

Farmers in the path of project canals and reservoirs were bullied into selling their lands at rock-bottom prices, only to find out a few years later that the water project would probably never even be built.

H.R. 4301 will allow farmers to buy back their old lands at a significant savings from the currently appraised value. This is a fair and appropriate solution to a problem that has taken far too long to resolve.

I again offer congratulations and express our appreciation to Ms. HERSETH, and I urge my colleagues to support H.R. 4301.

Ms. HERSETH. Madam Speaker, I rise today in support of H.R. 4301, the Blunt Reservoir and Pierre Canal Land Conveyance Act of 2006.

Between 1972 and 1977, the federal government acquired roughly 19,000 acres in two South Dakota Counties for an irrigation project as part of the Pick-Sloan Missouri Basin Program. Though this project was abandoned in 1977, the federal government has maintained ownership of the land and continues to lease it to many of the original landowners.

H.R. 4301 would finally deauthorize the irrigation project, giving the original landowners the option to buy back their land, and convey the remaining parcels to the State of South Dakota for wildlife mitigation purposes. This bill is a compromise piece of legislation that reflects the wishes of both the original landowners and the State of South Dakota.

I'd like to thank Resources Committee Chairman RICHARD POMBO, Ranking Member NICK RAHALL, Resources Water and Power Subcommittee Chairman RADANOVICH, and Subcommittee Ranking Member NAPOLITANO for their assistance throughout this process. I'd also like to thank South Dakota Senators TIM JOHNSON and JOHN THUNE. Our work together has allowed this legislation to proceed the House Floor in a bipartisan manner.

After almost 30 years of waiting, it is important that Congress finally act to return these acres to private hands and local tax-rolls. Today's vote provides an opportunity to do so. I urge my colleagues to support this long overdue legislation.

Ms. BORDALLO. Madam Speaker, I yield back the balance of my time.

Mr. WALDEN of Oregon. Madam Speaker, I urge my colleagues to support this important legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 4301, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CENTRAL IDAHO ECONOMIC DEVELOPMENT AND RECREATION ACT

Mr. WALDEN of Oregon. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3603) to promote

the economic development and recreational use of National Forest System lands and other public lands in central Idaho, to designate the Boulder-White Cloud Management Area to ensure the continued management of certain National Forest System lands and Bureau of Land Management lands for recreational and grazing use and conservation and resource protection, to add certain National Forest System lands and Bureau of Land Management lands in central Idaho to the National Wilderness Preservation System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3603

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Central Idaho Economic Development and Recreation Act”.

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

Sec. 1. Short title and table of contents.

TITLE I—CENTRAL IDAHO ECONOMIC DEVELOPMENT AND RECREATION PROMOTION

Sec. 101. Land conveyance, designated Sawtooth National Recreation Area land to Custer County, Idaho.

Sec. 102. Land conveyance, designated Sawtooth National Forest and BLM land to Blaine County, Idaho.

Sec. 103. Land conveyance, designated National Forest System land to City of Stanley, Idaho.

Sec. 104. Land conveyance, designated BLM land to City of Clayton, Idaho.

Sec. 105. Land conveyance, designated BLM land to City of Mackay, Idaho.

Sec. 106. Land conveyance, designated BLM land to City of Challis, Idaho.

Sec. 107. Land conveyance authority, support for motorized and bicycle recreation, public land in central Idaho.

Sec. 108. Treatment of existing roads and trails.

Sec. 109. Stanley-Redfish Lake bike and snowmobile trail and related parking lot.

Sec. 110. Support for other trail construction and maintenance activities.

Sec. 111. Support for outfitter and guide activities.

Sec. 112. Grants to support sustainable economic development and recreation.

Sec. 113. Continuation of public access to Bowery National Forest Guard Station.

Sec. 114. Expansion and improvement of Herd Lake Campground.

Sec. 115. Land exchange to eliminate State of Idaho inholdings in Sawtooth National Recreation Area and new wilderness areas.

TITLE II—CENTRAL IDAHO WILDERNESS AREAS

Sec. 201. Additions to National Wilderness Preservation System.

Sec. 202. General administration of wilderness areas.

Sec. 203. Acquisition of mineral interests and lands from willing sellers.

Sec. 204. Adjacent management.

Sec. 205. Wildfire management.

Sec. 206. Water rights.

Sec. 207. Wildlife management.

Sec. 208. Native American cultural and religious uses.

Sec. 209. Military overflights.

Sec. 210. Wilderness review.

TITLE III—BOULDER-WHITE CLOUDS MANAGEMENT AREA

Sec. 301. Establishment of management area.

Sec. 302. Land acquisition and acquisition of unpatented mining claims in management area.

Sec. 303. Motorized and bicycle travel.

Sec. 304. Support and use of Idaho Off Road Motor Vehicle Program.

Sec. 305. Airports and landing strips.

Sec. 306. Management of Railroad Ridge area, Sawtooth National Forest.

TITLE I—CENTRAL IDAHO ECONOMIC DEVELOPMENT AND RECREATION PROMOTION

SEC. 101. LAND CONVEYANCE, DESIGNATED SAWTOOTH NATIONAL RECREATION AREA LAND TO CUSTER COUNTY, IDAHO.

(a) CONVEYANCE REQUIRED.—Subject to the deed restrictions required by subsection (b), the Secretary of Agriculture, acting through the Chief of the Forest Service, shall convey, without consideration, to Custer County, Idaho (in this section referred to as the “County”), all right, title, and interest of the United States in and to certain Federal land in the Sawtooth National Recreation Area consisting of a total of approximately 86 acres, including a road encompassing approximately 15 acres, adjoining the northern boundary of the City of Stanley, Idaho, and identified as Parcel B on the map entitled “Custer County Conveyance—STANLEY” and dated July 24, 2006.

(b) USE OF CONVEYED LAND.—In making the conveyance under subsection (a) to the County, the Secretary shall include the following deed restrictions relating to the use of the conveyed land to ensure that such use is consistent with the planning process of the County and management of the Sawtooth National Recreation Area:

(1) LIMITATION ON NUMBER OF HOME SITES.—Not more than 10 home sites may be developed on the conveyed land, and houses and outbuildings constructed on the home sites may not be visible from Highways 75 and 21.

(2) LIMITATIONS REGARDING HOUSE CONSTRUCTION.—Not more than one single-family house may be constructed on each home site, and each house shall be subject to the following requirements:

(A) USE.—Residential.

(B) SIZE.—Not more than 3,500 square feet gross floor space, including attached garage, but excluding basements, decks, and porches. No more than 26 feet in height from natural ground level, excluding any chimney.

(C) DESIGN.—Western ranch-style, having rectangular or square sections with no more than three ridgelines, excluding dormers.

(D) WINDOWS.—Rectangular or square, divided light, and no more than 24 square feet in size. Windows shall not exceed 30 percent of the area of any wall.

(E) STRUCTURAL SIDING.—Log, log-sided, rough-sawn lumber, board and batten, or suitable wood substitutes, which shall be harmoniously colored or have a natural wood finish.

(F) ROOF.—Wood, composite, or non-reflective metal in muted earth tones of brown.

(3) LIMITATIONS REGARDING OUTBUILDINGS.—Not more than two outbuildings may be constructed on each home site, and such outbuildings shall be subject to the following requirements:

(A) USE.—A outbuilding may not include kitchen or sleeping facilities or otherwise be equipped for residential purposes.

(B) **SIZE.**—No more than 850 square feet gross floor space in the aggregate. Single story, no more than 26 feet from natural ground level.

(C) **DESIGN.**—Western ranch-style comprised of rectangular or square sections with no more than one ridgeline.

(D) **WINDOWS.**—Rectangular or square, divided light of no more than 24 square feet.

(E) **STRUCTURAL SIDING.**—Log, log-sided, rough-sawn lumber, board and batten, or suitable wood substitutes, which shall be harmoniously colored or have a natural wood finish.

(F) **ROOF.**—Wood, composite, or non-reflective metal in muted earth tones of brown.

(4) **LIMITATIONS REGARDING SATELLITE DISH.**—Each home site may contain not more than one satellite dish, not to exceed 24 inches in diameter, which shall be located as unobtrusively as best available technology allows.

(5) **LIMITATIONS REGARDING EXTERIOR LIGHTING.**—Each home site may contain not than two exterior lighting sources, which shall be shielded downwards and may not exceed 150 watts each. Neither light source may be flashing.

(6) **LIMITATIONS REGARDING LANDSCAPING.**—The landscaping for each home site shall be compatible with the open setting of the home site and incorporate materials, groundcover, shrubs, and trees that are indigenous to the area. Areas exposed due to excavation shall be rehabilitated to pre-excavation conditions within two years following completion of construction.

(7) **LIMITATIONS REGARDING ROADS AND DRIVEWAYS.**—Any road or driveway for a home site may not exceed 14 feet in width.

(8) **LIMITATIONS REGARDING FENCING.**—Fences on a home site shall be in the log worm, log block, or jack style and shall incorporate wildlife-friendly elements.

(9) **LIMITATIONS REGARDING UTILITIES.**—All new utilities serving a home site shall be located underground.

(c) **PROHIBITIONS.**—

(1) **SUBDIVISION.**—Except as expressly authorized in subsection (b) regarding the land conveyed under subsection (a), the conveyed land may not be divided, subdivided or defacto subdivided through sales, long-term leases, or other means.

(2) **PROHIBITED USES.**—The land conveyed under subsection (a) may not be used for any of the following purposes:

(A) Commercial, manufacturing, industrial, mining, or drilling operations, except that small in-home businesses, such as professional services, may be allowed.

(B) Exploration, development, or extraction of minerals.

(C) Dumping or accumulation of trash, debris, junk cars, unserviceable equipment, or other unsightly materials.

(D) Placement of residential trailers, mobile homes, manufactured homes, modular buildings, or other such semi-permanent structures.

(E) Placement of towers, antennae, or satellite dishes that are not concealed from public view, except to the extent that the right is expressly granted in subsection (b)(4).

(F) Placement of signs, billboards, or other advertising devices, other than one property identification sign and one for sale or rental sign, not to exceed two square feet in area, and such signs shall be harmonious in design and color with the surroundings.

(G) Disposal or unlawful storage of hazardous substances, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(d) **SURVEY AND LEGAL DESCRIPTION.**—The exact acreage and legal description of the

land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary. The legal description shall be prepared as soon as practicable after the date of the enactment of this Act.

(e) **APPROVAL AND ACCESS REQUIREMENTS.**—Any improvement to be made to a home site developed on the land conveyed under subsection (a) shall be subject to the approval in writing, and in advance of being made, by the appropriate County officials. Representatives of the County may enter the home sites at reasonable times to monitor compliance with the deed restrictions imposed by subsection (b).

(f) **ENFORCEMENT.**—As a condition on the conveyance under subsection (a), the County shall agree to enforce the deed restrictions imposed by subsections (b) and (c).

(g) **REVERSIONARY INTEREST.**—If the Secretary determines at any time that a home site developed on the land conveyed under subsection (a) is not in compliance with the deed restrictions imposed by subsection (b) or (c), all right, title, and interest in and to the home site, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing, and the Secretary shall give the landowner a reasonable opportunity to restore the home site to compliance with the deed restrictions.

(h) **ROAD ACCESS.**—In making the conveyance under subsection (a) to the County, the Secretary shall include a deed restriction requiring that the road referred to in such subsection shall remain open to the public to provide access to adjacent Federal land and private property.

(i) **ADDITIONAL TERM AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 102. LAND CONVEYANCE, DESIGNATED SAWTOOTH NATIONAL FOREST AND BLM LAND TO BLAINE COUNTY, IDAHO.

(a) **CONVEYANCE REQUIRED.**—The Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall convey, without consideration, to Blaine County, Idaho (in this section referred to as the "County"), all right, title, and interest of the United States in and to the parcels of Federal land in the Sawtooth National Forest and Bureau of Land Management land identified for conveyance under this section on the map entitled "Blaine County Conveyance" and dated July 24, 2006.

(b) **SURVEY.**—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary.

(c) **ADDITIONAL TERM AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 103. LAND CONVEYANCE, DESIGNATED NATIONAL FOREST SYSTEM LAND TO CITY OF STANLEY, IDAHO.

