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(Original Signature of Member)

114TH CONGRESS
1ST SESSION

H. R.

To establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SIMPSON introduced the following bill; which was referred to the Committee on _____

A BILL

To establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Sawtooth National Recreation Area and Jerry Peak Wil-
6 derness Additions Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

TITLE I—WILDERNESS DESIGNATIONS

- Sec. 101. Additions to National Wilderness Preservation System in the State of Idaho.
- Sec. 102. Administration.
- Sec. 103. Water rights.
- Sec. 104. Military overflights.
- Sec. 105. Adjacent management.
- Sec. 106. Native American cultural and religious uses.
- Sec. 107. Acquisition of land and interests in land.
- Sec. 108. Wilderness review.

TITLE II—LAND CONVEYANCES FOR PUBLIC PURPOSES

- Sec. 201. Short title.
- Sec. 202. Blaine County, Idaho.
- Sec. 203. Custer County, Idaho.
- Sec. 204. City of Challis, Idaho.
- Sec. 205. City of Clayton, Idaho.
- Sec. 206. City of Stanley, Idaho.
- Sec. 207. Terms and conditions of permits or land conveyances.

3 **SEC. 2. DEFINITIONS.**

4 In this Act:

5 (1) SECRETARY.—The term “Secretary”
6 means—

7 (A) the Secretary of Agriculture, with re-
8 spect to land administered by the Forest Serv-
9 ice; or

10 (B) the Secretary of the Interior, with re-
11 spect to land administered by the Bureau of
12 Land Management.

13 (2) WILDERNESS AREA.—The term “wilderness
14 area” means any of the areas designated as a com-

1 ponent of the National Wilderness Preservation Sys-
2 tem by section 101.

3 **TITLE I—WILDERNESS**
4 **DESIGNATIONS**

5 **SEC. 101. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
6 **VATION SYSTEM IN THE STATE OF IDAHO.**

7 (a) HEMINGWAY-BOULDERS WILDERNESS.—In ac-
8 cordance with the Wilderness Act (16 U.S.C. 1131 et
9 seq.), certain Federal lands in the Sawtooth and Challis
10 National Forests in the State of Idaho, comprising ap-
11 proximately 67,998 acres, as generally depicted on the
12 map entitled “Hemingway/Boulders Wilderness Area-Pro-
13 posed” and dated February 25, 2015, are designated as
14 wilderness and as a component of the National Wilderness
15 Preservation System, which shall be known as the “Hem-
16 ingway-Boulders Wilderness”.

17 (b) WHITE CLOUDS WILDERNESS.—In accordance
18 with the Wilderness Act (16 U.S.C. 1131 et seq.), certain
19 Federal lands in the Sawtooth and Challis National For-
20 ests in the State of Idaho, comprising approximately
21 90,769 acres, as generally depicted on the map entitled
22 “White Clouds Wilderness Area-Proposed” and dated
23 March 13, 2014, are designated as wilderness and as a
24 component of the National Wilderness Preservation Sys-

1 tem, which shall be known as the “White Clouds Wilder-
2 ness”.

3 (c) JIM MCCLURE-JERRY PEAK WILDERNESS.—In
4 accordance with the Wilderness Act (16 U.S.C. 1131 et
5 seq.), certain Federal lands in the Challis National Forest
6 and Challis District of the Bureau of Land Management
7 in the State of Idaho, comprising approximately 116,898
8 acres, as generally depicted on the map entitled “Jim
9 McClure-Jerry Peak Wilderness” and dated February 21,
10 2015, are designated as wilderness and as a component
11 of the National Wilderness Preservation System, which
12 shall be known as the “Jim McClure-Jerry Peak Wilder-
13 ness”.

14 (d) MAPS AND LEGAL DESCRIPTIONS.—

15 (1) IN GENERAL.—As soon as practicable after
16 the date of enactment of this Act, the Secretary
17 shall submit to the Committee on Energy and Nat-
18 ural Resources of the Senate and the Committee on
19 Natural Resources of the House of Representatives
20 a map and legal description for each wilderness area.

