

Testimony In Opposition to S-3294,  
Central Idaho Economic Development & Recreation Act

By  
Bill Dart, Idaho Recreation Council

Mr. Chairman, and Members of the Committee,

Thank You for this opportunity to testify on S-3294, the Central Idaho Economic Development and Recreation Act (CIEDRA). This legislation is urgently important to many Idahoans and citizens from around the country who enjoy these lands today, but will be denied access if this legislation is approved.

I am speaking today on behalf of the Idaho Recreation Council, a coalition of both motorized and non-motorized recreation groups that includes back country equestrians, mountain bikers, motorized trail bike riders, snowmobilers, and back country pilots. While we use different means to access and recreate on Idaho public lands, we all have a common bond, and that bond is our love for Idaho's public lands that we all cherish and enjoy. We can also agree with Wilderness advocates that the lands in question, the Boulder and White Cloud Mountains, are very special and none of us wants to see these lands developed or the landscape altered.

This is not the first time that these lands have been proposed for Wilderness designation. Back in the early 70's, proposals for a large scale molybdenum mine led to a Wilderness proposal. At the same time, the nearby Sawtooth Mountains Primitive Area was also proposed for Wilderness designation. As a result, in 1972 the Sawtooths were designated as Wilderness and a compromise was struck for Boulder/White Clouds that created the Sawtooth National Recreation Area (SNRA). As a National Recreation Area, the land is permanently protected from landscape altering development, much like a Wilderness designation, but a much more diverse range of recreation activities is allowed in a managed setting, including mountain biking, snowmobiling, and motorized trail bike riding. Additionally, the Forest Service and the Bureau of Land Management (BLM) have more management flexibility to protect resources and maintain trails within a National Recreation Area than the very limited options they have within a Wilderness.

So, our first major point is that this legislation is NOT necessary to protect and preserve the Boulder/White Clouds landscape; it is already

very well protected and has been for 38 years now. Not only are the public land protected, private lands in the Stanley Basin within the SNRA are strictly limited regarding development, and Conservation Easements have been purchased to preserve the landscape as it is today. If this area is designated Wilderness the primary recreation users of the area will be excluded and the Forest Service and the BLM will lose most of their management options to protect resources and recreation opportunities.

Of all of the recreation visitors to National Forests, less than 3% ever visit a Wilderness area. For this tiny percentage of the public who prefer to recreate in areas where mountain bikes, motorized trails bikes and snowmobiles are excluded, their needs are more than adequately served already. Besides the 217,000 acre Sawtooth Wilderness that is right across the valley, immediately to the north is the largest Wilderness in the lower 48 states, the 2.3 Million acre Frank Church/River of No Return Wilderness. Contiguous to that and separated by only a single dirt road is the 1.3 Million acre Selway/Bitterroot Wilderness. Adjacent to both of these vast Wildernesses is the 206,000 acre Gospel Hump Wilderness. Additionally, within proposed Boulder/White Clouds Wilderness, most of the land base is already closed to summer motorized uses and has been since the SNRA was created in 1972.

While this is the first time CIEDRA has been introduced in the Senate, the concept was first introduced in the House of Representatives by Congressman Simpson back in 2002 under the same name, and subsequently re-introduced with the same language in every legislative session since then. We will give Congressman Simpson credit for trying very hard to reach a broad consensus with his proposal and attempting to satisfy the concerns of recreational interests, local residents, and county and city governments, as well as Wilderness advocates, hence the title of the original bill, the Central Idaho ECONOMIC DEVELOPMENT and RECREATION Act. Regarding economic development, Custer County, where CIEDRA is located, is one of the poorest in Idaho. Over 87% of the land in Custer County is public land, with little opportunity for economic development to increase the local tax base or bring in new employment opportunities. Most of the County's young people find no future there and move away. To solve this serious problem, the original CIEDRA language included public land transfers to the cities of Stanley, Clayton, Challis, Mackay and Custer County that were earmarked for development purposes. Additionally, grants in the amount of \$5,100,000 were included to spur economic development.

Regarding recreation, the other key component in the bill title, the bill included language to preserve the motorized and mechanized recreation opportunities that are within the SNRA but outside the proposed Wilderness boundaries. Congressman Simpson stated he wanted to settle the debate once and for all about what kinds of recreation would be allowed within the SNRA, and language was included to state that it was the intent of Congress that trails outside of the Wilderness boundary would remain motorized/mechanized in perpetuity, and should a valid reason ever arise to close any of the trails, new replacement trails would be constructed to replace those closed. Additionally, the bill provided for a 1,000 acre land transfer to Idaho Department of Parks and Recreation to create a new OHV park near Boise, plus an authorization for appropriation of \$1,000,000 to develop and manage it.

