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 Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

3 (a) Short Title.—This Act may be cited as the “Sawtooth National Recreation Area and Jerry Peak Wilderness Additions Act”.
(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

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

TITLE I—WILDERNESS DESIGNATIONS

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. 203. Custer County, Idaho.
Sec. 204. City of Clayton, Idaho.
Sec. 205. Terms and conditions of permits or land conveyances.

SEC. 2. DEFINITIONS.

In this Act:

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

(A) the Secretary of Agriculture, with respect to land administered by the Forest Service; or

(B) the Secretary of the Interior, with respect to land administered by the Bureau of Land Management.

(2) WILDERNESS AREA.—The term “wilderness area” means any of the areas designated as a com-
ponent of the National Wilderness Preservation Sys-

tem by section 101.

TITLE I—WILDERNESS
DESIGNATIONS

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

(a) HEMINGWAY-BOULDERS WILDERNESS.—In ac-
cordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal lands in the Sawtooth and Challis
National Forests in the State of Idaho, comprising ap-
proximately 88,079 acres, as generally depicted on the
map entitled “Hemingway Wilderness Proposal” and
dated December 3, 2014, are designated as wilderness and
as a component of the National Wilderness Preservation
System, which shall be known as the “Hemingway-Boul-
ders Wilderness”.

(b) WHITE CLOUDS WILDERNESS.—In accordance
with the Wilderness Act (16 U.S.C. 1131 et seq.), certain
Federal lands in the Sawtooth and Challis National For-
est in the State of Idaho, comprising approximately
90,841 acres, as generally depicted on the map entitled
“White Clouds Wilderness Area-Proposed” and dated De-
cember 3, 2014, are designated as wilderness and as a
component of the National Wilderness Preservation Sys-
tem, which shall be known as the “White Clouds Wilderness”.

(c)  **JIM McCLURE-JERRY PEAK WILDERNESS.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal lands in the Challis National Forest and Challis District of the Bureau of Land Management in the State of Idaho, comprising approximately 117,040 acres, as generally depicted on the map entitled “Jerry Peak Wilderness” and dated December 9, 2014, are designated as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the “Jim McClure-Jerry Peak Wilderness”.

(d)  **MAPS AND LEGAL DESCRIPTIONS.**—

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

(2)  **EFFECT.**—Each map and legal description submitted under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct minor errors in the map or legal description.
(3) Availability.—Each map and legal description submitted under paragraph (1) shall be available in the appropriate offices of the Forest Service or the Bureau of Land Management.

SEC. 102. ADMINISTRATION.

(a) In general.—Subject to valid existing rights, each wilderness area shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

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

(2) with respect to wilderness areas that are administered by the Secretary of the Interior, any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(b) Consistent Interpretation.—The Secretary of Agriculture and the Secretary of the Interior shall seek to ensure that the wilderness areas are interpreted for the public as an overall complex linked by—

(1) common location in the Boulder-White Cloud Mountains; and
(2) common identity with the natural and cultural history of the State of Idaho and the Native American and pioneer heritage of the State.

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

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

(e) **LIVESTOCK.**—

(1) **IN GENERAL.**—Within the wilderness areas, the grazing of livestock in which grazing is established before the date of enactment of this Act shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary determines to be necessary, in accordance with—

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

(B) with respect to wilderness areas administered by the Secretary of Agriculture, the
guidelines described in House Report 96–617 of
the 96th Congress; and

(C) with respect to wilderness areas ad-
ministered by the Secretary of the Interior, the

guidelines described in appendix A of House
Report 101–405 of the 101st Congress.

(2) Donation of Grazing Permits and
Leases.—

(A) Acceptance by Secretary.—

(i) In General.—The Secretary shall
accept the 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
Map” and dated January 27, 2010.

(ii) Partial Donation.—A person
holding a valid grazing permit or lease for
a grazing allotment partially within the
area described in clause (i) may elect to
donate only the portion of the grazing per-
mit or lease that is within the area.
(B) TERMINATION.—With respect to each permit or lease donated under subparagraph (A), the Secretary shall—

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

(ii) except as provided in subparagraph (C), ensure a permanent end to grazing on the land covered by the permit or lease or portion of the permit or lease.

(C) COMMON ALLOTMENTS.—

(i) IN GENERAL.—If the land covered by a permit or lease donated under subparagraph (A) 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 or lease under subparagraph (A).

(ii) AUTHORIZED LEVEL.—To ensure that there is a permanent reduction in the level of grazing on the land covered by the permit or lease donated under subparagraph (A), the Secretary shall not allow
grazing use to exceed the authorized level established under clause (i).

(D) 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—

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

(ii) modify the permit or lease to reflect the revised level or area of use.

(f) OUTFITTING AND GUIDE ACTIVITIES.—In accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)), 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.

(g) FISH AND WILDLIFE.—

(1) IN GENERAL.—Nothing in this title 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.
(2) LIMITATIONS.—The Secretary, in consulta-
tion with the appropriate State agency (except in an
emergency), may designate areas in which, and es-
establish periods during which, no hunting, fishing, or
trapping is permitted within the wilderness areas for
reasons of public safety, administration, or compli-
ance with existing laws.

