

CENTRAL IDAHO ECONOMIC DEVELOPMENT AND RECREATION PROPOSAL

FRAMEWORK

Introduction

The following is a framework describing the individual components of possible legislation for Custer County, Blaine County and the Boulder-White Clouds area. This is not legislation, rather concepts that my staff and I have developed based on many conversations we have had with different parties who love and use the Boulder-White Cloud region of Central Idaho.

The framework is broken into five different parts. Part one discusses economic development in central Idaho. Part two addresses issues affecting ranchers, miners, packers and property rights interests in the Boulder White Clouds area. Part three addresses the need for open roads, trails and access for sportsmen and the motorized recreation community including off road vehicles and snowmobiles. Part four discusses the creation of new wilderness areas within the Boulder-White Clouds and the release of those areas not included as wilderness while granting them special management status to be managed as the Boulder-White Clouds Recreation Management Area. Finally, part five discusses additional considerations that are important to those who use the area.

I look forward to substantive comments and feedback regarding the concepts I have proposed via either letters or e-mail. This feedback will be important to me should I move forward with legislation. In addition, I plan to hold three public town hall meetings in Stanley and Ketchum July 1st and Challis on July 2nd. I want to hear first hand from those who are interested in or could be affected by this potential legislation.

Information and Comments

Additional information regarding a possible proposal can be found at my website www.house.gov/simpson. In addition, I should be posting a detailed map on the website on June 25th.

Please e-mail your comments to and include in the subject heading:

mike.simpson@mail.house.gov SUBJECT: CENTRAL IDAHO PROPOSAL

In the alternative, please mail your comments to:

Representative Mike Simpson
802 West Bannock Street, Suite 600
Boise, ID 83702

Town Hall Meetings

The time and location of the town hall meetings are listed below. Each will emphasize a different component of the proposal:

- July 1, 9:00-11:00 am, American Legion Hall, 220 Cottonwood, Ketchum (corner of Cottonwood and 2nd Avenue South). Main focus at this public meeting is the wilderness component of CIEDRA.
- July 1, 2:00-4:00 pm, Stanley School, Airport Road (also called School Road), Stanley. Main focus at this public meeting is the recreation component of CIEDRA.
- July 2, 9:00-11:00 am, Challis High School, 1110 Bluff Avenue, Challis. Main focus at this public meeting is the economic development component of CIEDRA.

Finally, I want to reiterate that this is not legislation. It is a framework that I believe provides a win for all parties and allows us to discuss this important issue. Thank you for your interest in this matter and I look forward to your comments.

General

Boulder-White Clouds Recreation Management Area

- 1 Geographical Area- For purposes of this framework, we are discussing lands within the area bordered by Highway 75 (Stanley-Challis), Highway 75 (Stanley-Ketchum), Trail Creek Road (Ketchum-Highway 93), Highway 93 (Trail Creek Rd.-Challis). Essentially the lands within the perimeter of Stanley to Challis to Trail Creek Road (before Mackay) to Sun Valley.
- 1 Boulder-White Clouds Recreation Management Area- Those lands listed on the map not designated as wilderness will be managed as the Boulder-White Clouds Recreation Management Area.
 - Lands formerly managed in the Sawtooth National Recreation area will be managed under existing and future SNRA management plans.
 - Lands formerly managed by the Challis National Forest will be managed under existing and future Challis National Forest Management plans.
 - Lands formerly managed by the Bureau of Land Management will be managed under existing and future BLM management plans.

Part 1- Economic Development in Central Idaho

4 Part Federal Land Transfer to Custer County

- 1 Part 1- Transfer lands to Custer County adjacent to or near the vicinity of Stanley or in the Sawtooth Valley to be sold for possible development.

- If lands transferred were located in the SNRA, efforts would be made to maintain low density development.
 - Deed restrictions would be put on the land to ensure that any development conforms to the city, county or SNRA planning process.
 - The transferred land would have a potential value to the county of between six to 10 million dollars.
 - Specific lands to transfer have not been identified.
- 2 Part 2- Transfer approximately 1,000 acres of Challis National Forest lands to Custer County.
 - In determining where the land would be there must not be any endangered species or fish issues and it must be in a roaded area.
 - Any roads or trails through this land must remain open to the public if the land is sold to a private individual.
 - 3 Part 3- Transfer small miscellaneous parcels to Custer County or private landowners to clean up conflicts with the BLM and USFS.
 - Any public roads or trails must remain open through easements.
 - 4 Part 4- Transfer small miscellaneous parcels to Custer County and the State of Idaho to be used for recreation and tourism development.
 - Lands would be used to improve campground/RV opportunities and secure access to trails in and around the Boulder-White Clouds Recreation Management Area.
 - 5 The Custer County commissioners will form an administrative committee to have oversight over the disposal of the lands and funds for economic development.

