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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

CIEDRA SUMMARY

April 12, 2010

Central Idaho Economic Development and Recreation Act

TITLE I—WILDERNESS DESIGNATIONS

New Wilderness Areas

Hemingway-Boulders Wilderness—110,217 acres of federal land in the Sawtooth and Challis National Forests will become the Hemingway-Boulders Wilderness, to be managed by the Sawtooth National Forest.

White Clouds Wilderness—90,888 acres of federal land in the Sawtooth and Challis National Forests will become the White Clouds Wilderness, to be managed by the Sawtooth National Forest.

Jerry Peak Wilderness—131,670 acres of federal land in the Challis National Forest and Challis District of the Bureau of Land Management will become the Jerry Peak Wilderness, to be managed by the Challis BLM.

Wilderness Study Areas Released

The following areas totaling 131,616 acres have been studied for wilderness and will be released to be managed as lands within the Challis BLM, Sawtooth National Recreation Area or Salmon-Challis National Forest:

- The Jerry Peak Wilderness Study Area
- The Jerry Peak West Wilderness Study Area
- The Corral-Horse Basin Wilderness Study Area
- The Boulder Creek Wilderness Study Area

Fire, Insects and Disease

Within wilderness areas, the Secretary may take such measures as necessary for the control of fire, insects, and disease in accordance with the Wilderness Act.

Livestock Grazing

Grazing shall continue on wilderness lands—Within the wilderness areas, the grazing of livestock shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary determines to be necessary, in accordance with the Wilderness Act and grazing guidelines described in House Report 96–617 of the 96th Congress; and with the guidelines described in Appendix A of House Report 101–405 of the 101st Congress.

Voluntary donation of grazing permits and compensation—The Secretary shall accept the voluntary donation of any valid existing leases or permits authorizing grazing on public land or National Forest System land, all or a portion of which are within the area depicted as the “Boulder White Clouds Grazing Area” on the map entitled “Boulder White Clouds Grazing Area,” dated January 27, 2010. Those ranchers voluntarily donating permits may be eligible for compensation.

Partial donation—A person holding a valid grazing permit or lease for a grazing allotment partially within the area described may elect to donate only the portion of the grazing permit or lease that is within the area.

Termination of grazing permits—With respect to each permit or lease donated, the Secretary shall terminate the grazing permit or lease or portion of the permit or lease and ensure a permanent end to grazing on the land covered by the permit or lease or portion of the permit or lease.

Common allotments—If the land covered by a permit or lease donated is also covered by another valid grazing permit or lease that is not donated, the Secretary shall reduce the authorized level on the land covered by the permit or lease to reflect the donation of the permit.

Partial donation—If a person holding a valid grazing permit or lease donates less than the full amount of grazing use authorized under the permit or lease, the Secretary shall reduce the authorized grazing level to reflect the donation and modify the permit or lease to reflect the revised level or area of use.

Outfitting and Guide Activities

Outfitting and guiding authorized—In accordance with the Wilderness Act, commercial services (including authorized outfitting and guide activities) within the wilderness areas are authorized to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the wilderness areas.

Fish and Wildlife

State of Idaho jurisdiction—Nothing in this bill affects the jurisdiction of the State of Idaho with respect to the management of fish and wildlife on public land in the State, including the regulation of hunting, fishing, and trapping within the wilderness areas. The Secretary, in consultation with the appropriate State agency, may designate areas in which, and establish periods during which, no hunting, fishing, or trapping is permitted within the wilderness areas for reasons of public safety, administration, or compliance with existing laws.

Access

The Secretary shall provide the owner of State or private property within the boundary of a wilderness area adequate access to the property.

Water Rights

No affects on existing water rights—Nothing in this title affects valid existing water rights, including any water right in the State of Idaho in existence on the date of enactment of this bill; any water right held by the United States; and water rights for the Salmon Wild and Scenic River established under the Snake River Basin Adjudication.

No affect on existing agreement—Nothing in this bill limits, alters, modifies, or amends any interstate compact or equitable apportionment decree in existence on the date of enactment of this Act that apportions water among and between the State of Idaho and other States or limits, alters or modifies the Sawtooth National Recreation Area Act.

Military Overflights

Military overflights allowed—Nothing in this bill restricts or precludes low-level overflights of military aircraft over the wilderness areas, including military overflights that can be seen or heard within the wilderness areas; flight testing and evaluation; the designation or creation of new units of special use airspace; or the establishment of military flight training routes over the wilderness areas.

Adjacent Activities

No wilderness “buffer” zone—Nothing in this title creates a protective perimeter or buffer zone around a wilderness area.

Outside activities not affected by wilderness—The fact that an activity or use on land outside a wilderness area can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

Native American and Cultural Uses

Nothing in this bill diminishes the treaty rights of any Indian tribe.

Acquisitions within Wilderness Boundary

Purchase from willing seller—The Secretary may acquire any land or interest in land within the boundaries of the wilderness areas by donation, exchange, or purchase from a willing seller.

Land Exchange—Not later than three years after the date of enactment of this Act, the Secretary shall seek to complete an exchange for State land located within the boundaries of the wilderness areas designated by this title.

Incorporation in Wilderness—Any land or interest in land located inside the boundary of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to, and administered as part of the, wilderness area.

