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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 Clayton, Idaho.
- Sec. 205. 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 88,079 acres, as generally depicted on the
12 map entitled “Hemingway Wilderness Proposal” and
13 dated December 3, 2014, are designated as wilderness and
14 as a component of the National Wilderness Preservation
15 System, which shall be known as the “Hemingway-Boul-
16 ders 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 90,841 acres, as generally depicted on the map entitled
22 “White Clouds Wilderness Area-Proposed” and dated De-
23 cember 3, 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 117,040
8 acres, as generally depicted on the map entitled “Jerry
9 Peak Wilderness” and dated December 9, 2014, are des-
10 ignated as wilderness and as a component of the National
11 Wilderness Preservation System, which shall be known as
12 the “Jim McClure-Jerry Peak Wilderness”.

13 (d) MAPS AND LEGAL DESCRIPTIONS.—

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

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

20 (1) IN GENERAL.—Nothing in this title affects
21 the jurisdiction of the State of Idaho with respect to
22 the management of fish and wildlife on public land
23 in the State, including the regulation of hunting,
24 fishing, and trapping within the wilderness areas.

1 (2) LIMITATIONS.—The Secretary, in consulta-
2 tion with the appropriate State agency (except in an
3 emergency), may designate areas in which, and es-
4 tablish periods during which, no hunting, fishing, or
5 trapping is permitted within the wilderness areas for
6 reasons of public safety, administration, or compli-
7 ance with existing laws.

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

13 **SEC. 103. WATER RIGHTS.**

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

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

20 (2) affects any water rights—

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

24 (B) decreed in the Snake River Basin Ad-
25 judication, including any stipulation approved

1 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.

1 **SEC. 104. MILITARY OVERFLIGHTS.**

2 Nothing in this title restricts or precludes—

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

7 (2) flight testing and evaluation; or

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

11 **SEC. 105. ADJACENT MANAGEMENT.**

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

14 (b) ACTIVITIES OUTSIDE WILDERNESS AREA.—The
15 fact that an activity or use on land outside a wilderness
16 area can be seen or heard within the wilderness area shall
17 not preclude the activity or use outside the boundary of
18 the wilderness area.

19 **SEC. 106. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
20 **USES.**

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

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

24 (a) ACQUISITION.—

25 (1) IN GENERAL.—The Secretary may acquire
26 any land or interest in land within the boundaries of

1 the wilderness areas by donation, exchange, or pur-
2 chase from a willing seller.

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

8 (b) INCORPORATION IN WILDERNESS AREA.—Any
9 land or interest in land located inside the boundary of a
10 wilderness area that is acquired by the United States after
11 the date of enactment of this Act shall be added to, and
12 administered as part of the, wilderness area.

13 **SEC. 108. WILDERNESS REVIEW.**

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

16 (b) PUBLIC LAND.—

17 (1) FINDING.—Congress finds that, for pur-
18 poses of section 603 of the Federal Land Policy and
19 Management Act of 1976 (43 U.S.C. 1782), the
20 public land administered by the Bureau of Land
21 Management in the following wilderness study areas
22 have been adequately studied for wilderness designa-
23 tion:

24 (A) Jerry Peak Wilderness Study Area.

1 (B) Jerry Peak West Wilderness Study
2 Area.

3 (C) Corral-Horse Basin Wilderness Study
4 Area.

5 (D) Boulder Creek Wilderness Study Area.

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

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

12 (B) shall be managed in accordance with
13 land management plans adopted under section
14 202 of that Act (43 U.S.C. 1712).

15 **TITLE II—LAND CONVEYANCES** 16 **FOR PUBLIC PURPOSES**

17 **SEC. 201. SHORT TITLE.**

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

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

21 The Secretary of Agriculture shall issue a special use
22 permit or convey, without consideration, to Blaine County,
23 Idaho, not to exceed 1 acre of land for use as a school
24 bus turnaround, as generally depicted on the map entitled

1 “Blaine County Conveyance—Eagle Creek Parcel—Pro-
2 posed” and dated October 1, 2006.

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

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

13 (b) FIRE HALL.—The Secretary of the Interior shall
14 convey to Custer County, Idaho, without consideration,
15 approximately 10 acres of land depicted as “Parcel B”
16 on the map entitled “Custer County and City of Mackay
17 Conveyances” and dated April 6, 2010, for use as a fire
18 hall, consistent with uses allowed under the Act of June
19 14, 1926 (commonly known as the Recreation and Public
20 Purposes Act; 43 U.S.C. 869 et seq.).

21 (c) WASTE TRANSFER SITE.—The Secretary of the
22 Interior shall convey to Custer County, Idaho, without
23 consideration, approximately 80 acres of land depicted as
24 “Parcel C” on the map entitled “Custer County and City
25 of Mackay Conveyances” and dated April 6, 2010, to be

1 used for a waste transfer site, consistent with uses allowed
2 under the Act of June 14, 1926 (commonly known as the
3 Recreation and Public Purposes Act; 43 U.S.C. 869 et
4 seq.).

5 (d) PUBLIC PURPOSES.—The Secretary of the Inte-
6 rior shall convey to the City of Challis, Idaho, without con-
7 sideration, approximately 460 acres of land within the
8 area generally depicted as “Parcel B” on the map entitled
9 “Custer County and City of Challis Conveyances” and
10 dated February 2, 2010, to be used for public purposes
11 consistent with uses allowed under the Act of June 14,
12 1926 (commonly known as the Recreation and Public Pur-
13 poses Act; 43 U.S.C. 869 et seq.).

14 **SEC. 204. CITY OF CLAYTON, IDAHO.**

15 (a) CEMETERY.—The Secretary of the Interior shall
16 convey to the City of Clayton, Idaho, without consider-
17 ation, approximately 23 acres of land depicted as “Parcel
18 A” on the map entitled “City of Clayton Conveyances”
19 and dated April 6, 2010, for use as a public cemetery.

20 (b) PARK.—The Secretary of the Interior shall con-
21 vey to the City of Clayton, Idaho, without consideration,
22 approximately 2 acres of land depicted as “Parcel B” on
23 the map entitled “City of Clayton Conveyances” and dated
24 April 6, 2010, for use as a public park or other public
25 purpose consistent with uses allowed under the Act of

1 June 14, 1926 (commonly known as the Recreation and
2 Public Purposes Act; 43 U.S.C. 869 et seq.).

3 (c) WATER TOWER.—The Secretary of the Interior
4 shall convey to the City of Clayton, Idaho, without consid-
5 eration, approximately 2 acres of land depicted as “Parcel
6 C” on the map entitled “City of Clayton Conveyances”
7 and dated April 6, 2010, for location of a water tower,
8 consistent with uses allowed under the Act of June 14,
9 1926 (commonly known as the Recreation and Public Pur-
10 poses Act; 43 U.S.C. 869 et seq.).

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

21 (e) FIRE HALL.—The Secretary of the Interior shall
22 convey to the City of Clayton, Idaho, without consider-
23 ation, approximately 2 acres of land depicted as “Parcel
24 E” on the map entitled “City of Clayton Conveyances”
25 and dated April 6, 2010, for use as a fire hall and related

1 purposes, consistent with uses allowed under the Act of
2 June 14, 1926 (commonly known as the Recreation and
3 Public Purposes Act; 43 U.S.C. 869 et seq.).

4 **SEC. 205. TERMS AND CONDITIONS OF PERMITS OR LAND**
5 **CONVEYANCES.**

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

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