21 (2) EFFECT.—Each map and legal description
22 submitted under paragraph (1) shall have the same
23 force and effect as if included in this Act, except
24 that the Secretary may correct minor errors in the
25 map or legal description.

1 (3) AVAILABILITY.—Each map and legal de-
2 scription submitted under paragraph (1) shall be
3 available in the appropriate offices of the Forest
4 Service or the Bureau of Land Management.

5 **SEC. 102. ADMINISTRATION.**

6 (a) IN GENERAL.—Subject to valid existing rights,
7 each wilderness area shall be administered by the Sec-
8 retary in accordance with the Wilderness Act (16 U.S.C.
9 1131 et seq.), except that—

10 (1) any reference in that Act to the effective
11 date shall be considered to be a reference to the date
12 of enactment of this Act; and

13 (2) with respect to wilderness areas that are ad-
14 ministered by the Secretary of the Interior, any ref-
15 erence in the Wilderness Act to the Secretary of Ag-
16 riculture shall be considered to be a reference to the
17 Secretary of the Interior.

18 (b) CONSISTENT INTERPRETATION.—The Secretary
19 of Agriculture and the Secretary of the Interior shall seek
20 to ensure that the wilderness areas are interpreted for the
21 public as an overall complex linked by—

22 (1) common location in the Boulder-White
23 Cloud Mountains; and

1 (2) common identity with the natural and cul-
2 tural history of the State of Idaho and the Native
3 American and pioneer heritage of the State.

4 (c) COMPREHENSIVE WILDERNESS MANAGEMENT
5 PLAN.—Not later than 3 years after the date of enactment
6 of this Act, the Secretary of Agriculture and the Secretary
7 of the Interior shall collaboratively develop wilderness
8 management plans for the wilderness areas.

9 (d) FIRE, INSECTS, AND DISEASE.—Within the wil-
10 derness areas, the Secretary may take such measures as
11 the Secretary determines to be necessary for the control
12 of fire, insects, and disease in accordance with section
13 4(d)(1) of the Wilderness Act (16 U.S.C. 1131(d)(1)).

14 (e) LIVESTOCK.—

15 (1) IN GENERAL.—Within the wilderness areas,
16 the grazing of livestock in which grazing is estab-
17 lished before the date of enactment of this Act shall
18 be allowed to continue, subject to such reasonable
19 regulations, policies, and practices as the Secretary
20 determines to be necessary, in accordance with—

21 (A) section 4(d)(4) of the Wilderness Act
22 (16 U.S.C. 1131(d)(4));

23 (B) with respect to wilderness areas ad-
24 ministered by the Secretary of Agriculture, the

1 guidelines described in House Report 96–617 of
2 the 96th Congress; and

3 (C) with respect to wilderness areas ad-
4 ministered by the Secretary of the Interior, the
5 guidelines described in appendix A of House
6 Report 101–405 of the 101st Congress.

7 (2) DONATION OF GRAZING PERMITS AND
8 LEASES.—

9 (A) ACCEPTANCE BY SECRETARY.—

10 (i) IN GENERAL.—The Secretary shall
11 accept the donation of any valid existing
12 leases or permits authorizing grazing on
13 public land or National Forest System
14 land, all or a portion of which are within
15 the area depicted as the “Boulder White
16 Clouds Grazing Area” on the map entitled
17 “Boulder White Clouds Grazing Area
18 Map” and dated January 27, 2010.

19 (ii) PARTIAL DONATION.—A person
20 holding a valid grazing permit or lease for
21 a grazing allotment partially within the
22 area described in clause (i) may elect to
23 donate only the portion of the grazing per-
24 mit or lease that is within the area.