(a) **CONVEYANCE REQUIRED.**—Subject to the deed restrictions required by subsection (b), the Secretary of Agriculture, acting through the Chief of the Forest Service, shall convey to the City of Stanley, Idaho (in this section referred to as the "City"), all right, title,

and interest of the United States in and to National Forest System land consisting of two parcels containing a total of approximately 8 acres adjoining the western boundary of the City and a total of approximately 68 acres, including roads and improvements, adjoining the northeastern boundary of the City, respectively, and identified as Parcels A and C on the map entitled "STANLEY CONVEYANCE" and dated July 24, 2006.

(b) **USE OF PARCEL A LAND.**—In making the conveyance under subsection (a) to the City of the land identified as Parcel A on the map referred to in such subsection, the Secretary shall include the following deed restrictions relating to the use of the conveyed land to ensure that such use is consistent with the planning process of the City and Custer County, Idaho, and management of adjacent National Forest System land:

(1) **LIMITATION ON NUMBER OF HOME SITES.**—Not more than 4 home sites may be developed on Parcel A.

(2) **LIMITATIONS REGARDING HOUSE CONSTRUCTION.**—Not more than one single-family house may be constructed on each home site, and each house shall be subject to the following requirements:

(A) **USE.**—Residential.

(B) **SIZE.**—Not more than 3,000 square feet gross floor space, including attached garage, but excluding basements, decks, and porches. Single story, no more than 22 feet in height from natural ground level, excluding any chimney.

(C) **DESIGN.**—Western ranch-style, having rectangular or square sections with no more than two ridgelines, excluding dormers.

(D) **WINDOWS.**—Rectangular or square, divided light, and no more than 24 square feet in size. Windows with exterior walls visible from Highway 21 shall not exceed 30 percent of the area of the wall.

(E) **STRUCTURAL SIDING.**—Log, log-sided, rough-sawn lumber, board and batten, or suitable wood substitutes, which shall be harmoniously colored or have a natural wood finish.

(F) **ROOF.**—Wood, composite, or non-reflective metal in muted earth tones of brown.

(3) **LIMITATIONS REGARDING OUTBUILDINGS.**—Not more than one outbuilding may be constructed on each home site, and the outbuilding shall be subject to the following requirements:

(A) **USE.**—A outbuilding may not include kitchen or sleeping facilities or otherwise be equipped for residential purposes.

(B) **SIZE.**—No more than 600 square feet gross floor space in the aggregate. Single story, no more than 22 feet from natural ground level.

(C) **DESIGN.**—Western ranch-style comprised of rectangular or square sections with no more than one ridgeline.

(D) **WINDOWS.**—Rectangular or square, divided light of no more than 24 square feet.

(E) **STRUCTURAL SIDING.**—Log, log-sided, rough-sawn lumber, board and batten, or suitable wood substitutes, which shall be harmoniously colored or have a natural wood finish.

(F) **ROOF.**—Wood, composite, or non-reflective metal in muted earth tones of brown.

(4) **LIMITATIONS REGARDING SATELLITE DISH.**—Each home site may contain not more than one satellite dish, not to exceed 24 inches in diameter, which shall be located as unobtrusively as best available technology allows.

(5) **LIMITATIONS REGARDING EXTERIOR LIGHTING.**—Each home site may contain not than two exterior lighting sources, which shall be shielded downwards and may not exceed 150 watts each. Neither light source may be flashing.

(6) **LIMITATIONS REGARDING LANDSCAPING.**—The landscaping for each home site shall be

compatible with the open setting of the home site and incorporate materials, groundcover, shrubs, and trees that are indigenous to the area. Areas exposed due to excavation shall be rehabilitated to pre-excavation conditions within two years following completion of construction.

(7) LIMITATIONS REGARDING ROADS AND DRIVEWAYS.—Any road or driveway for a home site may not exceed 14 feet in width.

(8) LIMITATIONS REGARDING FENCING.—Fences on a home site shall be in the log worm, log block, or jack style and shall incorporate wildlife-friendly elements.

(9) LIMITATIONS REGARDING UTILITIES.—All new utilities serving a home site shall be located underground.

(c) USE OF PARCEL C LAND.—In making the conveyance under subsection (a) to the City of the land identified as Parcel C on the map referred to in such subsection, the Secretary shall include the following deed restrictions relating to the use of the conveyed land to ensure that such use is consistent with the planning process of the City and Custer County, Idaho, and management of National Forest System land:

(1) AUTHORIZED USES.—Parcel C may be used—

(A) to provide housing for persons employed full-time, whether on a year-round basis or seasonally, within the Sawtooth National Recreation Area; and

(B) for other public purposes, including use as the site for a park, cemetery, community center, or educational facility

(2) LIMITATIONS REGARDING CONSTRUCTION.—Any structure constructed on Parcel C shall be subject to the following requirements:

(A) SIZE.—The size of the structure shall be compatible with the building site and type of use.

(B) DESIGN.—Western ranch-style, having rectangular or square sections with no more than three ridgelines, excluding dormers.

(C) HEIGHT.—The height of any structure shall not exceed 30 feet from natural ground level.

(D) WINDOWS.—Rectangular or square, divided light, and no more than 24 square feet in size. Windows with exterior walls facing Highways 21 or 75 shall not exceed 30 percent of the area of the wall.

(E) STRUCTURAL SIDING.—Log, log-sided, rough-sawn lumber, board and batten, or suitable wood substitutes, which shall be harmoniously colored or have a natural wood finish.

(F) ROOF.—Wood, composite, or non-reflective metal in muted earth tones of brown.

(3) LIMITATIONS REGARDING SATELLITE DISH.—Each structure may contain not more than one satellite dish, not to exceed 24 inches in diameter, which shall be located as unobtrusively as best available technology allows.

(4) LIMITATIONS REGARDING EXTERIOR LIGHTING.—Exterior lighting sources shall be shielded downwards and may not be flashing.

(5) LIMITATIONS REGARDING LANDSCAPING.—The landscaping for each structure shall be compatible with an open setting and incorporate materials, groundcover, shrubs, and trees that are indigenous to the area. Areas exposed due to excavation shall be rehabilitated to pre-excavation conditions within two years following completion of construction.

(6) LIMITATIONS REGARDING ROADS AND DRIVEWAYS.—Any road or driveway for a structure may not exceed 24 feet in width.

(7) LIMITATIONS REGARDING FENCING.—Any fence in Parcel C shall be in the log worm, log block, or jack style and shall incorporate wildlife-friendly elements.

(8) LIMITATIONS REGARDING UTILITIES.—All new utilities serving Parcel C shall be located underground.

(9) SIGNAGE.—Only signs identifying a commercial enterprise being conducted on Parcel C may be placed on the parcel. Signs may not exceed 20 square feet in area, and shall be subdued in appearance and harmonizing in design and color with the surroundings. No sign may be flashing.

(10) LIMITATIONS REGARDING STREAM SETBACKS.—To protect the integrity of fish habitat and Valley Creek from the impact of development, a minimum setback of 100 feet from each bank of Valley Creek shall be required for the construction of all houses and other structures on Parcel C.

(d) PROHIBITIONS.—

(1) SUBDIVISION.—Except as expressly authorized in subsection (b) or (c) regarding the land conveyed under subsection (a), the conveyed land may not be divided, subdivided or de facto subdivided through sales, long-term leases, or other means.

(2) PROHIBITED USES.—The land conveyed under subsection (a) may not be used for any of the following purposes:

(A) Commercial, manufacturing, industrial, mining, or drilling operations, except that small in-home businesses, such as professional services, may be allowed, and, subject to subsection (c)(1)(B), certain commercial operations may be allowed on the land identified as Parcel C on the map referred to in subsection (a).

(B) Exploration, development, or extraction of minerals.

(C) Dumping or accumulation of trash, debris, junk cars, unserviceable equipment, or other unsightly materials.

(D) Placement of residential trailers, mobile homes, manufactured homes, modular buildings, or other such semi-permanent structures.

(E) Placement of towers, antennae, or satellite dishes that are not concealed from public view, except to the extent that the right is expressly granted in subsection (b)(4) or (c)(3).

(F) Placement of signs, billboards, or other advertising devices, except—

(i) as provided in subsection (c)(9) with regard to the land identified as Parcel C; and

(ii) one property identification sign and one for sale or rental sign, not to exceed two square feet in area, which shall be harmonious in design and color with the surroundings.

(G) Disposal or unlawful storage of hazardous substances, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(e) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the conveyance under subsection (a), the City shall pay to the Secretary an amount equal to the amount originally expended by the United States to acquire the parcel of land identified as Parcel A on the map referred to in such subsection. The City shall provide the consideration not later than one year after the date on which the City disposes of the parcel after obtaining title of the parcel under subsection (a).

(2) DISPOSITION AND USE OF PROCEEDS.—The amount received as consideration under this subsection shall be—

(A) deposited and merged with funds appropriated for the operation of the Sawtooth National Recreation Area in order to supplement such appropriations; and

(B) available to the Secretary, without further appropriation and until expended, for conservation activities in the recreation area.

(f) SURVEY AND LEGAL DESCRIPTION.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey

shall be borne by the Secretary. The legal description shall be prepared as soon as practicable after the date of the enactment of this Act.

(g) APPROVAL AND ACCESS REQUIREMENTS.—

(1) GENERAL REQUIREMENTS.—Any improvement to be made to land conveyed under subsection (a) shall be subject to the approval in writing, and in advance of being made, by the appropriate City officials. Representatives of the City may enter the land at reasonable times to monitor compliance with the deed restrictions imposed by subsection (b), (c), or (d).

(2) PREPARATION AND APPROVAL OF DEVELOPMENT PLAN FOR PARCEL C.—The land identified as Parcel C on the map referred to in subsection (a) and conveyed to the City under such subsection shall not be developed until such time as a development plan consistent with subsections (c) and (d) is reviewed and approved by a special commission consisting of at least one elected official representing Custer County, one elected official representing the City, and three individuals who are not employed by or officials of the County or City and reside within the boundaries of the Sawtooth National Recreation Area. The non-governmental representatives shall be selected jointly by the elected officials on the commission.

(h) ENFORCEMENT.—As a condition on the conveyance under subsection (a), the City shall agree to enforce the deed restrictions imposed by subsections (b), (c), and (d).

(i) REVERSIONARY INTEREST.—If the Secretary determines at any time that any portion of the land conveyed under subsection (a) is not being used in compliance with the deed restrictions applicable to that portion of the land under subsection (b), (c), or (d), all right, title, and interest in and to that portion of the land, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing, and the Secretary shall give the landowner a reasonable opportunity to restore the property to compliance with the deed restrictions.

(j) SURVEY.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary.

(k) ROAD ACCESS.—In making the conveyance under subsection (a) to the City, the Secretary shall include a deed restriction requiring that the roads referred to in such subsection shall remain open to the public to provide access to adjacent Federal land and private property.

(l) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 104. LAND CONVEYANCE, DESIGNATED BLM LAND TO CITY OF CLAYTON, IDAHO.

(a) CONVEYANCE REQUIRED.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall convey, without consideration, to the City of Clayton, Idaho (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of Bureau of Land Management land, including roads thereon, identified for conveyance under this section on the map entitled "City of Clayton Conveyance" and dated July 24, 2006.

(b) SURVEY.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost

of the survey shall be borne by the Secretary.

(c) ROAD ACCESS.—In making the conveyance under subsection (a) to the City, the Secretary shall include a deed restriction requiring that the roads referred to in such subsection shall remain open to the public to provide access to adjacent Federal land and private property.

(d) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 105. LAND CONVEYANCE, DESIGNATED BLM LAND TO CITY OF MACKAY, IDAHO.

(a) CONVEYANCE REQUIRED.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall convey, without consideration, to the City of Mackay, Idaho (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of Bureau of Land Management land, including roads thereon, identified for conveyance under this section on the map entitled “City of Mackay Conveyance” and dated July 24, 2006.

(b) SURVEY.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary.

(c) ROAD ACCESS.—In making the conveyance under subsection (a) to the City, the Secretary shall include a deed restriction requiring that the roads referred to in such subsection shall remain open to the public to provide access to adjacent Federal land and private property.

(d) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 106. LAND CONVEYANCE, DESIGNATED BLM LAND TO CITY OF CHALLIS, IDAHO.

(a) CONVEYANCE REQUIRED.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall convey, without consideration, to the City of Challis, Idaho (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of Bureau of Land Management land, including roads thereon, identified for conveyance under this section on the map entitled “City of Challis Conveyance” and dated July 24, 2006.