To the dismay of everyone involved in the compromise discussions with Congressman Simpson, almost all of the collaborative language that was written into earlier versions of CIEDRA has been stripped out of S-3294, as well as the companion House bill, H.R 5205. When this bill was first proposed by Congressman Simpson, many of us were concerned that the compromise language written into the bill would disappear during the legislative process. Congressman Simpson promised many of us who participated in the negotiations that he would withdraw the bill rather than allow it to be passed without the compromise language. Apparently, however, Congressman Simpson has allowed the majority staff to delete the compromise language and then persuaded his Idaho Senate colleagues to introduce a similar bill.

The title, CIEDRA, of this latest incarnation of the bill is truly disingenuous and represents what I call "DC Doublespeak", a name that says one thing but in reality is something entirely different. In my opinion, this bill should be renamed the "Central Idaho Economic and Recreation Reduction Act, since this is what will actually occur if this legislation is becomes law. It is this kind of dishonesty that has led to the highest levels of public dissatisfaction with Congress that this country has ever witnessed and has already led to the rejection of many incumbents in special elections and primaries. I am one of the many voters in this country are fed up with the "business as usual" that CIEDRA typifies.

## **Economic Development Issues**

I will explain why we think the current version of CIEDRA is disingenuous in regard to economic development:

- Land Transfers to Custer County and the cities of Stanley, Challis, Clayton and Mackay that were included in the original CIEDRA for economic development purposes have been eliminated, and the smaller land transfers that remain can only be used for municipal purposes. When no longer needed for those purposes, the land reverts to the Federal Government. Instead of land transfers, some uses are to be authorized under special use permits, something that could be done administratively without CIEDRA. Of course, lacking a bigger tax base and new employment opportunities, it will be difficult for local government to develop and maintain any new municipal facilities.
- Grants for \$5,100,000 to Custer County and the local cities for economic development purposes have been stripped out of the bill.
- The bill will ultimately result in removing several ranchers from grazing permits on public lands and permanently retire all of those grazing permits. Ranching is one of the major economic engines in Custer County, and it will be reduced

The net result is a reduction in local industry and no new opportunities for economic development. How can the title of "Economic Development Act" not be disingenuous?

## **Recreation Issues**

As for Recreation, here are the reasons why this bill will severely reduce recreation, not enhance or increase it:

- Mountain biking is very popular within the SNRA outside of the existing Sawtooth Wilderness. Mountain biker and motorized trail biker riders compose the majority of summer trail use, with the exception of two trails, a short segment from the end of Fourth of July Creek Road to Fourth of July and Washington lake Trail. Some 37 trails (see attachment A), the majority of trails used by mountain bikers today, are located within the proposed Wildernesses and will be closed to them. This is the majority of trails in the SNRA and adjacent lands. How can closing the majority of trails used by the majority of mountain biking recreation visitors

enhance recreation? Remember, only 3% of National Forest recreation visitors every go into a Wilderness.

- Although small in number, the 11 trails in the SNRA open to motorized trail bike use (see attachment A) are vitally important to the recreationists who use them. Motorized trail bike riders are the predominant users of all of the trails open to them. When trails are closed to motorbike use, there is also a significant loss of trail maintenance capability and funding. The Idaho Department of Parks and Recreation (IDPR) provides Trail Ranger crews at no cost to the Forest Service to maintain motorized trails each year. Additionally, Off-Highway Vehicle Grant funds are available for major trail work, such as the OHV Grant funded reconstruction work underway today to re-align and reconstruct Big Casino and Little Casino Trails. Motorbike volunteers also clear many trails every year. Due to significant number of bark beetle killed trees in the area, plus the results of a major fire 3 years ago, every time the wind blows more trees fall down. The trails need constant clearing to keep them open.

How does closing the majority of trails open to motorbike recreation visitors, along with losing OHV grant funding opportunities and the free services of IDPR Trail Ranger crews enhance recreation opportunities?

