

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5760

To fulfill President Clinton's commitments made as part of the designation of the Giant Sequoia National Monument by presidential proclamation to provide a transition from the timber sale program in effect before the designation to the more restrictive management anticipated for the national monument, to promote the Kings River Research Project in the Sierra National Forest, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2006

Mr. NUNES introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To fulfill President Clinton's commitments made as part of the designation of the Giant Sequoia National Monument by presidential proclamation to provide a transition from the timber sale program in effect before the designation to the more restrictive management anticipated for the national monument, to promote the Kings River Research Project in the Sierra National Forest, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Giant Sequoia Na-  
3 tional Monument Transition Act of 2006”.

4 **SEC. 2. RATIFICATION OF GIANT SEQUOIA NATIONAL**  
5 **MONUMENT TRANSITIONAL TIMBER SALE**  
6 **PROGRAM.**

7 (a) **COMPLETION OF TIMBER SALES RECOGNIZED IN**  
8 **DESIGNATION PROCLAMATION.**—The Secretary of Agri-  
9 culture may proceed with and complete each timber sale  
10 located within the boundaries of the Giant Sequoia Na-  
11 tional Monument—

12 (1) that was under contract as of April 15,  
13 2000, the date of the designation of the national  
14 monument by Presidential Proclamation No. 7295  
15 (65 Fed. Reg. 24095); or

16 (2) for which a decision notice was signed after  
17 January 1, 1999, but prior to December 31, 1999.

18 (b) **COMPLETION TERMS.**—Completion of a timber  
19 sale described in subsection (a) shall be consistent with  
20 the terms of the applicable contract or decision notice, and  
21 nothing in such contract terms or decision notice shall be  
22 considered to be arbitrary or capricious under any provi-  
23 sion of law so long as trees greater than 30 inches in di-  
24 ameter at breast height are not harvested for other than  
25 safety reasons, as determined by the Secretary. Modifica-

1 tion or amendment of any of the timber sale contract  
2 terms or decision notices shall not be required.

3 (c) PROMPT IMPLEMENTATION.—Effective upon the  
4 date of the enactment of this Act, implementation of the  
5 timber sales described in subsection (a) may proceed im-  
6 mediately and to completion, notwithstanding any pre-  
7 vious or future amendments or revisions to the Sequoia  
8 Land and Resource Management Plan or the Giant Se-  
9 quoia National Monument Management Plan.

10 **SEC. 3. KINGS RIVER RESEARCH PROJECT, SIERRA NA-**  
11 **TIONAL FOREST.**

12 (a) REDESIGNATION OF EXISTING DEMONSTRATION  
13 PROJECT.—The Secretary of Agriculture shall designate  
14 the Kings River Demonstration Project in the Sierra Na-  
15 tional Forest as the “Kings River Research Project” as  
16 a means to address disputes over fuels reduction projects  
17 and the short-term and long-term benefits and impacts re-  
18 lated to wildlife, watershed, and other resources.

19 (b) RESEARCH PURPOSES.—Under the Kings River  
20 Research Project, the Secretary shall provide for research  
21 about the potential short-term and long-term positive and  
22 negative impacts of fuels reduction and forest health treat-  
23 ments on the Pacific fisher, California spotted owl, and  
24 the Kings River watershed, including impacts from pre-

1 scribed burning, uneven-aged timber harvest, and possible  
2 catastrophic wildfire.

3 (c) IMPLEMENTATION.—To expedite implementation  
4 of the Kings River Research Project, the Secretary shall  
5 complete the final environmental impact statement and  
6 issue the record of decision for the Project not later than  
7 October 31, 2006.

8 (d) COMPLIANCE.—Because of unnaturally heavy fuel  
9 loads and the importance of promptly furthering the un-  
10 derstanding of the relationship between vegetation man-  
11 agement and the impacts on other resources, the final en-  
12 vironmental impact statement and record of decision for  
13 the Kings River Research Project, along with all actions  
14 implementing the Project, including any research, stew-  
15 ardship contracts, vegetation management projects, and  
16 timber sales, shall be deemed to be in compliance with the  
17 Forest and Rangeland Renewable Resources Planning Act  
18 of 1974 (16 U.S.C. 1600 et seq.), section 14 of the Na-  
19 tional Forest Management Act of 1976 (16 U.S.C. 472a),  
20 the National Environmental Policy Act of 1969 (42 U.S.C.  
21 4331 et seq.), and other applicable environmental laws,  
22 so long as any timber removed under the Project is re-  
23 moved using uneven-aged silvicultural treatments.

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