(b) SURVEY.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary.

(c) ROAD ACCESS.—In making the conveyance under subsection (a) to the City, the Secretary shall include a deed restriction requiring that the roads referred to in such subsection shall remain open to the public to provide access to adjacent Federal land and private property.

(d) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 107. LAND CONVEYANCE AUTHORITY, SUPPORT FOR MOTORIZED AND BICYCLE RECREATION, PUBLIC LAND IN CENTRAL IDAHO.

(a) MOTORIZED RECREATION PARK.—Subject to subsection (b), the Secretary of the Interior shall convey, without consideration, to

the State of Idaho (in this section referred to as the “State”) all right, title, and interest of the United States in and to a parcel or parcels of Bureau of Land Management land, including roads thereon, consisting of approximately 960 acres near Boise, Idaho, and identified for conveyance under this section on the map entitled “STATE OF IDAHO—Boise Motorized Park Conveyance” and dated October 1, 2006, for the purpose of permitting the State to establish a motorized recreation park on the land. As a condition of the conveyance of the land, the State shall agree to include a beginner track as part of the recreation park to be used to teach safe, responsible riding techniques and to establish areas for drivers with different levels of skills.

(b) RESERVATION OF PORTION FOR BICYCLE USE.—As a condition of the conveyance of the land under subsection (a), the State shall reserve 20 acres of the conveyed land for the use of mountain bikes and open the reserved portion to such use as soon as practicable after the date of the conveyance. Funds appropriated pursuant to the authorization of appropriations in section 109(d)(1)(A) shall be available to facilitate the establishment of the bicycle portion of the recreation park.

(c) SURVEY.—The exact acreage and legal description of the land to be conveyed under this section shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the State.

(d) ROAD ACCESS.—In making a conveyance under subsection (a) to the State, the Secretary shall include a deed restriction requiring that the roads referred to in such subsection shall remain open to the public to provide access to adjacent Federal land and private property.

(e) ADDITIONAL TERM AND CONDITIONS.—The Secretary concerned may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 108. TREATMENT OF EXISTING ROADS AND TRAILS.

In making the conveyances required by this title, the Secretary of Agriculture and the Secretary of the Interior shall include deed restrictions to ensure that any roads and trails located on the conveyed land remain open to public use notwithstanding any subsequent conveyance of the land by the recipient of the land.

SEC. 109. STANLEY-REDFISH LAKE BIKE AND SNOWMOBILE TRAIL AND RELATED PARKING LOT.

(a) DEVELOPMENT OF TRAIL.—The Secretary of Agriculture shall design, construct, and maintain a hardened surface trail between the City of Stanley, Idaho, and Redfish Lake that is designated for use—

(1) by pedestrians and non-motorized vehicles generally; and

(2) as a snowmobile route when there is adequate snow cover.

(b) ACQUISITION FROM WILLING SELLERS.—Any land or interests in land to be acquired by the Secretary for construction of the paved trail required by subsection (a) shall be acquired only by donation or by purchase from willing sellers.

(c) ASSISTANCE FOR CONSTRUCTION OF PARKING LOT.—The Secretary may make a grant to the City of Stanley, Idaho, to assist the City in constructing a parking lot on City property at the north end of the trail required by subsection (a) for use for snowmobile and general parking and for other purposes related to the trail.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary—

(A) \$400,000 for the design, construction, and maintenance of the trail required by

subsection (a) and for land acquisition associated with the construction of the trail; and

(B) \$100,000 for the grant under subsection (c).

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations contained in paragraph (1) shall remain available until expended.

SEC. 110. SUPPORT FOR OTHER TRAIL CONSTRUCTION AND MAINTENANCE ACTIVITIES.

There is authorized to be appropriated to the Secretary of Agriculture or the Secretary of the Interior \$50,000 for the construction and maintenance of bicycle trails in the State of Idaho. Amounts appropriated pursuant to this authorization of appropriations shall remain available until expended.

SEC. 111. SUPPORT FOR OUTFITTER AND GUIDE ACTIVITIES.

(a) EXISTING OPERATING PERMITS.—

(1) EXTENSION.—Before the end of the one-year period beginning on the date of the enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall grant, for each guide or outfitter operating permit described in paragraph (2), a 10-year extension beyond the expiration date of the current permit. The Secretary concerned may require the modification of the extended permit as necessary to comply with the requirements of this Act.

(2) COVERED PERMITS.—Paragraph (1) applies to each guide and outfitter operating permit in effect as of the date of the enactment of this Act that authorized activities on lands included in a wilderness area designated by title II or the Boulder-White Cloud Management Area established by title III.

(3) EXCEPTION.—The Secretary of Agriculture or the Secretary of the Interior may refuse to grant the extension of a permit under paragraph (1) only if the Secretary concerned determines that the permittee has not operated in a satisfactory manner in compliance with the terms and conditions of the permit.

(b) FUTURE OUTFITTER AND GUIDE ACTIVITIES.—Future extensions of outfitter and guide activities and permits for outfitters on lands included in a wilderness area designated by title II or the Boulder-White Cloud Management Area established by title III shall be administered in accordance with applicable Federal laws and resource management plans. No person shall conduct outfitter and guide activities on such Federal land except as authorized by the Secretary concerned.

SEC. 112. GRANTS TO SUPPORT SUSTAINABLE ECONOMIC DEVELOPMENT AND RECREATION.

(a) GRANT TO CUSTER COUNTY, IDAHO.—The Secretary of Agriculture may make a grant to Custer County, Idaho, for the purpose of assisting the County in supporting sustainable economic development in the County.

(b) GRANT TO STATE OF IDAHO.—The Secretary of Agriculture may make a grant to the State of Idaho Parks and Recreation Department for the purpose of assisting the State in acquiring and developing Bayhorse Campground for use as a State park.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture—

(1) \$5,100,000 to make the grant under subsection (a); and

(2) \$500,000 to make the grant under subsection (b).

SEC. 113. CONTINUATION OF PUBLIC ACCESS TO BOWERY NATIONAL FOREST GUARD STATION.

(a) CONSTRUCTION OF ROAD AND BRIDGE.—To ensure continued public access to the Bowery Guard Station, the Secretary of Agriculture shall construct a new road on National Forest System lands, to the east of

the existing private property line on the east side of the Leisinger property, and a new bridge over West Pass Creek as part of such road.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section. Amounts appropriated pursuant to this authorization of appropriations shall remain available until expended.

SEC. 114. EXPANSION AND IMPROVEMENT OF HERD LAKE CAMPGROUND.

(a) EXPANSION AND IMPROVEMENT OF CAMPGROUND.—The Secretary of the Interior shall expand and improve the Herd Lake Campground facilities located below the outlet of Herd Lake.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$500,000 to carry out this section. Amounts appropriated pursuant to this authorization of appropriations shall remain available until expended.

SEC. 115. LAND EXCHANGE TO ELIMINATE STATE OF IDAHO INHOLDINGS IN SAWTOOTH NATIONAL RECREATION AREA AND NEW WILDERNESS AREAS.

(a) EXCHANGES AUTHORIZED.—The Secretary of Agriculture and the Secretary of the Interior may execute one or more land exchanges with the State of Idaho for the purpose of eliminating State inholdings within the boundaries of the Sawtooth National Recreation Area and the wilderness areas designated by title II. The Federal land available for use to carry out an exchange under this section and the State inholdings to be acquired are depicted on the map entitled “SNRA State of Idaho Land Transfer” and dated October 1, 2006.

(b) EXCHANGE PROCESS.—The land exchanges authorized by this section shall be carried out in the manner provided in section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

TITLE II—CENTRAL IDAHO WILDERNESS AREAS

SEC. 201. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) ADDITIONS.—Congress has determined that the following lands in central Idaho shall be designated as wilderness and managed as components of the National Wilderness Preservation System:

(1) HEMINGWAY-BOULDERS WILDERNESS.—Certain Federal land in the Sawtooth and Challis National Forests, comprising approximately 105,000 acres, as generally depicted on the map entitled “Hemingway-Boulders” and dated July 24, 2006, which shall be known as the “Hemingway-Boulders Wilderness”.

(2) WHITE CLOUDS WILDERNESS.—Certain Federal land in the Sawtooth and Challis National Forests, comprising approximately 73,100 acres, as generally depicted on the map entitled “White Clouds” and dated July 24, 2006, which shall be known as the “White Clouds Wilderness”.

(3) JERRY PEAK WILDERNESS.—Certain Federal land in the Challis National Forest and Challis District of the Bureau of Land Management, comprising approximately 131,700 acres, as generally depicted on the map entitled “Jerry Peak Wilderness” and dated July 24, 2006, which shall be known as the “Jerry Peak Wilderness”. In the case of the Bureau of Land Management land designated as wilderness by this paragraph, the land is included in the National Landscape Conservation System.

(b) MAPS AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture, in the case of the wilderness areas designated by paragraphs

(1) and (2) of subsection (a) and the National Forest System land designated as wilderness by paragraph (3) of such subsection, and the Secretary of the Interior, in the case of the Bureau of Land Management land designated as wilderness by paragraph (3) of such subsection, in this title referred to as the “Secretary concerned”, shall file a map and legal description of the wilderness areas designated by such subsection with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—Each map and legal description shall have the same force and effect as if included in this title, except that the Secretary concerned may correct clerical and typographical errors in the map or legal description.

(3) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management or the Forest Service.

(c) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas designated in subsection (a) are withdrawn from all forms of entry, appropriation, and disposal under the public land laws, location, entry, and patent under the mining laws, and operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 202. GENERAL ADMINISTRATION OF WILDERNESS AREAS.

(a) APPLICATION OF WILDERNESS ACT.—Subject to valid existing rights, the wilderness areas designated by section 201 shall be managed by the Secretary concerned in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this title. With respect to the wilderness areas, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of the enactment of this Act, and any reference in the Wilderness Act to the Secretary of Agriculture shall be deemed to be a reference to the Secretary concerned.

(b) CONSISTENT INTERPRETATION TO THE PUBLIC.—Although the wilderness areas designated by section 201 consist of National Forest System land under the jurisdiction of the Secretary of Agriculture and public land under the jurisdiction of the Secretary of the Interior, the Secretary of Agriculture and the Secretary of the Interior shall collaborate to assure that the wilderness areas are interpreted to the public as an overall complex tied together by common location in the Boulder-White Cloud Mountains and common identity with the natural and cultural history of the State of Idaho and its Native American and pioneer heritage.

(c) COMPREHENSIVE WILDERNESS MANAGEMENT PLAN.—Not later than three years after the date of the enactment of this Act, the Secretary of Agriculture and Secretary of the Interior shall collaborate to develop a comprehensive wilderness management plan for the wilderness areas designated by section 201. The completed management plan shall be submitted to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(d) FIRE, INSECTS, AND DISEASES.—Within the wilderness area designated by section 201, the Secretary concerned may take such measures as the Secretary concerned determines to be necessary for the control of fire, insects, and diseases, subject to such conditions as the Secretary concerned considers desirable, as provided in section 4(d)(1) of the Wilderness Act (16 U.S.C. 1131(d)(1)).

(e) WILDERNESS TRAILS AND TRAILHEADS.—

(1) CONSTRUCTION OF NEW TRAILHEAD.—The Secretary concerned shall construct a new trailhead for nonmotorized users and improve access to the Big Boulder Trailhead to

separate motorized users from nonmotorized users.

(2) INCLUSION OF ACCESSIBLE TRAIL.—The Secretary concerned shall upgrade the first mile of the Murdock Creek Trail in the Hemingway-Boulders wilderness area designated by section 201 to a primitive, non-paved, and wheelchair accessible standard.

(f) TREATMENT OF EXISTING CLAIMS AND PRIVATE LANDS.—Nothing in this title is intended to affect the rights or interests in real property, patented mining claims, or valid claims or prevent reasonable access to private property or for the development and use of valid mineral rights. The Secretary concerned may enter into negotiations with the holder of a patented claim or valid claim located in a wilderness area designated by section 201 for the voluntary relinquishment of the claim.

(g) GRAZING.—Grazing of livestock in a wilderness area designated by section 201, where established before the date of the enactment of this Act, shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), section 108 of Public Law 96-560, and section 101(f) of Public Law 101-628, and in accordance with the guidelines set forth in Appendix A of House Report 96-617 of the 96th Congress and House Report 101-405 of the 101st Congress.