TITLE II—LAND CONVEYANCES

Blaine County, Idaho

Smiley Creek Rural Fire Protection District—The Secretary of Agriculture, in consultation with the Smiley Creek Rural Fire Protection District, shall identify an appropriate site (not to exceed two acres) in the vicinity of the Smiley Creek community, for construction and use of a fire station for the Smiley Creek Rural Fire Protection District. The Secretary may provide for the use of the site identified through a special use permit or conveyance to the Smiley Creek Rural Fire Protection District, without consideration.

Smiley Creek Rural Fire Protection District Well Site—The Secretary of Agriculture may issue a special use permit to the Smiley Creek Rural Fire Protection District for development of a well to be used for fire protection and other public purposes on land identified by the Secretary and the Fire Protection District as appropriate for development of a well.

School Bus Turnaround—The Secretary of Agriculture shall issue a special use permit or convey, without consideration, to Blaine County, Idaho, land (not to exceed one acre) for use as a school bus turnaround, as generally depicted on the map entitled “Blaine County Conveyance – Eagle Creek Parcel – Proposed” and dated October 1, 2006.

Custer County, Idaho

Park and Campground—The Secretary of the Interior shall convey to Custer County, Idaho, without consideration, approximately 120 acres of land depicted as “Parcel A” on the map entitled “Custer County and City of Mackay Conveyances” and dated February 22, 2010, for use as a public park and campground.

Fire Hall—The Secretary of the Interior shall convey to Custer County, Idaho, without consideration, approximately 10 acres of land depicted as “Parcel B” on the map entitled “Custer County and City of Mackay Conveyances” and dated February 22, 2010, for use as a fire hall.

Shooting Range—The Secretary of the Interior shall convey to Custer County, Idaho, without consideration, approximately 201 acres of land depicted as “Parcel A” on the map entitled “Custer County and City of Challis Conveyances” and dated February 2, 2010, to be used for a public shooting range.

Waste Transfer Site—The Secretary of the Interior shall convey to Custer County, Idaho, without consideration, approximately 80 acres of land depicted as “Parcel C” on the map entitled “Custer County and City of Mackay Conveyances” and dated February 22, 2010, to be used for a waste transfer site.

Challis Public Purpose Land—The Secretary of the Interior shall convey to the City of Challis, Idaho, without consideration, approximately 126 acres of land within the area generally depicted as “Parcel B” on the map entitled “Custer County and City of Challis Conveyances” and dated February 2, 2010, to be used for public purposes.

Clayton Cemetery—The Secretary of the Interior shall convey to the City of Clayton, Idaho, without consideration, approximately 23 acres of land depicted as “Parcel A” on the map entitled “City of Clayton Conveyances” and dated July 28, 2009, for use as a public cemetery.

Clayton Park—The Secretary of the Interior shall convey to the City of Clayton, Idaho, without consideration, approximately two acres of land depicted as “Parcel B” on the map entitled “City of Clayton Conveyances” and dated July 28, 2009, for use as a public park or other public purpose.

Clayton Water Tower—The Secretary of the Interior shall convey to the City of Clayton, Idaho, without consideration, approximately two acres of land depicted as “Parcel C” on the map entitled “City of Clayton Conveyances” and dated July 28, 2009, for location of a water tower.

Wastewater Treatment Facility—The Secretary of the Interior shall convey to the City of Clayton, Idaho, without consideration, approximately six acres of land depicted as “Parcel D” on the map entitled “City of Clayton Conveyances” and dated July 28, 2009, (including any necessary access right-of-way across the river) for use as a wastewater treatment facility.

Reversionary Interest—If any parcel of land conveyed under this title ceases to be used for the public purpose for which the parcel was conveyed, the parcel shall, at the discretion of the Secretary, based on a determination that reversion is in the best interests of the United States, revert to the United States.

TITLE III—TRAVEL MANAGEMENT

Germania Creek Trail—The Secretary shall maintain a trail for single track, two-wheeled motorized and mechanized travel between the Hemingway-Boulders Wilderness and the White Clouds Wilderness designated by section. The Secretary shall manage the trail in accordance with applicable laws to provide for recreational travel and to minimize any adverse impacts to natural and cultural resources. The Secretary shall monitor the trail to assess whether the trail is appropriately maintained to provide for recreational travel and to minimize any adverse impacts to natural and cultural resources. The Secretary may temporarily close the trail to any or all uses to minimize any adverse impacts to natural and cultural resources, to protect public safety, for maintenance or other administrative uses, or to provide opportunities for nonmotorized uses.

Partial Closures of Forest Service Trails 109 and 671—The portion of Forest Service Trail 109 between the Phyllis Lake turnoff to Fourth of July Lake and the south side of Washington Lake and Forest Service Trail 671 up Warm Springs Creek from Forest Service Trail 104 to the wilderness boundary shall be closed to motorized use. The Secretary may permit use by over-snow vehicles when the snow cover is adequate to provide safe recreational travel and to minimize any adverse impacts to natural and cultural resources.

Frog Lake Loop—Neither the designation of the White Clouds Wilderness nor the exclusion of portions of Forest Service trails 047 and 682 (commonly known as the “Frog Lake Loop Trail”) from the wilderness shall affect the management of those trails for motorized or mechanized travel in accordance with existing laws. If the Secretary allows for motorized or mechanized travel on portions of Forest Service trails 047 and 682, the trails shall be limited to single track, two-wheeled motorized and mechanized use.

Murdock Creek Wheelchair-Accessible Trail—The Secretary shall make such improvements as may be necessary to maintain the first mile of the Murdock Creek Trail as a primitive, nonpaved, and wheelchair-accessible trail.