

SAWTOOTH NATIONAL RECREATION AREA AND JERRY
PEAK WILDERNESS ADDITIONS ACT

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JULY 27, 2015.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

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Mr. BISHOP of Utah, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 1138]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1138) 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, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1138 is 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.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 1138 would create three new Wilderness areas totaling 275,655 acres on U.S. Forest Service (USFS) and Bureau of Land Management (BLM) lands, would release four Wilderness Study Areas (WSA) totaling 153,883 federal acres back to multiple-use, and transfer 12 parcels of federal land totaling 913 acres to local counties and cities in central Idaho. The areas subject to this bill attract a number of outdoor recreationists, including snowmobilers, hunters, backpackers, hikers, mountain bikers, outfitters, campers and others.

There is strong local opposition to these or other areas in Idaho being designated as a national monument by the President under the Antiquities Act of 1906 (16 U.S.C. 431 et seq.). In response to this threat, Congressman Michael K. Simpson (R-ID) has developed and introduced several bills over the last decade that would designate new Wilderness, release WSAs back into multiple-use, and transfer federal lands to local cities and counties. Congressman Simpson first introduced the Central Idaho Economic Development and Recreation Act (CIEDRA) in 2004. That bill would have designated 332,000 acres as new Wilderness and released 131,000 acres from existing WSAs. The bill was passed by the House in 2006 during the 109th Congress, but was not taken up in the Senate.

Congressman Simpson introduced the bill in subsequent Congressional sessions, but revamped the proposal in the 114th Congress and introduced the newly-titled bill in February 2015. The revamped bill increases the acreage released from WSAs and decreases the amount of acreage designated as Wilderness so that no motorized roads or trails will be closed and snowmobiling areas will be left open.

The areas designated as Wilderness include the Hemingway-Boulders Wilderness, White Clouds Wilderness, and the Jim McClure-Jerry Peak Wilderness. The WSAs that would be released include the Jerry Peak WSA, Jerry Peak West WSA, Corral-Horse Basin WSA, and Boulder Creek WSA. The bill requires the conveyance or transfer of 12 parcels of BLM and USFS land to Blaine and Custer Counties and several cities in central Idaho. This land will be used for a variety of public purposes, including housing for seasonal workers, fire protection, waste transfer, cemeteries, and other local needs.

The bill features a number of other special provisions. Grazing permittees with allotments within certain areas designated as Wilderness would be allowed to voluntarily retire their permits and be eligible for compensation from a third party conservation group. Any retired permits would be permanently closed to future grazing. No roads that are currently open to vehicles or trails that are currently open to two wheeled motorized-use would be closed. The legislation does not restrict or preclude low-level overflights of military aircraft, flight testing, or the designation of new special-use airspace over the Wilderness areas. The bill does not include any protective perimeter or buffer zone around the Wilderness areas and does not restrict activities or the use of lands outside the Wilderness areas that can be seen or heard within the area.

COMMITTEE ACTION

H.R. 1138 was introduced on February 26, 2015, by Congressman Michael K. Simpson (R-ID). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. The Subcommittee held a hearing on the bill on June 16, 2015. On July 8, 2015, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent on July 9, 2015.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 1138—Sawtooth National Recreation Area and Jerry Peak Wilderness Additions Act

H.R. 1138 would require federal agencies to manage 276,000 acres of federal land located in Idaho for conservation purposes. The bill also would require the Bureau of Land Management (BLM) and the Forest Service to convey parcels of federal land totaling roughly 700 acres to various local governments in Idaho. Based on information provided by the affected agencies and assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would cost less than \$500,000 over the 2016–2020 period. Because enacting H.R. 1138 would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

The bill would designate 276,000 acres of federal land administered by the Forest Service and BLM as components of the National Wilderness Preservation System. Based on information provided by the affected agencies, CBO estimates that they would spend less than \$250,000 over the next five years to develop new management plans and install new signs, assuming appropriation of the necessary amounts.

The legislation also would require BLM and the Forest Service to convey parcels totaling roughly 700 acres of federal land in Idaho to various county and city governments. Based on information regarding the cost of carrying out similar activities, CBO estimates that completing the conveyances and removing a barn from one of the parcels, as required under the bill, would cost less than \$250,000, assuming appropriation of the necessary amounts. Because the affected lands are not expected to generate any offsetting receipts over the next 10 years, CBO estimates that completing the conveyances would not affect direct spending.

H.R. 1138 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. The bill would benefit Blaine and Custer Counties and the cities of Challis, Clayton, and Stanley in Idaho. Any costs incurred by those entities

resulting from the land conveyances would be incurred voluntarily as conditions of receiving federal assistance.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. According to the Congressional Budget Office, implementing the bill would cost less than \$500,000 over 2016–2020, assuming appropriation of the necessary amounts.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is 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.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets and existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 22, 1972

(Public Law 92-400)

AN ACT To establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the United States mining laws, and for other purposes.

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【SEC. 5. The Secretary shall, as soon as practicable after the enactment of this Act, review the undeveloped and unimproved portion or portions of the recreation area as to suitability or nonsuitability for preservation as a part of the National Wilderness Preservation System. In conducting his review, the Secretary shall comply with the provisions of subsection 3(d) of the Wilderness Act of September 3, 1964 (78 Stat. 892), relating to public notice, public hearings, and review by State and other agencies, and shall advise the Senate and House of Representatives of his recommendations with respect to the designation as wilderness of the area or areas reviewed.】

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