(h) COMMERCIAL OUTFITTERS AND SADDLE AND PACK STOCK.—Nothing in this title shall preclude horseback riding or the entry of recreational saddle or pack stock into the wilderness areas designated by section 201, including when such entry is made by commercial outfitters.

SEC. 203. ACQUISITION OF MINERAL INTERESTS AND LANDS FROM WILLING SELLERS.

(a) ACQUISITION.—Within the boundaries of the wilderness areas designated by section 201, the Secretary concerned may acquire, through purchase from willing sellers or donation from willing owners, all right, title, and interest in all mineral interests, claims, and parcels of land that have been patented under the Act of May 10, 1872 (30 U.S.C. 22 et seq.; commonly known as the Mining Act of 1872).

(b) CONSIDERATION.—In exercising the authority provided by subsection (a) to acquire lands and interests, the Secretary concerned shall offer the owners of record of each patent, who voluntarily wish to sell, \$20,000 as compensation for the acquisition of these interests. The Secretary concerned shall make such offers as soon as practicable after the date of the enactment of this Act and such offers shall remain open for acceptance during the five-year period beginning on such date.

(c) INCORPORATION IN WILDERNESS AREA.—Any land or interest in land located inside the boundaries of a wilderness area designated by section 201 that is acquired by the United States after the date of the enactment of this Act shall be added to and administered as part of that wilderness area.

SEC. 204. ADJACENT MANAGEMENT.

(a) NO PROTECTIVE PERIMETERS OR BUFFER ZONES.—Congress does not intend for the designation of the wilderness areas by section 201 to lead to the creation of protective perimeters or buffer zones around any such wilderness area.

(b) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses outside of a wilderness area designated by section 201 can be seen or heard from inside of the wilderness area shall not preclude the conduct of those activities or uses outside the boundaries of the wilderness area.

SEC. 205. WILDFIRE MANAGEMENT.

Consistent with section 4 of the Wilderness Act (16 U.S.C. 1133), nothing in this title precludes a Federal, State, or local agency from

conducting wildfire management operations, including operations using aircraft or mechanized equipment, to manage wildfires in the wilderness areas designated by section 201.

SEC. 206. WATER RIGHTS.

(a) FINDINGS.—Congress finds the following:

(1) The lands designated as wilderness areas by section 201 are located at the headwaters of the streams and rivers on those lands, with few, if any, actual or proposed water resource facilities located upstream from such lands and few, if any, opportunities for diversion, storage, or other uses of water occurring outside such lands that would adversely affect the wilderness values of such lands.

(2) The lands designated as wilderness areas by section 201 are not suitable for use for development of new water resource facilities or for the expansion of existing facilities.

(3) Therefore, it is possible to provide for proper management and protection of the wilderness value of the lands designated as wilderness areas by section 201 in ways different from the ways utilized in other laws designating wilderness areas.

(b) PURPOSE.—The purpose of this section is to protect the wilderness values of the lands designated as wilderness areas by section 201 by means other than a federally reserved water right.

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

(1) shall constitute, or be construed to constitute, either an express or implied reservation by the United States of any water or water rights with respect to the wilderness areas designated by section 201;

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

(3) shall be construed as establishing a precedent with regard to any future wilderness designations;

(4) shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State of Idaho and other States; and

(5) shall be construed as limiting, altering, modifying, or amending provisions of Public Law 92-400, which established the Sawtooth National Recreation Area (16 U.S.C. 460aa et seq.).

(d) IDAHO WATER LAW.—The Secretary concerned shall follow the procedural and substantive requirements of the law of the State of Idaho when seeking to establish any water rights, not in existence on the date of the enactment of this Act, with respect to the wilderness areas designated by section 201.

(e) NEW PROJECTS.—

(1) PROHIBITION.—Except as otherwise provided in this Act, on and after the date of the enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility inside any of the wilderness areas designated by section 201.

(2) DEFINITION.—In this subsection, the term “water resource facility” means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

SEC. 207. WILDLIFE MANAGEMENT.

(a) STATE JURISDICTION.—In accordance with section 4(d)(7) of the Wilderness Act (16

U.S.C. 1133(d)(7)), nothing in this title affects or diminishes the jurisdiction of the State of Idaho with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas designated by section 201.

(b) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within wilderness areas designated by section 201 where consistent with relevant wilderness management plans, in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405 of the 101st Congress, including the occasional and temporary use of motorized vehicles, if such use, as determined by the Secretary concerned would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values and accomplish those purposes using the minimum tool necessary to reasonably accomplish the task.

(c) USE OF AIRCRAFT.—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405 of the 101st Congress, the State of Idaho may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and manage elk, deer, bighorn sheep, mountain goats, wolves, grizzly bears, and other wildlife and fish.

(d) HUNTING, FISHING, AND TRAPPING.—Nothing in this title shall affect hunting, fishing, and trapping, under applicable State and Federal laws and regulations, in the wilderness areas designated by section 201. The Secretary concerned may designate, by regulation in consultation with the appropriate State agency (except in emergencies), areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas.

SEC. 208. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

Nothing in this title shall be construed to diminish the rights of any Indian tribe. Nothing in this title shall be construed to diminish tribal rights regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

SEC. 209. MILITARY OVERFLIGHTS.

Nothing in this title restricts or precludes—

(1) low-level overflights of military aircraft over the wilderness areas designated by section 201, 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. 210. WILDERNESS REVIEW.

(a) NATIONAL FORESTS.—Section 5 of Public Law 92-400 (16 U.S.C. 460aa-4), which required a review of the undeveloped and unimproved portion or portions of the Sawtooth National Recreation Area established by that Act as to suitability or nonsuitability for preservation as part of the National Wilderness Preservation System, is repealed.

(b) PUBLIC LANDS.—

(1) FINDING.—Congress finds that, for the purpose 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 fol-

lowing areas have been adequately studied for wilderness designation:

(A) The Jerry Peak Wilderness Study Area.

(B) The Jerry Peak West Wilderness Study Area.

(C) The Corral-Horse Basin Wilderness Study Area.

(D) The Boulder Creek Wilderness Study Area.

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

(A) is no longer 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 III—BOULDER-WHITE CLOUDS MANAGEMENT AREA

SEC. 301. ESTABLISHMENT OF MANAGEMENT AREA.

(a) FINDINGS AND PURPOSES.—In the case of those Federal lands not designated as wilderness in title II, Congress has examined the management alternatives for such lands and finds that the designation of such lands as a special management area will provide outstanding opportunities for many forms of recreation, including mountain biking, snowmobiling, and the use of off-road motorized vehicles. The purpose of this title is to statutorily provide for the continued management of such lands for motorized and other recreational opportunities, livestock grazing, and conservation and resource protection in accordance with the existing management areas, plans, and applicable authorities of the Challis National Forest, the Sawtooth National Forest, the Sawtooth National Recreation Area, and the Challis District of the Bureau of Land Management. In addition, it is the purpose of this title to provide that motorized use of such lands shall be allowed in accordance with the travel map entitled “Boulder-White Clouds Management Area Travel Plan” and dated July 24, 2006.

(b) ESTABLISHMENT.—

(1) ESTABLISHMENT.—Those Federal lands in the Challis National Forest, the Sawtooth National Forest, the Sawtooth National Recreation Area, and the Challis District of the Bureau of Land Management that are not designated as wilderness in title II, as generally depicted on the map entitled “Boulder-White Clouds Management Area” and dated July 24, 2006, are hereby designated as the Boulder-White Clouds Management Area and shall be managed as provided by this title.

(2) RELATION TO SAWTOOTH NATIONAL RECREATION AREA.—The designation of land already in the Sawtooth National Recreation Area for inclusion in both the management area and the Sawtooth National Recreation Area is declared to be supplemental to, not in derogation of, the Sawtooth National Recreation Area.

(3) MANAGEMENT AREA DEFINED.—In this title, the term “management area” means the Boulder-White Clouds Management Area designated by this subsection.

(c) ADMINISTRATION.—

(1) SECRETARY CONCERNED DEFINED.—In this title, the term “Secretary concerned” means—

(A) the Secretary of Agriculture, in the case of National Forest System lands included in the management area; and

(B) the Secretary of the Interior, in the case of public lands included in the management area.

(2) ADMINISTRATION.—Except as otherwise provided in this title, the Secretary concerned shall administer the management area in accordance with this title and the laws and regulations generally applicable to

the National Forest System lands and the public lands included in administrative areas in existence as of the date of the enactment of this Act and in accordance with the management plans of the Sawtooth National Recreation Area, the Challis National Forest, the Sawtooth National Forest, and the Challis District of the Bureau of Land Management in existence as of that date.

(3) **RELATION TO SAWTOOTH NATIONAL RECREATION AREA.**—If lands in the management area are also included in the Sawtooth National Recreation Area, the Secretary of Agriculture shall also administer that land in accordance with Public Law 92-400 (16 U.S.C. 460aa et seq.).

(4) **CONTINUED REFERENCE TO EXISTING ADMINISTRATIVE UNITS.**—Notwithstanding the establishment of the management area, the administrative units in effect as of the date of the enactment of this Act and known as the Sawtooth National Recreation Area, the Challis National Forest, the Sawtooth National Forest, and the Challis District of the Bureau of Land Management, including areas within the administrative units established as the management area, shall continue to be known as the Sawtooth National Recreation Area, the Challis National Forest, the Sawtooth National Forest, and the Challis District of the Bureau of Land Management, respectively, and shall be so designated on any signs and maps prepared by the Secretary concerned.

(d) **DEVELOPMENT.**—No new roads may be constructed within the management area, except as necessary for access to campgrounds and other recreation areas as determined by the Secretary concerned. Roads may be maintained and relocated as necessary. The Secretary concerned shall permit the mining and removal of gravel, sand, and rock along existing roads in the management area as necessary for road maintenance in accordance with the applicable management plan.

(e) **TIMBER HARVESTING.**—Timber harvesting may be allowed on lands in the management area only in accordance with the management plan applicable to the lands and for necessary control of fire, insects, and diseases and for public safety.

(f) **TRAILS.**—

(1) **CONSTRUCTION, MAINTENANCE, AND IMPROVEMENTS.**—There is authorized to be appropriated to the Secretary of Agriculture and the Secretary of the Interior \$650,000 for trail construction and maintenance and for other improvements related to outfitting, guiding, hiking, and horseback use within the management area. Amounts appropriated pursuant to this authorization of appropriations shall remain available until expended.

(2) **SET-ASIDE FOR TRAIL CONSTRUCTION.**—Of the amounts appropriated pursuant to the authorization of appropriations in paragraph (1), \$150,000 shall be available for the construction of—

(A) a trail between the Phyllis Lake Road (USFS Road #053) and Phyllis Lake, which shall be primitive and non-paved, but wheelchair accessible, and open only to non-motorized travel; and

(B) the primitive and non-paved, but wheelchair accessible, trail along Murdock Creek in the Hemingway-Boulders wilderness area required by section 202(e)(2).

SEC. 302. LAND ACQUISITION AND ACQUISITION OF UNPATENTED MINING CLAIMS IN MANAGEMENT AREA.

(a) **LAND ACQUISITION.**—The Secretary concerned may acquire, by donation or purchase from willing sellers, lands and interests in lands—

(1) located inside the boundaries of the management area; or

(2) located adjacent to the management area to provide easements for additional public access to the management area.

(b) **ACQUISITION OF UNPATENTED MINING CLAIMS.**—

(1) **ACCEPTANCE OF CONTRIBUTIONS.**—The Secretary concerned shall accept any charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) of an interest—

(A) in an unpatented mining claim located inside the boundaries of the management area; or

(B) in any partnership, association, company, or corporation substantially all the value of which is attributable to unpatented mining claims located inside the boundaries of the management area.

(2) **ACCESS FOR VALUATION PURPOSES.**—The Secretary concerned shall permit any donor of an interest described in paragraph (1), or any agent of the donor, to access the unpatented mining claim and conduct sampling and exploration work necessary to determine the fair market value of the claim if—

(A) the donor notifies the local Federal land manager in writing of the donor's intent to access the unpatented mining claim for such purposes; and

(B) the Secretary determines that the proposed access, sampling, and exploration work will not cause substantial impairment of the surface resources.