- The other major recreation visitor group that currently uses lands within the CIEDRA boundaries is snowmobilers. The White Cloud Mountains in particular, but also the Boulder Mountains, have some of the very best mountain snowmobiling in not only Idaho, but the western United States. Motorized-nonmotorized conflicts between winter users within the lands affected by CIEDRA are also almost non-existent. The best terrain for snowmobiling is over 15 miles from plowed roads, far beyond the capabilities of all but a handful of extremely fit cross county skiers.

So, we have a supposed "Recreation Act" that closes the majority of mountain bike and motorbike trails within the CIEDRA boundaries, closes tens of thousands of acres to snowmobilers, and leaves them open only to the very smallest recreation visitor segment. How can this "Recreation Act" title not be disingenuous?

## **Recreation Economics**

Recreation is a key economic engine for the region, including the town of Challis and especially for the town of Stanley. Not only will CIEDRA reduce recreation opportunities, it targets its reductions at motorized recreation, the segment of the recreation community that spends the most money in local communities, far more than most Wilderness recreationists. Snowmobilers are at the top of the list of “big spenders” Not only do they spend a lot of money on their equipment, they spend far more on lodging, meals, and fuel than other recreation visitors. It is too cold to camp out, or even stay in RV’s in Stanley, which is often one of the coldest places in the lower 48 states. Without snowmobiling, Stanley would close virtually all of its businesses by late October, and stay closed until June.

Motorbike riders also spend a lot of money in the local community. Typically, they go on day rides and are back in town or at camp at the end of each day. They spend a lot of money on equipment, but also on food, lodging, and fuel.

Mountain bikers are also largely day riders who are back in town each evening; they too spend money in town.

At the bottom of the list are Wilderness hikers. They typically come to town with a backpack full of freeze dried food they bought before they came to the area, go into the Wilderness for one or more days, and maybe buy a meal and a tank of gas on their way out of town.

## **Recreation Enhancement/Protection Language from Original CIEDRA Stripped Out of S-3294**

The Senate version of CIEDRA, S-3294, bears little resemblance to the original House version of the bill introduced by Congressman Mike Simpson and resulting from his collaborative efforts. In Attachment B I have shown the original language, introduced as recently as the 110<sup>th</sup> session. I have highlighted in red the language that is important to the Idaho Recreation Council, and show in bold the sections of critical importance.

## **Closing Summary**

As I have documented, S-3294 does NOT enhance Economic Development, and in fact will reduce economic activities. S-3294 does NOT enhance recreation, but instead, dramatically reduces recreation opportunities. S-3294 does NOT settle the question of long term motorized and mechanized recreation within the SNRA, but instead gives it NO PROTECTION AT ALL! It will instead encourage Wilderness advocacy groups to continue to push for the total elimination of motorized/mechanized recreation within the SNRA.

S-3294 renders meaningless the collaborative process that Senators Crapo and Risch have used in their own public lands legislation and policy development, as exemplified in Senator Crapo's Owyhee Initiative and Senator Risch's development of a Forest Service Roadless Lands Policy for the state of Idaho. S-3294 has been gutted of all of the collaborative and compromise language and is now a purely "Winner Take All" Wilderness bill. This is NOT the way to develop public land legislation. It is NOT the way Senator Reid developed his Nevada public lands bills. It is NOT the way Senator Bennet developed his Washington County, Utah Wilderness bill. It is NOT the way Senator Feinstein developed her California Desert Wilderness and National Monument bill.

Do our Idaho Senators want to be known for rejecting collaboration with Idaho residents in development of public lands policy, and letting Nevada and California Democrat Senators do a better job at collaborating with their constituents? Do our Idaho Senators want to allow DC Majority staff members re-write Idaho legislation and reject years of collaboration and compromise? Do they want to lock out the people who use and love these lands for the benefit of Wilderness advocacy groups who will never have enough Wildernesses? Already, these groups are developing multiple new Wilderness proposals to lock up even more Idaho public lands from recreationists and any chance of multiple uses to sustain rural communities like Custer County. How much credibility will these Senators have with on-going collaborative efforts, such as the Clearwater Collaborative Group? Will we ever be able to trust them again?

Instead, it is time to reject disingenuous, no compromise legislation. It is not the time to push through a "DC Doublespeak" bill that is NOT supported by most Idaho voters. I urge you to reject this bill as written, and re-examine the basic premise of whether these lands that are already protected from mining, logging, and development need further protection. Is it necessary to lock out the people who are the majority of visitors to them today, visitors that care deeply about

these lands and visit them with reverence for their natural wonders?  
It IS time to JUST SAY NO to locking up hundreds of thousands of  
acres for the exclusive use of a tiny minority of people who are always  
clamoring for more and more. These are our **OUR PUBLIC LANDS**,  
not lands just for a few.