1 (B) TERMINATION.—With respect to each
2 permit or lease donated under subparagraph
3 (A), the Secretary shall—

4 (i) terminate the grazing permit or
5 lease or portion of the permit or lease; and

6 (ii) except as provided in subpara-
7 graph (C), ensure a permanent end to
8 grazing on the land covered by the permit
9 or lease or portion of the permit or lease.

10 (C) COMMON ALLOTMENTS.—

11 (i) IN GENERAL.—If the land covered
12 by a permit or lease donated under sub-
13 paragraph (A) is also covered by another
14 valid grazing permit or lease that is not
15 donated, the Secretary shall reduce the au-
16 thorized level on the land covered by the
17 permit or lease to reflect the donation of
18 the permit or lease under subparagraph
19 (A).

20 (ii) AUTHORIZED LEVEL.—To ensure
21 that there is a permanent reduction in the
22 level of grazing on the land covered by the
23 permit or lease donated under subpara-
24 graph (A), the Secretary shall not allow

1 grazing use to exceed the authorized level
2 established under clause (i).

3 (D) PARTIAL DONATION.—If a person
4 holding a valid grazing permit or lease donates
5 less than the full amount of grazing use author-
6 ized under the permit or lease, the Secretary
7 shall—

8 (i) reduce the authorized grazing level
9 to reflect the donation; and

10 (ii) modify the permit or lease to re-
11 flect the revised level or area of use.

12 (f) OUTFITTING AND GUIDE ACTIVITIES.—In accord-
13 ance with section 4(d)(5) of the Wilderness Act (16 U.S.C.
14 1133(d)(5)), commercial services (including authorized
15 outfitting and guide activities) within the wilderness areas
16 are authorized to the extent necessary for activities which
17 are proper for realizing the recreational or other wilder-
18 ness purposes of the wilderness areas.

19 (g) FISH AND WILDLIFE.—Nothing in this title af-
20 fects the jurisdiction of the State of Idaho with respect
21 to the management of fish and wildlife on public land in
22 the State, including the regulation of hunting, fishing, and
23 trapping within the wilderness areas.

24 (h) ACCESS.—In accordance with section 5(a) of the
25 Wilderness Act (16 U.S.C. 1134(a)), the Secretary shall

1 provide the owner of State or private property within the
2 boundary of a wilderness area adequate access to the prop-
3 erty.

4 **SEC. 103. WATER RIGHTS.**

5 (a) STATUTORY CONSTRUCTION.—Nothing in this
6 title—

7 (1) shall constitute either an express or implied
8 reservation by the United States of any water rights
9 with respect to the wilderness areas designated by
10 section 101;

11 (2) affects any water rights—

12 (A) in the State of Idaho existing on the
13 date of enactment of this Act, including any
14 water rights held by the United States; or

15 (B) decreed in the Snake River Basin Ad-
16 judication, including any stipulation approved
17 by the court in such adjudication between the
18 United States and the State of Idaho with re-
19 spect to such water rights; or

20 (3)(A) establishes a precedent with regard to
21 any future wilderness designations; or

22 (B) limits, alters, modifies, or amends section 9
23 of the Sawtooth National Recreation Area Act (16
24 U.S.C. 460aa–8).

25 (b) NEW PROJECTS .—

1 (1) PROHIBITION.—Except as otherwise pro-
2 vided in this Act, on and after the date of the enact-
3 ment of this Act, neither the President nor any
4 other officer, employee, or agent of the United
5 States shall fund, assist, authorize, or issue a license
6 or permit for the development of any new water re-
7 source facility inside any of the wilderness areas des-
8 ignated by section 101.

9 (2) DEFINITION.—In this subsection, the term
10 “water resource facility” means irrigation and
11 pumping facilities, reservoirs, water conservation
12 works, aqueducts, canals, ditches, pipelines, wells,
13 hydropower projects, and transmission and other an-
14 cillary facilities, and other water diversion, storage,
15 and carriage structures.