(3) **VALUATION METHOD IF ACCESS DENIED.**—If the Secretary concerned determines that a request for access under paragraph (2) to conduct sampling and exploration work necessary to determine the fair market value of an unpatented mining claim will cause substantial impairment of the surface resources or otherwise fails to permit access within 30 days after receipt of the written request for access under such paragraph, the fair market value of the claim for purposes of determining the amount of the contribution under paragraph (1) shall be based on an appraisal that relies upon noninvasive methods to determine the value.

(c) **LIMITATION ON USE OF CONDEMNATION.**—No lands or interests in lands may be acquired by condemnation for inclusion in the management area or to provide access to the management area, except as provided for by Public Law 92-400 (16 U.S.C. 460aa et seq.) and regulations, in effect as of the date of the enactment of this Act, for the use of private land in the Sawtooth National Recreation Area (sections 36 292.14-292.16 of title 36, Code of Federal Regulations).

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated not more than \$5,000,000 to carry out this section. Amounts appropriated pursuant to this authorization of appropriations shall remain available until expended.

SEC. 303. MOTORIZED AND BICYCLE TRAVEL.

(a) **MOTORIZED AND BICYCLE TRAVEL AUTHORIZED.**—

(1) **BLM LAND.**—In the case of public land included in the management area, notwithstanding the status of any other road or trail, motorized and bicycle travel shall continue to be allowed on the Spar Canyon, Herd Lake, and Road Creek routes.

(2) **FOREST SERVICE LAND.**—In the case of National Forest System land included in the management area, motorized and bicycle travel shall continue to be allowed in accordance with Forest Service travel plans and maps in existence as of July 24, 2006, which managed recreation use for the specific areas, roads, and trails on that land, as referenced on the travel map entitled "Boulder-White Clouds Management Area Travel Plan" and dated July 24, 2006.

(b) **ESTABLISHMENT OR USE OF OTHER TRAILS AND ROUTES.**—Notwithstanding sub-

section (a), other trails and routes may be used for motorized and bicycle travel whenever the Secretary concerned considers such use to be necessary for administrative purposes or to respond to an emergency.

(c) **ROUTE AND TRAIL CLOSURES.**—The following roads or trails shall be closed to motorized and mechanized trail use, except when there is adequate snowcover to permit snowmobile use:

(1) Forest Service Trail 109 between the Phyllis Lake turnoff to 4th of July Lake and the south side of Washington Lake.

(2) Forest Service Trail 671 up Warm Springs Creek from Trail 104 to the wilderness boundary.

(d) **GROUND FOR TRAIL SEGMENT CLOSURES.**—Resource damage that can be mitigated and issues of user conflict shall not be used as grounds for the closure of a trail or route in the management area, although the Secretary concerned may close any trail or route, or prohibit the use of trail or route for motorized and mechanized travel, if the Secretary determines that such closure or prohibition is the only reasonable means available for resource protection or public safety.

(e) **MITIGATION OF TRAIL CLOSURES.**—If the Secretary determines under subsection (d) that closing an available trail or route in the management area is necessary for resource protection or public safety, the Secretary shall take any of the following mitigation actions, intended to provide commensurate motorized recreation opportunities in the same general area of the management area:

(1) Repair resource damage and secure conditions so that closed trails may be reopened to motorized use.

(2) Replace, relocate, or reroute the trail or the trail segment to provide a similar link between travel points.

(3) A combination of the actions specified in paragraphs (1) and (2) and other actions to achieve the overall mitigation objective.

(f) **RELATION TO OTHER LAWS.**—In considering mitigation actions under subsection (e), the Secretary concerned shall ensure that such action is consistent with the overall objectives of the management area. If the lands are also included in the Sawtooth National Recreation Area, the Secretary concerned shall also administer the action in accordance with Public Law 92-400 (16 U.S.C. 460aa et seq.), the map referred to in subsection (a)(2), and executive orders and other relevant laws and regulations existing on or before the date of the enactment of this Act.

(g) **BLM TRAVEL PLAN.**—Not later than three years after the date of the enactment of this Act, the Secretary of the Interior shall develop and implement a travel plan for public land included in the management area, but not otherwise covered by this section. The travel plan shall be developed in accordance with the laws and regulations generally applicable to the public land included in the management area and in accordance with the existing management plan for the Challis District of the Bureau of Land Management. Motorized and bicycle travel authorized in the travel plan shall be managed in accordance with the plan and laws and regulations generally applicable to the public land, and not as otherwise provided for in this section. The Secretary of the Interior shall include a map as part of the travel plan.

SEC. 304. SUPPORT AND USE OF IDAHO OFF ROAD MOTOR VEHICLE PROGRAM.

(a) **GRANT TO PROGRAM.**—There is authorized to be appropriated to the Secretary of Agriculture not more than \$1,000,000, which shall be used by the Secretary to make a grant to the State of Idaho in the full amount so appropriated for deposit with the Off Road Motor Vehicle Program of the

Idaho Department of State Parks and Recreation, which is used to support the acquisition, purchase, improvement, repair, maintenance, furnishing, and equipping of off-road motor vehicle facilities and sites, to groom snowmobile trails, and for enforcement activities and the rehabilitation of land damaged by off-road vehicle users. As a condition of the grant, the State must maintain the grant funds as a separate account of the Off Road Motor Vehicle Program and may not use the funds except as provided by this section.

(b) **USE OF GRANT FUNDS.**—When the Secretary concerned determines that additional funds are required to carry out the activities described in subsection (a) in the management area, the Secretary may apply for funds from the Off Road Motor Vehicle Program. Funds received under this subsection shall be used only in the management area or in connection with the Boise motorized recreation park authorized by section 107.

(c) **CONSULTATION AND RECOMMENDATIONS.**—Before funds are provided under subsection (b), the Off Road Motor Vehicle Program shall consider any recommendations regarding the use of the funds made by the advisory committee established as part of the program as well as public comments.

(d) **RELATION TO OTHER LAWS.**—Any action undertaken using funds obtained under subsection (b) shall conform to the applicable travel plan of the Challis National Forest, the Sawtooth National Forest, the Sawtooth National Recreation Area, or the Challis District of the Bureau of Land Management.

SEC. 305. AIRPORTS AND LANDING STRIPS.

No airstrips exist in the wilderness areas designated by title II. Nothing in this Act shall be construed to restrict or preclude the use of public or private airports or landing strips located within the management area or adjacent to a wilderness area designated by title II.

SEC. 306. MANAGEMENT OF RAILROAD RIDGE AREA, SAWTOOTH NATIONAL FOREST.

(a) **FINDINGS.**—Congress finds the following:

(1) The Railroad Ridge area of the Sawtooth National Forest is host to several extremely rare and sensitive plant species.

(2) The area supports some of the most unique and well-developed alpine plant communities in Idaho, and is more botanically diverse than most alpine communities in North America.

(3) The area is currently closed to cross-country motorized travel.

(b) **ENHANCED AWARENESS AND CONSERVATION.**—There is authorized to be appropriated to the Secretary of Agriculture \$50,000 for the development of educational materials and signage to raise the awareness of users of the Railroad Ridge area of the uniqueness of the area and to promote the conservation of the area.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN of Oregon. Madam Speaker, I ask unanimous consent that all Members may have five legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mr. WALDEN of Oregon. Madam Speaker, I yield my sufficient such time as I may consume.

I am really pleased that we are bringing forward Congressman MIKE SIMPSON's bill, H.R. 3603, the Central Idaho Economic Development and Recreation Act, otherwise known as CIEDRA. Congressman SIMPSON should be commended for the hard work that he has put into developing this legislation over the last 6 years. He has worked tirelessly to get this legislation to this position.

This bill is the first comprehensive wilderness bill to come out of the State of Idaho in more than 25 years, a quarter of a century. It enjoys broad support from elected officials, as well as the Idaho conservation community and present and past statewide officials.

H.R. 3603 considers all users in the Boulder-White Clouds. It creates three new wilderness areas, totaling approximately 312,000 acres. It authorizes the first-ever wheelchair accessible trails in the wilderness. It locks in existing motorized use for all terrain vehicles and snowmobiles, and it also provides much needed economic assistance to a county that is, get this, over 95 percent Federal land. Ninety-five percent.

H.R. 3603 is a locally produced compromise that meets the needs of today's users and secures the future for generations of Idahoans and Americans who want to continue using and enjoying our beautiful Boulder-White Clouds area. By passing this bill, we can put to rest many longstanding conflicts and move forward toward a more secure future for those who use and enjoy this area.

Once again, Mr. SIMPSON's efforts at bringing together very diverse groups should be applauded. I urge passage of this important piece of compromise legislation.

Madam Speaker, I reserve the balance of my time.

Ms. BORDALLO. Madam Speaker, I yield myself such time as I may consume.

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Madam Speaker, the majority has already explained the purpose of H.R. 3603, which was introduced by the gentleman from Idaho, Representative MIKE SIMPSON.

Contrary to the impression that may have been given, H.R. 3603 is controversial legislation that is being rushed to the floor today without even the benefit of a committee report or a Congressional Budget Office cost estimate. The ranking Democrat on the resources committee, Representative NICK RAHALL, opposes this bill and others share his concern with the legislation.

Madam Speaker, H.R. 3603 is a controversial and complex measure that should be carefully considered. And as such, we do not support passage of H.R. 3603 by the House today.

Madam Speaker, I reserve the balance of my time.

Mr. WALDEN of Oregon. Madam Speaker, I yield such time as he may consume to the gentleman from Idaho, who has worked so diligently for so long to build this bill from the ground up, from the State of Idaho up, my colleague and friend, Mr. SIMPSON.

Mr. SIMPSON. Madam Speaker, in regard to the opening statement, I notice that this bill really is not being rushed to the floor. It has been in development for 6 years. I wouldn't call that rushing anything to the floor. In fact, it has been in the form of a bill for over 3 years, so people have had a chance to look at it and know what we have been talking about here.

Idahoans know that the Boulder-White Clouds are some of the most beautiful mountains in Idaho. They also know they have been the subject of some of the most contentious wilderness debates in our time.

H.R. 3603, the Central Idaho Economic Development and Recreation Act, marks a new area in wilderness creation, one in which the needs of the people who live and recreate in the area are as important as the lines drawn on a map. The old approach to wilderness of sacrificing the needs of individuals and specific user groups to the benefit of others will not work anymore. Those who are affected by wilderness must be a part of the solution.

During the past 6 years, my staff and I had countless meetings with the groups and individuals that will be impacted by my proposed wilderness designation. These meetings included Custer County's commissioners, elected city officials, ranchers, snowmobilers, off-road vehicle users, outfitters, conservationists and others, as well as public meetings in Stanley, Challis, and Ketchum. What I heard made me believe that we could find a positive outcome in the management of the Boulder-White Clouds that benefits all users.

H.R. 3603 represents my best effort at crafting a compromise piece of legislation in a manner where no one is unfairly impacted. We are providing economic stability for Custer County. We are securing roads and trails for today's motorized recreation users and future generations of motorized users. We are working on providing economic viability to ranching families, and we are creating three substantive wilderness areas that have an area half the size of the State of Rhode Island. We are even creating the first handicapped-accessible wheelchair trail into wilderness.

By passing this bill, we can put to rest many longstanding conflicts and move ahead to a stronger, more secure economy in the rugged, beautiful, and productive heart of Idaho. This bill meets the needs of today's users and secures the future for generations of Idahoans who want to continue using and enjoying the beautiful Boulder-White Clouds.

Henry Clay once stated that “politics is not about ideological purity or moral self-righteousness. It is about governing, and if a politician cannot compromise, he cannot govern effectively.”

Today, we have an opportunity to show that we can, in fact, govern effectively.

I want to thank the following individuals who have helped me over the last 6 years in creating this bill. First, I want to thank the chairman of the full committee and Ranking Member RAHALL; subcommittee Chairman WALDEN and Ranking Member TOM UDALL for their work on this. Custer County Commissioners Wayne Butts, Cliff Hansen and Linn Hintze, Blaine County Commissioners Sarah Michaels and Tom Bowman, Stanley Mayor Hannah Stouts, Former Governor Cecil Andrus, Former Senator Jim McClure, Bob Hayes, Bethine Church and the Sawtooth Society, Rick Johnson, Linn Kincannon with the Idaho Conservation League, Bart Koehler, Tim Mahoney, Marcia Argust, Erik Schultze.