Thank You for taking the time to listen to our concerns.

Respectfully Submitted,  
Bill Dart  
Idaho Recreation Council Representative



## **Attachment A**

Mountain bike trail opportunities lost if CIEDRA becomes law:

1. Warm Spring Trail #671
2. Garland Creek Trail #672
3. Livingston Creek Trail
4. Fourth of July Lake Trail #109
5. Chamberlain Creek Trail # 110
6. Wickiup Creek Trail #684
7. Upper Little Boulder Creek Trail #682
8. Antz Basin Trail # 219
9. Upper Big Boulder Creek Trail #680
10. Walker Lake Trail #601
11. Chamberlain Basin Trail #047
12. Boulder Chain Lakes Trail # 683
13. Surprise Creek Trail #671
14. Red Ridge Trail #681
15. Little Redfish Lake Trail # 213
16. Pine Creek Trail #560
17. Pine Creek to Fox Creek Link Trail #186
18. McDonald Creek Trail # 187
19. Taylor Creek Trail # 187
20. Sagebrush Creek Trail # 189
21. Fox Creek Trail
22. East Fork Herd Creek Trail # 051
23. Bowery Creek Trail #244
24. Sheep Creek Trail
25. East Pass Creek Trail #244
26. Herd Creek Trail
27. Lakes Basin Trail # 051
28. Upper Lake Creek Trail
29. Trail Gulch Trail
30. Galena Gulch Trail #215
31. Grand Prize Gulch Trail # 112
32. West Fork of the East Fork Salmon River #112
33. South Fork of the East Fork Salmon River #  
113
34. Murdock Creek Trail #210
35. Trail Creek & West Trail Creek #126
36. Kent Peak Trail # 115
37. Gladiator Trail #108

Motorized trails

1. Grand Prize/West Fork of the East Fork Salmon River #112
2. Fourth of July/Washington Lakes Trail #109
3. Middle Warm Springs Creek Trail #671
4. Pine Creek Trail #095
5. Pine Creek/Fox Creek/McDonald Creek Tie Trail #186
6. Fox Creek Trail
7. McDonald Creek Trail # 187
8. Sagebrush Creek Trail #189
9. Herd Creek Trail #150
10. Lower East Pass Creek Trail
11. Taylor Creek Trail #187

## Attachment B

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# H.R.222

## *Central Idaho Economic Development and Recreation Act (Introduced in House - IH)*

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### **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 maps entitled 'Boulder-White Clouds Management Area Travel Plan' and 'Boulder-White Clouds Management Area Winter Travel Plan' and dated November 15, 2006.***

*(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. 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, **except wilderness areas, motorized, snowmobile, and bicycle travel shall continue to be allowed in accordance with Forest Service travel plans and maps in existence as of September 1, 2003, which managed recreation use for the specific areas, roads, and trails on that land, as referenced on the travel maps entitled 'Boulder-White Clouds Management Area Travel Plan' and 'Boulder-White Clouds Management Area Winter Travel Plan' and dated November 15, 2006.**

*(3) ACCESS TO RECREATIONAL FACILITIES-* Any road within the management area that is in existence on the date of the enactment of this Act and provides access to a developed recreational facility of the Forest Service or Bureau of Land Management shall remain open to motorized and bicycle travel.

*(b) Establishment or Use of Other Trails and Routes-* Notwithstanding subsection (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 snow cover 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) Grounds 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 mechanize 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.*

**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 108.*

*(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.*

**Economic Development Language from Original CIEDRA Stripped out of S-3294**

The following sections of H.R 222 regarding Economic Development were stripped out of S-3294. I have highlight in red the sections important to the Idaho Recreation Council, and I have bolded the sections of utmost importance.