16 **SEC. 104. MILITARY OVERFLIGHTS.**

17 Nothing in this title restricts or precludes—

18 (1) low-level overflights of military aircraft over
19 the wilderness areas, including military overflights
20 that can be seen or heard within the wilderness
21 areas;

22 (2) flight testing and evaluation; or

23 (3) the designation or creation of new units of
24 special use airspace, or the establishment of military
25 flight training routes, over the wilderness areas.

1 **SEC. 105. ADJACENT MANAGEMENT.**

2 (a) IN GENERAL.—Nothing in this title creates a pro-
3 tective perimeter or buffer zone around a wilderness area.

4 (b) ACTIVITIES OUTSIDE WILDERNESS AREA.—The
5 fact that an activity or use on land outside a wilderness
6 area can be seen or heard within the wilderness area shall
7 not preclude the activity or use outside the boundary of
8 the wilderness area.

9 **SEC. 106. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
10 **USES.**

11 Nothing in this title diminishes the treaty rights of
12 any Indian tribe.

13 **SEC. 107. ACQUISITION OF LAND AND INTERESTS IN LAND.**

14 (a) ACQUISITION.—

15 (1) IN GENERAL.—The Secretary may acquire
16 any land or interest in land within the boundaries of
17 the wilderness areas by donation, exchange, or pur-
18 chase from a willing seller.

19 (2) LAND EXCHANGE.—Not later than 3 years
20 after the date of enactment of this Act, the Sec-
21 retary shall seek to complete an exchange for State
22 land located within the boundaries of the wilderness
23 areas designated by this title.

24 (b) INCORPORATION IN WILDERNESS AREA.—Any
25 land or interest in land located inside the boundary of a
26 wilderness area that is acquired by the United States after

1 the date of enactment of this Act shall be added to, and
2 administered as part of the, wilderness area.

3 **SEC. 108. WILDERNESS REVIEW.**

4 (a) NATIONAL FOREST SYSTEM LAND.—Section 5 of
5 Public Law 92–400 (16 U.S.C. 460aa–4) is repealed.

6 (b) PUBLIC LAND.—

7 (1) FINDING.—Congress finds that, for pur-
8 poses of section 603 of the Federal Land Policy and
9 Management Act of 1976 (43 U.S.C. 1782), the
10 public land administered by the Bureau of Land
11 Management in the following wilderness study areas
12 have been adequately studied for wilderness designa-
13 tion:

14 (A) Jerry Peak Wilderness Study Area.

15 (B) Jerry Peak West Wilderness Study
16 Area.

17 (C) Corral-Horse Basin Wilderness Study
18 Area.

19 (D) Boulder Creek Wilderness Study Area.

20 (2) RELEASE.—Any public land within the
21 areas described in paragraph (1) that is not des-
22 ignated as wilderness by this title—

23 (A) shall not be subject to section 603(c)
24 of the Federal Land Policy and Management
25 Act of 1976 (43 U.S.C. 1782(c)); and

1 (B) shall be managed in accordance with
2 land management plans adopted under section
3 202 of that Act (43 U.S.C. 1712).

4 **TITLE II—LAND CONVEYANCES**
5 **FOR PUBLIC PURPOSES**

6 **SEC. 201. SHORT TITLE.**

7 This title may be cited as the “Central Idaho Eco-
8 nomic Development and Recreation Act”.

9 **SEC. 202. BLAINE COUNTY, IDAHO.**

10 The Secretary of Agriculture shall issue a special use
11 permit or convey to Blaine County, Idaho, without consid-
12 eration, not to exceed one acre of land for use as a school
13 bus turnaround, as generally depicted on the map entitled
14 “Blaine County Conveyance—Eagle Creek Parcel—Pro-
15 posed” and dated October 1, 2006.