(h) ACCESS.—In accordance with section 5(a) of the
Wilderness Act (16 U.S.C. 1134(a)), the Secretary shall
provide the owner of State or private property within the
boundary of a wilderness area adequate access to the prop-
erty.

SEC. 103. WATER RIGHTS.

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

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

(2) affects any water rights—

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

(B) decreed in the Snake River Basin Ad-
judication, including any stipulation approved
11 by the court in such adjudication between the
2 United States and the State of Idaho with re-
3 spect to such water rights; or
4 (3)(A) establishes a precedent with regard to
5 any future wilderness designations; or
6 (B) limits, alters, modifies, or amends section 9
7 of the Sawtooth National Recreation Area Act (16
8 U.S.C. 460aa–8).
9 (b) NEW PROJECTS .—
10 (1) PROHIBITION. — Except as otherwise pro-
11 vided in this Act, on and after the date of the enact-
12 ment of this Act, neither the President nor any
13 other officer, employee, or agent of the United
14 States shall fund, assist, authorize, or issue a license
15 or permit for the development of any new water re-
16 source facility inside any of the wilderness areas des-
17 ignated by section 101.
18 (2) DEFINITION. — In this subsection, the term
19 “water resource facility” means irrigation and
20 pumping facilities, reservoirs, water conservation
21 works, aqueducts, canals, ditches, pipelines, wells,
22 hydropower projects, and transmission and other an-
23 cillary facilities, and other water diversion, storage,
24 and carriage structures.
SEC. 104. MILITARY OVERFLIGHTS.

Nothing in this title restricts or precludes—

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

(2) flight testing and evaluation; or

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

SEC. 105. ADJACENT MANAGEMENT.

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

(b) ACTIVITIES OUTSIDE WILDERNESS AREA.—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.

SEC. 106. NATIVE AMERICAN CULTURAL AND RELIGIOUS
USES.

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

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

(a) ACQUISITION.—

(1) IN GENERAL.—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.

(2) LAND EXCHANGE.—Not later than 3 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.

(b) INCORPORATION IN WILDERNESS AREA.—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.

SEC. 108. WILDERNESS REVIEW.

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

(b) PUBLIC LAND.—

(1) FINDING.—Congress finds that, for purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public land administered by the Bureau of Land Management in the following wilderness study areas have been adequately studied for wilderness designation:

(A) Jerry Peak Wilderness Study Area.
(B) Jerry Peak West Wilderness Study Area.

(C) Corral-Horse Basin Wilderness Study Area.

(D) Boulder Creek Wilderness Study Area.

(2) RELEASE.—Any public land within the areas described in paragraph (1) that is not designated as wilderness by this title—

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

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

TITLE II—LAND CONVEYANCES FOR PUBLIC PURPOSES

SEC. 201. SHORT TITLE.

This title may be cited as the “Central Idaho Economic Development and Recreation Act”.

SEC. 202. BLAINE COUNTY, IDAHO.

The Secretary of Agriculture shall issue a special use permit or convey, without consideration, to Blaine County, Idaho, not to exceed 1 acre of land 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.

SEC. 203. CUSTER COUNTY, IDAHO.

(a) PARK AND CAMPGROUND.—The Secretary of the Interior shall convey to Custer County, Idaho, without consideration, approximately 114 acres of land depicted as “Parcel A” on the map entitled “Custer County and City of Mackay Conveyances” and dated April 6, 2010, for use as a public park and campground, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(b) 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 April 6, 2010, for use as a fire hall, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(c) 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 April 6, 2010, to be
used for a waste transfer site, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(d) Public Purposes.—The Secretary of the Interior shall convey to the City of Challis, Idaho, without consideration, approximately 460 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 consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

SEC. 204. CITY OF CLAYTON, IDAHO.

(a) 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 April 6, 2010, for use as a public cemetery.

(b) Park.—The Secretary of the Interior shall convey to the City of Clayton, Idaho, without consideration, approximately 2 acres of land depicted as “Parcel B” on the map entitled “City of Clayton Conveyances” and dated April 6, 2010, for use as a public park or other public purpose consistent with uses allowed under the Act of
June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(c) WATER TOWER.—The Secretary of the Interior shall convey to the City of Clayton, Idaho, without consideration, approximately 2 acres of land depicted as “Parcel C” on the map entitled “City of Clayton Conveyances” and dated April 6, 2010, for location of a water tower, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(d) WASTEWATER TREATMENT FACILITY.—The Secretary of the Interior shall convey to the City of Clayton, Idaho, without consideration, approximately 6 acres of land depicted as “Parcel D” on the map entitled “City of Clayton Conveyances” and dated April 6, 2010 (including any necessary access right-of-way across the river), for use as a wastewater treatment facility, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

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

SEC. 205. TERMS AND CONDITIONS OF PERMITS OR LAND
CONVEYANCES.

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

(b) 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 deter-
mination that reversion is in the best interests of the
United States, revert to the United States.