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## **H.R.222**

### **Central Idaho Economic Development and Recreation Act (Introduced in House - IH)**

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

*(a) Conveyance Required- 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 and City of Stanley Conveyances' and dated October 1, 2006.*

*(b) 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.*

*(c) Conservation Easement and Rights-of-Way- In making the conveyance under subsection (a), the Secretary shall reserve to the United States a conservation easement and rights-of-way for the conveyed land as set out in the document entitled `Conservation Easement and Right-of-Way--Parcel B' and dated November 6, 2006.*

*(d) Enforcement- The Secretary of Agriculture shall have the authority to enforce the terms and conditions set forth in the conservation easement reserved under subsection (c) and to ensure that public access is maintained on the rights-of-way reserved under such subsection. This authority is in addition to such other enforcement authority as may be provided in the conservation easement and rights-of-way.*

*(e) Reversionary Interest- If the Secretary determines at any time that the County or any subsequent owner of any portion of land conveyed under subsection (a) is acting in violation of the conditions set forth in the conservation easement or rights-of-way reserved under subsection (c) and has failed to restore the property so as to comply with such conditions within a reasonable time, all right, title, and interest in and to the portion of the land on which the violation occurred, including any improvements thereon, shall revert to the United States. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.*

*(f) 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 Sawtooth National Recreation Area and Bureau of Land Management land identified for conveyance under this section on the following maps:*

*(1) A map entitled `Blaine County Conveyance-Smiley Creek' and dated October 1, 2006.*

*(2) A map entitled `Blaine County Conveyance-Sawtooth City Well' and dated October 1, 2006.*

*(3) A map entitled `Blaine County Conveyance-Eagle Creek' and dated October 1, 2006.*

*(4) A map entitled `Blaine County Conveyances, Map #1' and dated September 13, 2006, except that the conveyance is limited to the parcels A, B, and C depicted on that map.*

*(5) A map entitled `Blaine County Conveyances, Map #2' and dated September 13, 2006, except that the conveyance is limited to the parcels A and B depicted on that map.*

*(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 concerned. The cost of the survey shall be borne by the Secretary concerned.*

*(c) Additional Term and Conditions- The Secretary concerned 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- 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 `Custer County and City of Stanley Conveyances' and dated October 1, 2006.*

*(b) 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 Parcel A after obtaining title of the parcel.*

(2) *DISPOSITION AND USE OF PROCEEDS-* The amount received as consideration under this subsection shall be deposited and merged with funds appropriated for the operation of the Sawtooth National Recreation Area. Such funds shall be available to the Secretary, without further appropriation and until expended, for conservation activities in the recreation area.

(c) *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.

(d) *Conservation Easement and Rights-of-Way-* In making the conveyance under subsection (a), the Secretary shall reserve to the United States a conservation easement and rights-of-way for--

(1) the parcel of land identified as Parcel A on the map referred to in such subsection as set out in the document entitled `Conservation Easement and Right-of-Way--Parcel A' and dated November 6, 2006; and

(2) the parcel of land identified as Parcel C on such map as set out in the document entitled `Conservation Easement and Right-of-Way--Parcel C' and dated November 6, 2006.

(e) *Enforcement-* The Secretary of Agriculture shall have the authority to enforce the terms and conditions set forth in the conservation easements reserved under subsection (d) and to ensure that public access is maintained on the rights-of-way reserved under such subsection. This authority is in addition to such other enforcement authority as may be provided in the conservation easements and rights-of-way.

(f) *Reversionary Interest-* If the Secretary determines at any time that the City or any subsequent owner of any portion of land conveyed under subsection (a) is acting in violation of the conditions set forth in the applicable conservation easement or rights-of-way reserved under subsection (d) and has failed to restore the property so as to comply with such conditions within a reasonable time, all right, title, and interest in and to the portion of the land on which the violation occurred, including any improvements thereon, shall revert to the United States. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(g) *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 parcels of Bureau of Land Management land, including roads thereon, identified as parcels A, B, C, and D on the map entitled `City of Clayton Conveyances' and dated September 13, 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) Right-of-Way- The Secretary shall grant, without consideration, to the City a 25-foot right-of-way connecting parcels C and D referred to in subsection (a) and crossing the Salmon River for purposes related to parcel D.*

*(e) 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 as parcel D on the map entitled `Custer County and City of Mackay Conveyances' and dated September 13, 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 parcels of Bureau of Land Management land, including roads thereon, identified as parcels B and E on the map entitled `Custer County and City of Challis Conveyances' and dated September 13, 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, DESIGNATED BLM LAND TO CUSTER COUNTY, 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 Custer County, Idaho (in this section referred to as the `County'), all right, title, and interest of the United States in and to parcels of Bureau of Land Management land, including roads thereon, identified as follows:*