And to the staff of the Resources Committee, particularly Erica Tergeson and Doug Crandall, and to Greg Kostka at the legislative counsel who drafted countless versions of this legislation.

□ 1530

And, finally, I want to thank those who put the most work into this, my staff: Lindsay Slater, my chief of staff; Laurel Hall; Josh Heird; and Nikki Watts for their incredible efforts on this piece of legislation.

Ms. BORDALLO. Madam Speaker, I yield 7 minutes to the gentlewoman from New York, Congresswoman Carolyn Maloney.

Mrs. MALONEY. Madam Speaker, I thank the gentlewoman for yielding and for her leadership in so many areas.

Madam Speaker, I rise in opposition to this legislation. As a strong supporter of our Nation's wilderness, I am opposed to it, the Central Idaho Economic Development and Recreation Act.

I am joined in my opposition by the Sierra Club, and I will place their statement in the RECORD. I am also joined in my opposition by 44 different organizations, most of which are located in the great State of Idaho, and I will place their statements in opposition also in the RECORD. I am also joined by Wilderness Watch. They are opposed because they say that the legislation contains “wilderness-weakening provisions.” And I will place their statement in the RECORD.

SIERRA CLUB,
July 21, 2006.

Re Please oppose H.R. 3603/CIEDRA.
HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The 750,000 members of the Sierra Club are citizens from across the country who share a common in-

terest: protecting and restoring wild and special places. Sierra Club members believe that good and responsible stewardship requires that we protect wildlife habitat, halt the loss of wild lands, and secure our natural heritage for future generations. As a member of the House of Representatives, you will make a decision on the Central Idaho Economic Development and Recreation Act (CIEDRA) (H.R. 3603).

While we acknowledge several changes have been made to the bill since its original introduction, and we are supportive of wilderness protection for Idaho, we continue to have very serious concerns regarding several aspects of the legislation. Sierra Club, therefore, continues to oppose H.R. 3603 in its current form and asks that you vote NO on this legislation.

PRIVATIZING PUBLIC LANDS

The American public has overwhelmingly opposed recent proposals to privatize public land. CIEDRA will give away over 5,000 acres of National Forest and BLM-managed lands, including lands from the congressionally protected Sawtooth National Recreation Area (Sawtooth NRA). These lands include elk wintering grounds and salmon waters in the Salmon River watershed near Stanley, Idaho. If CIEDRA is adopted, these lands will be open to large-scale home development and motorized recreational parks. It is wrong to give away public lands.

Taxpayers have invested nearly \$65 million over 30 years to protect the Sawtooth NRA. CIEDRA would reverse this policy, even giving away land inside the Sawtooth NRA that was purchased in 1989 for \$341,000 with federal tax dollars in 1989. CIEDRA sets a precedent of dismantling protections on public lands to benefit a few local interests, despite the strong opposition of many residents.

WILDERNESS LOST

The failure to include 130,000 acres of wilderness quality lands long advocated for protection by the conservation community for wilderness reduces the habitat and wilderness values that should be protected.

WATERS OF THE SAWTOOTH NRA

The streams and rivers of the Sawtooth NRA must be protected for fish (especially spawning salmon) and wildlife. Normally, federal lands such as the Sawtooth NRA include federal protection of instream flows. However, in 2000 the Idaho Supreme Court stripped the Sawtooth NRA of its protections for water and the State of Idaho is free to continue issuing new water rights further degrading instream flow protections. CIEDRA should reassert flow protections. Instead, the bill expressly denies a federal water right under current Idaho law for the Wilderness areas, and is silent as to the new Boulder White Clouds Management Area. The Salmon River and its tributaries could be degraded as a result, further harming salmon recovery.

OFF ROAD VEHICLE USE

CIEDRA would give priority use to motorized recreation for a newly designated 540,000-acre Boulder White Clouds Management Area, and would in effect subvert the conservation purposes of the Sawtooth NRA. To encourage off-road motorized use, what should be a cohesive Wilderness is cleaved into multiple parts. CIEDRA would codify significant ORV trail incursions into prime habitat.

In particular is our concern that CIEDRA adopts a “no net loss” requirement that would prevent Sawtooth NRA land managers from closing motorized trails. No matter how great the damage or risk to public safety, motorized recreation is protected by statute.

On October 27, 2005, current and retired land managers from the U.S. Forest Service

and Department of Interior testified before the House Subcommittee on Forests and Forest Health opposing provisions and costs of CIEDRA, including the ORV provisions.

We acknowledge Rep. Simpson's work in moving forward the discussion of Wilderness in central Idaho. We welcome the opportunity to work with Rep. Simpson and other Members to find accommodations in the bill that would address these issues and help advance and not undo the protections when Congress established the Sawtooth National Recreation Area.

Thank you for your consideration of Sierra Club's position and our reasons for opposing H.R. 3603 in its current form.

Respectfully yours,

CARL POPE,
Executive Director.

July 2006.

HONORABLE MEMBERS, HOUSE RESOURCES COMMITTEE, Why You Must Oppose H.R. 3603 (CIEDRA) Central Idaho Economic Development and Recreation Act.

(1) Across party lines, the American public recently expressed a strong and clear will to keep public lands PUBLIC by rejecting legislation that would have privatized public land. HR 3603 would thwart the national will by giving away, for free, roughly 5,100 acres of nationally owned public land, including acreage in the congressionally-protected Sawtooth National Recreation Area (Sawtooth NRA), an American treasure located in Central Idaho. In Title I, CIEDRA earmarks numerous parcels of nationally owned public land to be given away. These include elk wintering grounds and salmon waters near Stanley, Idaho as well as land outside the Sawtooth NRA. The exact acreage is still unknown, as it is yet to be included in the bill language or documented in one place.

(2) CIEDRA would mandate motorized use and erode existing protections in the Sawtooth NRA. The eastern half of the Sawtooth NRA would be overlain with a new Boulder White Clouds Management Area, designating permanent off-road vehicle (ORV) corridors through critical wildlife habitat and establishing motorized recreation as the priority use for approximately 550,000 acres—almost twice the acreage the bill would designate as Wilderness. Title III would restrict Sawtooth NRA managers' ability to protect this new Management Area from ORV damage and lock in the status quo of damaging ORV use. CIEDRA would eliminate environmental protections, requiring no net loss in motorized routes despite resource damage and public safety concerns. Over 200,000 acres of the Sawtooth NRA, 70,000 acres of additional National Forest lands, and 230,000 acres of BLM-managed land adjacent to the Sawtooth NRA would be dedicated to dirt bikes and snowmobiles.

(3) CIEDRA would undo the protections afforded in PL 92-400, passed in 1972 to protect the natural, rural, and scenic values of the Sawtooth NRA. Taxpayers have already spent \$65 million to create and protect the Sawtooth NRA, an icon among America's western landscapes. Despite the strong opposition of many area residents—CIEDRA would set a precedent of dismantling protections on public land to benefit a few interests.

(4) CIEDRA fails to provide a water right needed by wildlife and fish, especially endangered salmon. In 2000 the Idaho Supreme Court stripped the Sawtooth NRA of its protections for water. CIEDRA should reassert instream flow protections. Instead, the bill expressly denies a federal water right for wilderness areas and is silent as to the new Boulder White Clouds Management Area. Hunters and fishermen are among those opposing CIEDRA because they know that

without water, wilderness cannot support wildlife, and streams cannot support fish.

(5) CIEDRA would weaken the Wilderness Act, bestowing the name "Wilderness" while undermining traditional wilderness protections. Title II would "release" more than 130,000 acres of Wilderness Study Areas and recommended Wilderness, suspending protection and opening these lands to damaging uses. The Wilderness proposed by CIEDRA is so weak and inconsistent with the Wilderness Act that the Forest Service expressed strong reservations about this title in its October 27, 2005 testimony regarding H.R. 3603.

For these and other reasons, the interests of your constituents are not well served by H.R. 3603.

We, the undersigned, urge you not to support CIEDRA.

COMMITTEE TO SAVE THE SNRA

Sierra Club, N. Rockies Chapter, Boise, ID, Kathy Richmond.

Idaho Wildlife Federation, Boise, ID, Cherie Barton.

Idaho Birdhunters, Boise, ID, Russell Heughins.

Idaho Environmental Council, Idaho Falls, ID, Jerry Jayne.

Ada County Fish & Game League, Boise, ID, Bob Minter.

Idaho Sporting Congress, Boise, ID, Ron Mitchell.

Coalition of Retired Forest Service Managers, Hailey, ID, Scott Phillips.

Golden Eagle Audubon, Boise, ID.

Payette Forest Watch, Moscow, ID, Erik Ryberg.

Friends of the West, Clayton, ID, Dave Richmond.

Friends of the Clearwater, Moscow, ID, Gary Macfarlane.

Kootenai Environmental Alliance, Coeur d'Alene, ID, Barry Rosenberg.

Idaho Green Party, Boise, ID, Gwen Sanchirico.

NREPA Network, Hailey, ID, Kaz Thea.

Selkirk Conservation Alliance, Priest River, ID, Mark Sprengel.

Western Lands Project, Seattle, WA, Janine Blaeloch.

Alliance for the Wild Rockies, Missoula, MT, Michael Garrity.

Wilderness Watch, Missoula, MT, George Nickas.

Friends of the Bitterroot, Hamilton, MT, Larry Campbell.

Big Wild Advocates, Emigrant, MT, Howie Wolke.

Wildlands CPR, Missoula, MT, Bethanie Walder.

National Forest Protection Alliance, Missoula, MT, Susan Curry.

The Ecology Center, Missoula, MT, Jeff Juel.

Save America's Forests, Washington, D.C., Carl Ross.

Bluewater Network, A Division of Friends of the Earth, San Francisco, CA, Carl Schneebeck.

Public Lands Foundation, Arlington, VA, George Lea.

Wild Wilderness, Bend, OR, Scott Silver.

Californians for Western Wilderness, San Francisco, CA, Michael J. Painter.

North Cascades Conservation Council, Seattle, WA, Marc Bardsley.

Utah Environmental Congress, Salt Lake City, UT, Kevin Mueller.

Olympic Forest Coalition, Olympia, WA, Bonnie Phillips.

Cold Mountain, Cold Rivers, Missoula, MT, Lance Olsen.

Conservation Congress, Lewistown, MT, Denise Boggs.

Native Forest Council, Eugene, OR, Tim Hermach.

Citizens to Save Our Canyons, Salt Lake City, UT, Gale Dick.

River Runners for Wilderness, Moab, UT, Tom Martin.

Wild Law, Montgomery, AL, Ray Vaughan. Citizens for the Chuckwalla Valley, Desert Center, CA, Donna Charpied.

Heartwood, Brookport, IL, Mark Donhan. Citizens Against Recreation Privatization, Southlake, TX, Greg Billingsley.

Friends of the Wild Swan, Swan Lake, MT, Arlene Montgomery.

Great Old Broads for Wilderness, Durango, CO, Ronni Egan.

Swan View Coalition, Kallispell, MT, Keith Hammer.

Friends of Bell Smith Springs, Stonefort, Illinois, Sam Stearns.

Umpqua Watersheds, Roseburg, OR, Penny Lind.

MEMO REGARDING THE WILDERNESS PROVISIONS IN H.R. 3603

CENTRAL IDAHO ECONOMIC DEVELOPMENT AND RECREATION ACT (CIEDRA), JULY 21, 2001

Rep. Mike Simpson's (R-ID) Central Idaho Economic Development and Recreation Act (CIEDRA) contains a number of wilderness-weakening provisions that are contrary to the intent and provisions in the Wilderness Act. Some of these have been included in one or more other wilderness bills but that does not make them any less harmful for wilderness.

Exceptions contrary to the Wilderness Act water down the meaning and authenticity of wilderness. The new trend these last several years of designating wilderness as part of complex omnibus public lands bills has become increasingly controversial. The Lincoln County bill in Nevada is one recent example that bitterly divided the conservation community and undermined the language and intent of the Wilderness Act.

Below are citations in CIEDRA that are wilderness-weakening provisions.

PROVISION

CIEDRA elevates the interests of certain user groups into statutory rights.

CIEDRA 202(h): Commercial Outfitters and Saddle and Pack Stock.—Nothing in this title shall preclude horseback riding or the entry of recreational saddle or pack stock into the wilderness areas designated by section 201, including when such entry is made by commercial outfitters.