16 **SEC. 203. CUSTER COUNTY, IDAHO.**

17 (a) **PARK AND CAMPGROUND.**—The Secretary of the
18 Interior shall convey to Custer County, Idaho (in this sec-
19 tion referred to as the “County”), without consideration,
20 approximately 114 acres of land depicted as “Parcel A”
21 on the map entitled “Custer County and City of Mackay
22 Conveyances” and dated April 6, 2010, for use as a public
23 park and campground, consistent with uses allowed under
24 the Act of June 14, 1926 (commonly known as the Recre-
25 ation and Public Purposes Act; 43 U.S.C. 869 et seq.).

1 (b) FIRE HALL.—The Secretary of the Interior shall
2 convey to the County, without consideration, approxi-
3 mately 10 acres of land depicted as “Parcel B” on the
4 map entitled “Custer County and City of Mackay Convey-
5 ances” and dated April 6, 2010, for use as a fire hall,
6 consistent with uses allowed under the Act of June 14,
7 1926 (commonly known as the Recreation and Public Pur-
8 poses Act; 43 U.S.C. 869 et seq.).

9 (c) WASTE TRANSFER SITE.—The Secretary of the
10 Interior shall convey to the County, without consideration,
11 approximately 80 acres of land depicted as “Parcel C” on
12 the map entitled “Custer County and City of Mackay Con-
13 veyances” and dated April 6, 2010, to be used for a waste
14 transfer site, consistent with uses allowed under the Act
15 of June 14, 1926 (commonly known as the Recreation and
16 Public Purposes Act; 43 U.S.C. 869 et seq.).

17 (d) FOREST SERVICE ROAD.—

18 (1) CONVEYANCE.—The Secretary of Agri-
19 culture shall convey to the County, without consider-
20 ation, the Forest Service road that passes through
21 the parcel of National Forest System land to be con-
22 veyed to the City of Stanley, Idaho, under section
23 206 from the junction of the road with Highway 75
24 to the junction with Valley Creek Road at the City
25 of Stanley boundary.

1 (2) RELOCATION.—The conveyance under para-
2 graph (1) is subject to the condition that the County
3 agree to relocate the portion of the road that passes
4 through the section 206 conveyance parcel to the
5 southeast along the boundary of the conveyance par-
6 cel.

7 **SEC. 204. CITY OF CHALLIS, IDAHO.**

8 The Secretary of the Interior shall convey to the City
9 of Challis, Idaho, without consideration, approximately
10 460 acres of land within the area generally depicted as
11 “Parcel B” on the map entitled “Custer County and City
12 of Challis Conveyances” and dated February 2, 2010, to
13 be used for public purposes consistent with uses allowed
14 under the Act of June 14, 1926 (commonly known as the
15 Recreation and Public Purposes Act; 43 U.S.C. 869 et
16 seq.).

17 **SEC. 205. CITY OF CLAYTON, IDAHO.**

18 (a) CEMETERY.—The Secretary of the Interior shall
19 convey to the City of Clayton, Idaho (in this section re-
20 ferred to as the “City”), without consideration, approxi-
21 mately 23 acres of land depicted as “Parcel A” on the
22 map entitled “City of Clayton Conveyances” and dated
23 April 6, 2010, for use as a public cemetery.

24 (b) PARK.—The Secretary of the Interior shall con-
25 vey to the City, without consideration, approximately two

1 acres of land depicted as “Parcel B” on the map entitled
2 “City of Clayton Conveyances” and dated April 6, 2010,
3 for use as a public park or other public purpose consistent
4 with uses allowed under the Act of June 14, 1926 (com-
5 monly known as the Recreation and Public Purposes Act;
6 43 U.S.C. 869 et seq.).

7 (c) WATER TOWER.—The Secretary of the Interior
8 shall convey to the City, without consideration, approxi-
9 mately two acres of land depicted as “Parcel C” on the
10 map entitled “City of Clayton Conveyances” and dated
11 April 6, 2010, for location of a water tower, consistent
12 with uses allowed under the Act of June 14, 1926 (com-
13 monly known as the Recreation and Public Purposes Act;
14 43 U.S.C. 869 et seq.).