*(1) Parcels A, C, D, and F on the map entitled `Custer County and City of Challis Conveyances' and dated September 13, 2006.*

*(2) Parcels A, B, C, E, and F on the map entitled `Custer County and City of Mackay Conveyances' and dated September 13, 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 County, 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. 108. 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 1000 acres near Boise, Idaho, and identified for conveyance under this section on the map entitled `STATE OF IDAHO-Boise Motorized Park Conveyance' and dated November 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 riders with different levels of skills.***

***(b) Reservation of Portion for Mountain Bike 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.***

*(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. 109. 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. 110. 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. 111. 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, including bicycle trails to be established on the portion of the public land conveyed under section 108 that is reserved for mountain bike use under subsection (b) of such section. Amounts appropriated pursuant to this authorization of appropriations shall remain available until expended.*

**SEC. 112. 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.*

**S-3294 Watered Down Protection Language for Two Mechanized/Motorized Trail Corridors in the White Clouds and Hemingway/Boulder Wilderness.**

Congressman Simpson created a corridor between the White Cloud Proposed Wilderness area and the Hemingway/Boulder Proposed Wilderness area to provide a motorized mechanized trail corridor on the Germania Creek Trail. According to the provisions of the earlier versions of CIEDRA, it was clear that this corridor was to be managed in accordance with the Travel Management Plans current as of 2003.

S-3294, on the other hand, removed most of that protection language, and also allows “temporary” closure of Germania Creek Trail “for non-motorized uses”. No reason is given for such a temporary closure, or how long that closure may last. The SNRA already has the ability to temporarily close a trail for a one day event, such as a horse, bicycle or running event, but the SNRA has NEVER issued a Special Use Permit for this type of event in the 38 years of its existence, so it is unclear why a Congressionally Authorized temporary closure would be required.

### **TITLE III--TRAVEL MANAGEMENT**

#### **SEC. 301. TRAIL MANAGEMENT.**

*(a) Germania Creek Trail-*

*(1) IN GENERAL- The Secretary shall maintain a trail for single track, 2-wheeled motorized and mechanized travel between the Hemingway-Boulders Wilderness designated by section 101(a)(1) and the White Clouds Wilderness designated by section 101(a)(2).*

*(2) MANAGEMENT- The Secretary shall manage the trail in accordance with applicable laws--*

*(A) to provide for recreational travel;*

*(B) to minimize any adverse impacts to natural and cultural resources; and*

*(C) subject to such terms and conditions as the Secretary may require.*

*(3) MONITORING- The Secretary shall monitor the trail to assess whether the trail is appropriately maintained--*

*(A) to provide for recreational travel; and*

*(B) to minimize any adverse impacts to natural and cultural resources.*

*(4) CLOSURE- The Secretary may temporarily close the trail to any or all uses--*

*(A) to minimize any adverse impacts to natural and cultural resources;*

*(B) to protect public safety;*

*(C) for maintenance or other administrative uses; or*

***(D) to provide opportunities for nonmotorized uses.***

The other key trail of extreme importance to mechanized/motorized trail recreationists is the Frog Lake Loop Trail. The Wilderness acreage has been expanded by about 13,000 acres to the east of the Frog Lake Loop, making it a corridor between the main White Clouds Proposed Wilderness and the new addition to the east. While the Frog Lake Loop trail is recognized in S-3294, it

specifically removes any language indicating it is the intent of Congress that it remains motorized/mechanized and instead leaves the status and uses allowed on the trail at the discretion of "the Secretary". S-3294 specifically states that the fact a corridor was created between two sections of Wilderness does not indicate that it is the intent of Congress that it remain motorized/mechanized. Since the same Wilderness advocacy groups that are supporting CIEDRA are also pushing for the reduction/elimination of motorized access to public lands throughout Idaho, and especially in the SNRA, it is expected that the Secretary will be under ongoing pressure to close this important loop corridor.

*(c) Frog Lake Loop Trail-*

*(1) IN GENERAL- Neither the designation of the White Clouds Wilderness by section 101(a)(2) nor the exclusion of portions of Forest Service trails 047 and 682 (commonly known as the 'Frog Lake Loop Trail') from the wilderness shall affect the management of those trails for motorized or mechanized travel in accordance with existing laws.*

*(2) LIMITATION ON USE- If the Secretary allows for motorized or mechanized travel on portions of Forest Service trails 047 and 682, the trails shall be limited to single track, 2-wheeled motorized and mechanized use.*