Discussion: Howard Zahniser, author of the Wilderness Act, said the following in testimony before the House: "The purpose of the Wilderness Act is to preserve the wilderness character of the areas to be included in the wilderness system, not to establish any particular use."—May 7th, 1962, 87th Congress

Commercial outfitters in the Sierra have been trying for several years to pass a national Right to Ride bill. They've included recreational equestrians in their legislative attempts to get their support for the bill. That bill has not passed, but Right to Ride language has been inserted into a few wilderness bills, including CIEDRA and the California Wild Heritage Act, but such language has never passed yet. CIEDRA would be the first to enshrine such language into law.

The overarching statutory mandate of the Wilderness Act is to preserve the wilderness character of an area, and allow nothing to diminish its wilderness character over time. By law, preserving wilderness character has priority over any particular use of an area. For that reason any allowable public use such as hiking or horse use can be limited or prohibited in wilderness if the use is harming some aspect of an area's wilderness character. There are a number of wildernesses around the country that are completely closed to public use for all or part of each year for that very reason.

CIEDRA does the opposite—it says that even though the area has become wilderness,

protection of its wilderness character cannot be used as the premise for limiting horse use. It essentially grants greater statutory privilege to horse use than to preservation of wilderness character, which is completely contrary to the intent of the Wilderness Act.

PROVISION

CIEDRA weakens Wilderness Act restrictions on access to mining claims.

CIEDRA §202(f): Treatment of Existing Claims and Private Lands.—Nothing in this title is intended to affect the rights or interests in real property, patented mining claims, or valid claims or prevent reasonable access to private property or for the development and use of valid mineral rights.

Wilderness Act §5(b): In any case where valid mining claims or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

Discussion: Instead of simply referencing the Wilderness Act, CIEDRA drops the "reasonable regulations" clause, the "consistent with preservation of the area as wilderness" requirement, and the very important "customarily enjoyed in areas similarly situated" requirement. The latter requirement is highly significant because courts have relied on it in denying road-building and motorized access to private property or valid occupancies within designated wilderness (Absaroka-Beartooth Wilderness is one example). Comparing to other areas similarly situated requires comparing to modes of access that are allowed to other properties that are surrounded by designated wilderness.

CIEDRA abandons these provisions of the Wilderness Act, leaving the door wide open to any kind of access the agency can be convinced to approve.

PROVISION

CIEDRA grants fire management authority to State and local entities, including use of motor vehicles, bulldozers, and chainsaws in Wilderness.

CIEDRA §205: Wildfire Management.—Consistent with section 4 of the Wilderness Act nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations, including operations using aircraft or mechanized equipment, to manage wildfires in the wilderness areas designated by section 201.

Wilderness Act §4(d)(1): Within wilderness areas . . . such measure may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

Discussion: Under the Wilderness Act the Secretary clearly retains sole responsibility for fire management decisions in wilderness, including decisions regarding motorized uses for fire control. Under CIEDRA, State and local agencies are placed on an equal footing with the Forest Service for making fire management decisions. This devolution of fire management authority first appeared in the Clark County, Nevada bill in 2002 and was repeated in the Lincoln County, Nevada bill in 2004.

PROVISION

CIEDRA fragments the largest remaining contiguous roadless area in the continental U.S. into four parcels separated by ATV and motorcycle trails.

CIEDRA §201(1, 2, 3) and §301(a): CIEDRA designates three separate wildernesses: Hemingway-Boulders Wilderness, White Clouds Wilderness, and Jerry Peak Wilderness. The Hemingway-Boulders and White Clouds Wildernesses are separated by a motorcycle

trail, the Germania Trail. The Hemingway-Boulders Wilderness is further carved into two parcels separated by another motorcycle trail that branches off the Germania Trail and leads to the road to the Bowery Guard Station. The White Clouds Wilderness is similarly carved into two separate pieces separated by a loop trail used by motorcycles and ATV's, the Frog Lake Trail. These motorized routes are shown on maps on Simpson's web page and will be on the Travel Map referenced in §301(a).

Discussion: These trails were originally constructed for packstock but began receiving some motorcycle use over the years. The Forest Service did not prohibit the motorized use but currently has the authority to close these trails to motorized use at any time. Congress could also choose to close these motorized trails and designate one larger and completely contiguous wilderness for the Boulder-White Cloud Mountains, instead of the fragmented version that CIEDRA presents.

PROVISION

CIEDRA permits stream poisoning, predator control, and stocking with non-native species in wilderness.

CIEDRA §207(b): Management Activities.—In furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within wilderness areas designated by section 201 where consistent with relevant wilderness management plans, in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405 of the 101st Congress, including the occasional and temporary use of motorized vehicles, if such use, as determined by the Secretary concerned would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values and accomplish those purposes using the minimum tool necessary to reasonably accomplish the task.

Wilderness Act §2(c): Definition of Wilderness.—A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man. . . .

Discussion: By statutory definition, wilderness is to remain a place set apart where its natural processes including wildlife populations remain untrammeled by intentional human manipulations and interference. While the State retains its role in regulating hunting and fishing in wilderness, the clear intent of the Wilderness Act is not to allow the heavy-handed game management activities that State Fish & Game managers often employ on non-wilderness lands.

The House Report incorporated by CIEDRA contains what are known as the "wildlife guidelines." Those guidelines were not written by wilderness managers, they were drafted by state wildlife managers and were first incorporated into statute in the Arizona Desert Wilderness Act of 1990. Those guidelines contain the following:

Stream Poisoning: Chemical treatment may be necessary to prepare waters for the reestablishment of indigenous species, to protect or recover Federally listed threatened or endangered species, or to correct undesirable conditions resulting from the influence of man. . . . Use only registered pesticide . . . Schedule chemical treatments during periods of low human use, insofar as possible. . . .

Predator Control: Wildlife damage control in wilderness may be necessary to . . . prevent serious losses of domestic livestock . . . Acceptable control measures include lethal

and nonlethal methods. . . . Use pesticides only where other measures are impractical . . . Place warning signs at the entrance to the area where pesticides are being used to warn the public of any dangers to themselves or their pets.

Stocking with non-native species: The order of preference for stocking fish species is (a) Federally listed threatened or endangered indigenous species, (b) indigenous species. Species of fish traditionally stocked before wilderness designation may be considered indigenous if the species is likely to survive. Barren lakes and streams may be considered for stocking . . .

PROVISION

CIEDRA would allow motor vehicles and aircraft in wilderness for routine game management.

CIEDRA §207(c): Use of Aircraft.—Consistent with section 4(d)(1) of the Wilderness Act and in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405 of the 101st Congress, the State of Idaho may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and manage elk, deer, bighorn sheep, mountain goats, wolves, grizzly bears, and other wildlife and fish.

Appendix B Wildlife Guidelines: Aerial stocking of fish shall be permitted for those waters in wilderness where this was an established practice before wilderness designation . . . motorized methods and temporary holding and handling facilities may be permitted if they are the minimum necessary . . . Chemical poisoning of lakes is done with motorboats . . .

PROVISION

CIEDRA releases 130,000 acres of Wilderness Study Areas and Forest Service recommended wilderness, suspending current protections and opening these lands to potentially damaging multiple-use.

CIEDRA §210(b)(1): Releases the Jerry Peak Wilderness Study Area, the Jerry Peak West Wilderness Study Area, the Corral-Horse Basin Wilderness Study Area, and the Boulder Creek Wilderness Study Area. Any public land described in paragraph (1) that is not designated as wilderness by this title is no longer subject to section 603(c) of the Federal Land Policy and Management Act (FLPMA) of 1976. These WSA's total 80,000 acres.

FLPMA requires that WSA's be managed in a manner that does not impair their suitability for designation as wilderness, and directs the Secretary to take action to prevent unnecessary or undue degradation of those lands.

A PowerPoint presentation on Simpson's website indicates that CIEDRA does not designate 50,000 acres that have been recommended by the Forest Service for wilderness designation.

Mrs. MALONEY, Madam Speaker, among other harmful provisions, the underlying bill, H.R. 3603, will give away many public lands for private development to local governments completely for free. A bill this controversial should not be considered under suspension of the rules.

The bill, H.R. 3603, includes unusual language that allows the giving away of publicly owned land, owned by the taxpayers, to localities, to counties, and local governments for them then to possibly develop it for private development.

It will also give away, I am told, by the Sierra Club, 5,000 acres. My good friend on the other side of the aisle,

MIKE SIMPSON, said that it is only 3,600 acres. I asked the Democratic staff what is the correct number? They say they do not know because they just got the maps of this controversial bill today at 12:30. And I think that illustrates, if we do not even know how many acres of publicly owned land we are giving away, this needs a further investigation.

In any event, it will give away thousands of acres of national forest and Bureau of Land Management managed lands, including lands within the congressionally protected Sawtooth National Recreation Area, to be opened to large-scale home development and motorized recreational parks. American taxpayers have invested nearly \$65 million over 30 years to protect the Sawtooth National Recreation Area, and it is among the most beautiful sites truly in our country. And now this bill will be giving away roughly 3,600 or 5,000 acres. We are not clear how many.

Make no mistake. We are setting a dangerous precedent by turning over land that is truly owned by this country by all Americans for private development, most of it completely for free.

Some are willing to accept this dangerous precedent and other comprises harmful to the land and wildlife because this bill designates some wilderness. However, Madam Speaker, the esteemed ranking member, NICK RAHALL, of the Resources Committee, and I quote his statement in the committee, "I believe that wilderness designations should not be the result of a quid pro quo," this is from NICK RAHALL, who is opposing this bill.

MIKE THOMPSON has a bill before us today that would designate 275,000 acres of wilderness, and I am totally supportive. But apparently, these two bills have been tied together in an unprecedented way. But even if you believe they should both move forward, let us look at what getting in return for our public lands.

We are getting a number, according to the Wilderness Watch and the Sierra Club, of wilderness-weakening provisions that are contrary and, indeed, undermine the intent and provisions of the Wilderness Act that has been the gold standard for wilderness protection in America for over 40 years.

For example, H.R. 3603 fragments the largest remaining contiguous, roadless area in the continental U.S. into four parcels separated and surrounded by all-terrain vehicles and motorcycle trails.

Secondly, according to Sierra Club and Wilderness Watch, it weakens stream protection by saying that the Forest Service, in order to get water rights, they must get these rights from the State. But the State does not provide wilderness water rights. Therefore, the Democratic staff says that this is a complete and total charade.

Also, it weakens restrictions on access to mining claims and releases more than 130,000 acres of Wilderness

Study Areas and recommended Wilderness, suspending protection and opening these lands to damaging uses.

We must not set a precedent of giving away lands for private development, and we must not get in place of it watered-down, substandard "wilderness." It is simply not worth the cost.

A bill this controversial simply should not be considered under suspension, and I urge, along with the Sierra Club, 44 organizations, Wilderness Watch, a "no" vote on H.R. 3603. And I feel it should not be tied in any way to Mr. THOMPSON's very fine bill that provides for wilderness protection.

Ms. BORDALLO. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. WALDEN of Oregon. Madam Speaker, I yield such time as he may consume to the author of the bill for a concluding statement and any comments he may have.

Mr. SIMPSON. Madam Speaker, I have to respond to a couple of the statements that were made because I know that they have been made over the past by the Sierra Club and others.

First of all, the Wilderness Society and the Campaign for American Wilderness would not be supporting this bill if we actually had wilderness-weakening provisions in this. And while there are compromises in that, and the comment of the ranking member, Mr. RAHALL, that we should not have a quid pro quo, that is kind of the nature of a compromise, that there are some things in it that you like and some things that you do not like. There are provisions of this bill which I personally am not in favor of, but they were necessary in order to get the compromise that is necessary in order to pass this legislation and protect these lands.

First of all, the land transfers that are being talked about, they total about 3,600 acres. This is in a county that is 95 public land, over 95 percent. Out of a total of 3.2 million acres in this county, we are talking about transferring about 3,600 acres. These are not the beautiful mountains that you see in the pictures. These are mostly desert lands, sagebrush lands. They will help the county do things like find room for their landfill, other things like that which will help in the economic development of this county.

Most people that have looked at the actual lands that are being transferred are not opposed to them except for a small portion of them that are actually in Stanley, and in Stanley the city of Stanley has to repay the Federal Government for these lands that were actually purchased by the Federal Government.