15 (d) WASTEWATER TREATMENT FACILITY.—The Sec-
16 retary of the Interior shall convey to the City, without con-
17 sideration, approximately six acres of land depicted as
18 “Parcel D” on the map entitled “City of Clayton Convey-
19 ances” and dated April 6, 2010 (including any necessary
20 access right-of-way across the river), for use as a waste-
21 water treatment facility, consistent with uses allowed
22 under the Act of June 14, 1926 (commonly known as the
23 Recreation and Public Purposes Act; 43 U.S.C. 869 et
24 seq.).

1 (e) FIRE HALL.—The Secretary of the Interior shall
2 convey to the City, without consideration, approximately
3 two acres of land depicted as “Parcel E” on the map enti-
4 tled “City of Clayton Conveyances” and dated April 6,
5 2010, for use as a fire hall and related purposes, con-
6 sistent with uses allowed under the Act of June 14, 1926
7 (commonly known as the Recreation and Public Purposes
8 Act; 43 U.S.C. 869 et seq.).

9 **SEC. 206. CITY OF STANLEY, IDAHO.**

10 (a) WORKFORCE HOUSING.—The Secretary of Agri-
11 culture shall convey to the City of Stanley, Idaho (in this
12 section referred to as the “City”), without consideration,
13 a parcel of National Forest System land within the Saw-
14 tooth National Recreation Area, but outside the area man-
15 aged by the Sawtooth Interpretative and Historical Asso-
16 ciation under special use permit with the Secretary, that
17 consists of approximately four acres as indicated on the
18 map entitled “Custer County and City of Stanley Convey-
19 ance Parcel-Proposed” and dated February 24, 2015, for
20 the purpose of permitting the City to develop the parcel
21 to provide workforce housing for persons employed in the
22 City or its environs.

23 (b) NUMBER AND CONSTRUCTION OF HOUSING.—
24 The City will construct up to 20 apartment units on the
25 parcel conveyed under subsection (a). The actual design

1 and configuration of the apartment units will be deter-
2 mined by the City in consultation with the Secretary and
3 other interested parties, except that units may not exceed
4 two stories and must be located near or against the hillside
5 to blend in with the terrain.

6 (c) RECREATION AREA PRIVATE LAND USE REGULA-
7 TIONS.—The private land use regulations of the Sawtooth
8 National Recreation Area shall not apply to the parcel
9 conveyed under subsection (a), including with regard to
10 the number and type of apartments units to be con-
11 structed on the parcel.

12 (d) REMOVAL OF EXISTING STRUCTURE.—The Sec-
13 retary shall be responsible for the removal of the barn lo-
14 cated, as of the date of the enactment of this Act, on the
15 parcel to be conveyed under subsection (a). The Secretary
16 may remove the barn either before the conveyance of the
17 parcel or at such later date as the City may request.

18 (e) RELATION TO REQUIRED REVERSIONARY INTER-
19 EST.—Consistent with the reversionary interest required
20 by section 207(b), the City may contract for the develop-
21 ment and management of the apartment units constructed
22 on the parcel conveyed under subsection (a) so long as
23 the City retains ownership of the parcel in perpetuity.

1 **SEC. 207. TERMS AND CONDITIONS OF PERMITS OR LAND**
2 **CONVEYANCES.**

3 (a) **TERMS AND CONDITIONS.**—The issuance of a
4 special use permit or the conveyance of land under this
5 title shall be subject to any terms and conditions that the
6 Secretary determines to be appropriate.

7 (b) **REVERSIONARY INTEREST.**—If any parcel of land
8 conveyed under this title ceases to be used for the public
9 purpose for which the parcel was conveyed, the parcel
10 shall, at the discretion of the Secretary, based on a deter-
11 mination that reversion is in the best interests of the
12 United States, revert to the United States.