in regions that are under-
- 19 served in terms of recreation;
- 20 (D) land adjacent to designated wilderness
- 21 areas; and
- 22 (E) solitude.

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

1 (A) sites with Native American religious
2 significance; and

3 (B) historic or prehistoric archaeological
4 sites eligible for listing on the national historic
5 register.

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

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

13 (1) ALABAMA.—

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

20 (B) BRUSHY FORK.—Certain land in the
21 Bankhead National Forest, Bankhead Ranger
22 District, in Lawrence County, totaling approxi-
23 mately 6,200 acres, bounded by Forest Roads
24 249, 254, and 246 and Alabama Highway 33.

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

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

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

20 (F) BEAR BAY.—Certain land in the
 21 Conecuh National Forest, Conecuh District, in
 22 Covington County, totaling approximately 3,000
 23 acres, bounded by County Road 11, Forest
 24 Road 305, County Road 3, and the County
 25 Road connecting County Roads 3 and 11.

1 (2) ALASKA.—

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

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

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

24 (4) ARKANSAS.—

1 (A) COW CREEK DRAINAGE, ARKANSAS.—
 2 Certain land in the Ouachita National Forest,
 3 Mena Ranger District, in Polk County, totaling
 4 approximately 7,000 acres, known as “Cow
 5 Creek Drainage, Arkansas”, and bounded ap-
 6 proximately—

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

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

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

11 and

12 (iv) on 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

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

(D) LOWER BUFFALO RIVER WATERSHED.—Certain land in the Ozark National Forest, Sylamore Ranger District, totaling approximately 6,000 acres, including Forest Service land that has not been designated as a wilderness area before the date of enactment of this Act, located in the watershed of Big Creek southwest of the Leatherwood Wilderness Area, Searcy County and Marion County, and known as the “Lower Buffalo River Watershed”.

(E) UPPER BUFFALO RIVER WATERSHED.—Certain land in the Ozark National Forest, Buffalo Ranger District, totaling approximately 220,000 acres, comprised of Forest Service land that has not been designated as a wilderness area before the date of enactment of this Act, known as the “Upper Buffalo River Watershed”, located approximately 35 miles from the town of Harrison, Madison County, Newton County, and Searcy County, upstream of the confluence of the Buffalo River and Richland Creek in the watersheds of—

(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, includ-
 15 ing—

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 in-
 6 cluding—

- 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-

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

(C) QUARREL CREEK.—Certain land in the Shawnee National Forest, totaling approximately 490 acres, located in northern Pope County in the Quarrel Creek watershed, in the area generally known as “Quarrel Creek”.

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

(11) MINNESOTA.—

(A) TROUT LAKE AND SUOMI HILLS.—Certain land in the Chippewa National Forest, totaling approximately 12,000 acres, known as “Trout Lake/Suomi Hills” in Itasca County.

(B) LULLABY WHITE PINE RESERVE.—Certain land in the Superior National Forest, Gunflint Ranger District, totaling approximately 2,518 acres, in the South Brule Opportunity 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) on the northeast, by Highway 518;

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

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

1 (iv) on 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) on the north, by the Tierra
10 Amarilla Land Grant;

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

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

16 (iv) on 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) on the north, by the Pecos Wilder-
23 ness;

24 (ii) on the east, by the Cow Creek
25 Watershed;

1 (iii) on the west, by the Cow Creek;
 2 and

3 (iv) on 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

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

(16) OHIO.—

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

(i) on the northwest, by State Highway 26;

(ii) on the northeast, by State Highway 260;

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

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

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

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

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

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

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

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

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

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

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

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

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

15 (G) WILDCAT HOLLOW.—Certain land in
16 the Athens Ranger District of the Wayne Na-
17 tional Forest, in Perry County and Morgan
18 County, known as “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 (17) 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.

(18) 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”.

(19) 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, totalling approximately 6,600 acres,
16 and comprised of Allegheny National Forest
17 land bounded—

18 (i) on the north, by a snowmobile
19 trail;

20 (ii) on the east, by Minister Road;

21 (iii) on the south, by State Route 666
22 and private land;

23 (iv) on the southwest, by Forest Serv-
24 ice Road 420; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (20) 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.

(21) 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 (22) 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

1 Elizabethton, in Sullivan County and Johnson
2 County.

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

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

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

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

(H) UNAKA MOUNTAINS CLUSTER, TENNESSEE AREAS.—Certain land in the Cherokee National Forest, Unaka Ranger District, totaling approximately 15,669 acres, known as the “Unaka Mountains Cluster, Tennessee Areas”, comprised of 3 parcels known as “Nolichucky”, “Unaka Mountain Extension”, and “Stone Mountain”, approximately 8 miles from Erwin, in Unicoi County and Carter County.

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

(A) on the west, by Upland Island Wilderness Area;

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

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

3 (24) VERMONT.—

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

- 9 (i) on the north, by Kelly Stand Road;
- 10 (ii) on the east, by Forest Road 71;
- 11 (iii) on the south, by Route 9; and
- 12 (iv) on the west, by Route 7.

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

- 18 (i) on the west, by Route 8;
- 19 (ii) on the south, by Route 100;
- 20 (iii) on the north, by Route 9; and
- 21 (iv) on the east, by land owned by
22 New England Power Company.

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

known as “Robert Frost Mountain Area”, located northeast of Middlebury, consisting of the Forest Service land bounded—

(i) on the west, by Route 116;

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

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

(iv) on the south, by Route 125.

(25) VIRGINIA.—

(A) BEAR CREEK.—Certain land in the Jefferson National Forest, Wythe Ranger District, known as “Bear Creek”, north of Rural Retreat, in Smyth County and Wythe County.

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

(C) DISMAL CREEK.—Certain land totaling approximately 6,000 acres, in the Jefferson National Forest, Blacksburg Ranger District, known as “Dismal Creek”, north of State 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 (26) 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 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 (27) 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 1 or more injunctions
18 or other forms of equitable relief; and

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

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

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

3 (E) PAYMENT OF DAMAGES.—

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

9 (ii) FEDERAL VIOLATOR.—

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

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

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

7 (5) WAIVER OF SOVEREIGN IMMUNITY.—

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

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

14 **TITLE III—EFFECTIVE DATE**

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

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

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

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

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

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