I would also say that if there was a great deal of concern about these land transfers and what it is going to do to the Sawtooth National Recreation Area, the Sawtooth Society would not be supporting this. Frank Church's wife, Bethine Church, would not be

supporting this, as well as the other members of the Sawtooth Society. Neither would the Boulder-White Clouds Council be supporting in this. So it is a compromise. There are provisions in it that you can find that you do not like.

One of the interesting things is that the Sierra Club says there is no Federal reserved water rights on this.

MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The SPEAKER pro tempore. Will the gentleman suspend.

Pursuant to the Chair's announcement of earlier today, the House will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Please rise for a moment of silence.

The gentleman from Idaho is recognized.

Mr. SIMPSON. One last comment, Madam Speaker. The argument I found so strange by the Sierra Club is that they say that this does not have Federal water right protection in it. And you are right. It does not have Federal water right protection in it. It does not need Federal water right protection in it because the wilderness area is all headwaters. Whatever falls on the ground from the sky, whatever comes out of the springs there, are protected by the wilderness designation. It does not need Federal water right designation because there is no water right to protect. So I have never understood their argument.

But the reality is that we protect water in this bill better than any wilderness bill that has ever passed because the Wilderness Act itself allows for the President on his declaration to go into a wilderness area and build a dam or other things for irrigation purposes if he declares that that is necessary. That is one of the actual compromises that were made when the Wilderness Act was enacted. We take away the President's right to do that. He could not go in and designate certain areas to be used for irrigation and build dams and take water or anything else. The water that falls on the land will be preserved for the Boulder-White Clouds Wilderness.

Madam Speaker, I appreciate the gentlewoman's concern, and I appreciate the fact that this is a compromise and that there are people on both sides of this issue, in fact, on all sides, there are multiple sides, who do not like this, who do not think it goes far enough in their direction. But the nature of a compromise is that you try to bring people toward the middle. You try to bring people toward a center that they can say we get more out of this bill than we lose.

If we were to draft the perfect bill that you liked, that the Sierra Club liked, we could never get it passed because the people on the other side would then be violently opposed to it. So what we are trying to do is reach that balance where we can actually protect the Boulder-White Clouds, and

if you have ever been there, it is something that deserves protecting.

Mr. WALDEN of Oregon. Madam Speaker, I yield myself the balance of my time.

Again, I want to commend the hard work and diligent effort of our colleague MIKE SIMPSON from Idaho and his staff and the people he has worked with for a long time to bring this bill to this point and for our consideration. And I would heartily urge our Members to support it and remind them that it came out of the Resources Committee on a unanimous vote.

Mr. RAHALL. Madam Speaker, I have spent more than half my life as a member of the Resources Committee. In that time I have supported numerous wilderness designations. In fact, I cannot recall ever opposing a wilderness bill. Yet, today, I find myself in a different situation. While I am normally excited, in fact, enthused, whenever a Republican introduces a wilderness bill, H.R. 3603 falls far short of what I see as an acceptable standard for such an exceptional area.

Wilderness designations should not be the result of a quid pro quo. They should rise or fall on their own merits. We all understand that compromise is part of the legislative process, yet at the same time, I would submit that wilderness is not for sale. Simply put, I believe we should not seek the lowest common denominator when it comes to wilderness and saddle a wilderness designation with exceptions, exclusions, and exemptions. Wilderness is an endangered species. But instead of treating it as such, H.R. 3603 declares open season on it.

With all due respect to the author of this legislation, and its supporters, in my view the focus of this bill is placed on development, with public land giveaways, monetary favors and special legislative provisions for a select few.

There is nothing to be ashamed about with wilderness. Wilderness is not defined by the absence of certain activities, but rather by the presence of certain unique and invaluable characteristics. The answer to the oft-asked question, "why do you want this area to be wilderness" is that these areas are already wilderness. Congress cannot "create" wilderness. That is done by the hand of God. But what we can do is look beyond the fleeting uses these wild lands could be put to and preserve them as they are and as they have been for generations.

President Lyndon Johnson, at the signing of the Wilderness Act in 1964 perhaps summed it up best when he said: "If future generations are to remember us with gratitude rather than contempt, we must leave them something more than the miracles of technology. We must leave them a glimpse of the world as it was in the beginning, not just after we got through with it."

H.R. 3603 falls far short of the standard that has been set for wilderness designation over the past forty years. It treats wilderness as a bargaining chip, something to be used to gain other ends. I simply cannot support eroding protections in the Sawtooth National Recreation Area, the transfer of public lands to developers, or the payoffs to mining speculators to name but a few issues.

H.R. 3603 does not enhance the cause of wilderness, it cheapens it. The rush to bring

this bill to the floor, without even a Committee Report, only shows that proponents fear a little sunshine on this legislation. They don't want you to look too closely at the backroom deals that were made, the favors that were granted, or the real resource protection for these public resources that is being forgone.

Madam Speaker, H.R. 3603, is bad wilderness policy, it's bad resource management policy and it is bad fiscal policy. I urge defeat of the legislation.

Mr. WALDEN of Oregon. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 3603, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NORTHERN CALIFORNIA COASTAL WILD HERITAGE WILDERNESS ACT

Mr. WALDEN of Oregon. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 233) to designate certain National Forest System lands in the Mendocino and Six Rivers National Forests and certain Bureau of Land Management lands in Humboldt, Lake, Mendocino, and Napa Counties in the State of California as wilderness, to designate the Elkhorn Ridge Potential Wilderness Area, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river, and for other purposes, as amended.

The Clerk read as follows:

H.R. 233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Northern California Coastal Wild Heritage Wilderness Act”.

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Definition of Secretary.
- Sec. 3. Designation of wilderness areas.
- Sec. 4. Administration of wilderness areas.
- Sec. 5. Release of wilderness study areas.
- Sec. 6. Elkhorn Ridge Potential Wilderness Area.
- Sec. 7. Wild and scenic river designation.
- Sec. 8. King Range National Conservation Area boundary adjustment.
- Sec. 9. Cow Mountain Recreation Area, Lake and Mendocino Counties, California.
- Sec. 10. Continuation of traditional commercial surf fishing, Redwood National and State Parks.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means—

- (1) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

- (2) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

SEC. 3. DESIGNATION OF WILDERNESS AREAS.

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State of California are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) SNOW MOUNTAIN WILDERNESS ADDITION.—

(A) IN GENERAL.—Certain land in the Mendocino National Forest, comprising approximately 23,706 acres, as generally depicted on the maps described in subparagraph (B), is incorporated in and shall be considered to be a part of the “Snow Mountain Wilderness”, as designated by section 101(a)(31) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98-425).

(B) DESCRIPTION OF MAPS.—The maps referred to in subparagraph (A) are—

- (i) the map entitled “Skeleton Glade Unit, Snow Mountain Proposed Wilderness Addition, Mendocino National Forest” and dated April 21, 2005; and

- (ii) the map entitled “Bear Creek/Deafy Glade Unit, Snow Mountain Wilderness Addition, Mendocino National Forest” and dated July 21, 2006.

(2) SANHEDRIN WILDERNESS.—Certain land in the Mendocino National Forest, comprising approximately 10,571 acres, as generally depicted on the map entitled “Sanhedrin Proposed Wilderness, Mendocino National Forest” and dated April 21, 2005, which shall be known as the “Sanhedrin Wilderness”.

(3) YUKI WILDERNESS.—Certain land in the Mendocino National Forest and certain land administered by the Bureau of Land Management in Lake and Mendocino Counties, California, together comprising approximately 53,887 acres, as generally depicted on the map entitled “Yuki Proposed Wilderness” and dated May 23, 2005, which shall be known as the “Yuki Wilderness”.

(4) YOLLA BOLLY-MIDDLE EEL WILDERNESS ADDITION.—Certain land in the Mendocino National Forest and certain land administered by the Bureau of Land Management in Mendocino County, California, together comprising approximately 27,036 acres, as generally depicted on the map entitled “Middle Fork Eel, Smokehouse and Big Butte Units, Yolla Bolly-Middle Eel Proposed Wilderness Addition” and dated June 7, 2005, is incorporated in and shall be considered to be a part of the Yolla Bolly-Middle Eel Wilderness, as designated by section 3 of the Wilderness Act (16 U.S.C. 1132).

(5) SISKIYOU WILDERNESS ADDITION.—

(A) IN GENERAL.—Certain land in the Six Rivers National Forest, comprising approximately 30,122 acres, as generally depicted on the maps described in subparagraph (B), is incorporated in and shall be considered to be a part of the Siskiyou Wilderness, as designated by section 101(a)(30) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98-425).

(B) DESCRIPTION OF MAPS.—The maps referred to in subparagraph (A) are—

- (i) the map entitled “Bear Basin Butte Unit, Siskiyou Proposed Wilderness Addition, Six Rivers National Forest” and dated June 28, 2005; and

- (ii) the map entitled “Blue Creek Unit, Siskiyou Proposed Wilderness Addition, Six Rivers National Forest” and dated July 21, 2006;

(6) MOUNT LASSIC WILDERNESS.—Certain land in the Six Rivers National Forest, comprising approximately 7,279 acres, as generally depicted on the map entitled “Mt. Lassic Proposed Wilderness” and dated June 7, 2005, which shall be known as the “Mount Lassic Wilderness”.

(7) TRINITY ALPS WILDERNESS ADDITION.—

(A) IN GENERAL.—Certain land in the Six Rivers National Forest, comprising approximately 22,863 acres, as generally depicted on

the maps described in subparagraph (B) and which is incorporated in and shall be considered to be a part of the Trinity Alps Wilderness as designated by section 101(a)(34) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98-425).

(B) DESCRIPTION OF MAPS.—The maps referred to in subparagraph (A) are—

- (i) the map entitled “East Fork Unit, Trinity Alps Proposed Wilderness Addition, Six Rivers National Forest” and dated September 17, 2004;

- (ii) the map entitled “Horse Linto Unit, Trinity Alps Proposed Wilderness Addition, Six Rivers National Forest” and dated September 17, 2004; and

- (iii) the map entitled “Red Cap Unit, Trinity Alps Proposed Wilderness Addition, Six Rivers National Forest” and dated June 7, 2005.

(8) CACHE CREEK WILDERNESS.—Certain land administered by the Bureau of Land Management in Lake County, California, comprising approximately 27,245 acres, as generally depicted on the map entitled “Cache Creek Wilderness Area” and dated July 22, 2006, which shall be known as the “Cache Creek Wilderness”.

(9) CEDAR ROUGHS WILDERNESS.—Certain land administered by the Bureau of Land Management in Napa County, California, comprising approximately 6,350 acres, as generally depicted on the map entitled “Cedar Roughs Wilderness Area” and dated September 27, 2004, which shall be known as the “Cedar Roughs Wilderness”.

(10) SOUTH FORK EEL RIVER WILDERNESS.—Certain land administered by the Bureau of Land Management in Mendocino County, California, comprising approximately 12,915 acres, as generally depicted on the map entitled “South Fork Eel River Wilderness Area and Elkhorn Ridge Potential Wilderness” and dated June 16, 2005, which shall be known as the “South Fork Eel River Wilderness”.

(11) KING RANGE WILDERNESS.—

(A) IN GENERAL.—Certain land administered by the Bureau of Land Management in Humboldt and Mendocino Counties, California, comprising approximately 42,585 acres, as generally depicted on the map entitled “King Range Wilderness”, and dated November 12, 2004, which shall be known as the “King Range Wilderness”.

(B) APPLICABLE LAW.—With respect to the wilderness designated by subparagraph (A), in the case of a conflict between this Act and Public Law 91-476 (16 U.S.C. 460y et seq.), the more restrictive provision shall control.

(12) ROCKS AND ISLANDS.—

(A) IN GENERAL.—All Federally-owned rocks, islets, and islands (whether named or unnamed and surveyed or unsurveyed) that are located—

- (i) not more than 3 geographic miles off the coast of the King Range National Conservation Area; and

- (ii) above mean high tide.

(B) APPLICABLE LAW.—In the case of a conflict between this Act and Proclamation No. 7264 (65 Fed. Reg. 2821), the more restrictive provision shall control.

SEC. 4. ADMINISTRATION OF WILDERNESS AREAS.

(a) MANAGEMENT.—Subject to valid existing rights, each area designated as wilderness by section 3 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) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary that has jurisdiction over the wilderness.