Stanley to Red Fish Lake Bike Path/Snowmobile Trail

- 6 Paved Path- A paved path will be developed from Stanley to Red Fish Lake to be used for biking in the summer and snowmobile access to the Boulder-White Clouds in the winter.
 - The Forest Service shall convey to the State of Idaho, without consideration, a right of way on federal land along the west side of Highway 75 from Stanley to the Red Fish Lake turn off.
 - Efforts will be made to voluntarily acquire land or easements from private property owners along the proposed route along Highway 75 and into Stanley.

Part 2- Private Property and Economic Users

Ranchers

- 7 Allotment Buyout- Ranchers impacted by wilderness designation would be allowed to voluntarily retire their allotted AUMs on a permanent basis within any

wilderness area created by this framework and receive a one time payment.

- 8 Within the Wilderness Areas designated by this framework, any grazing allotment which is not voluntarily retired on a permanent basis will be managed in accordance to the Wilderness Act and the Congressional Grazing Guidelines. (Found in Section 108 of P.L. 96-560; House Committee Report 96-617.)

Outfitters and Guides

- 9 Nothing in the framework shall preclude the use by commercial outfitters of the Wilderness areas designated by this Framework.
- 10 Existing Permit- Outfitters and Guides within the Wilderness area can continue to operate under existing operating permits.
- 11 Ten Year Permit Extension- A ten year extension will be granted to permittees from the expiration of their current permit if they have been responsible operators complying fully with state and federal laws and regulations.
- 12 Thereafter, operators shall be allowed to apply for additional extensions without prejudice to their applications because of the wilderness status.
- 13 \$500,000 will be provided to be held in a fund for trail maintenance and other improvements related to outfitting, guiding, hiking and horseback use.

Private Property Owners/Access

- 1 No affect on Real Property Rights- Nothing in this framework is intended to affect the rights or interests in real property or supersede Idaho State law.
- 2 Valid Existing Rights- Nothing in this framework shall affect any valid existing rights.
- 3 Guarantee of Reasonable Access- The Secretary shall permit traditional, reasonable access to inholdings.
- 4 Nothing in this framework shall have the effect of terminating any valid existing rights-of-way on Federal lands.

Mining

- 1 No Affect on Existing Patented Claims and Private Lands- Nothing in this framework is intended to affect the rights or interests in real property, patented mining claims or valid claims or prevent reasonable access for the development and use of valid mineral rights.
- 2 Compensation for Claims or Patents- The Secretary of Agriculture and Secretary

- of Interior are authorized to enter into negotiations with holders of claims or patented claims located within the proposed wilderness area.
- Must be a willing seller.
- 3 Wilderness Area Withdrawn from Mineral Entry- Subject to valid existing rights, the wilderness areas designated in this framework 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.
- All other non-wilderness areas within the Boulder-White Clouds Recreation Management Area shall be managed under existing regulations for the SNRA, Challis National Forest and BLM.

Part 3- Recreation- Motorized and Other

- 1 Transportation and Access- Within those areas not designated as wilderness in the Boulder-White Clouds Recreation Management Area, motorized and/or mechanized travel shall continue on those designated trails, routes, and areas on which such travel is permitted by the current U.S. Forest Service and Bureau of Land Management Travel plans existing on September 1, 2003.
- 2 The following roads or trails (in addition to others) will remain open to existing motorized and mechanized uses according to the September 1, 2003 USFS and BLM travel plans:
- (a) Washington Basin Road;
 - (b) 4th of July Road to the Phyllis Lake turnoff.
 - (c) Pole Creek Road;
 - (d) Fisher Creek Road;
 - (e) Frog Lake/Little Boulder Loop Trail;
 - (f) North Fork of the Big Lost River Road;
 - (g) Casino Lakes Area;
 - (h) Railroad Ridge Area;
 - (i) Germania Creek Trail (USFS#111);
 - (j) Germania Creek-Bowery Cutoff Trail (USFS#114)
 - (k) Livingston Mill Road;
 - (l) East Fork Road to Bowery Guard Station;
 - (m) West Pass Creek Road to section 10;
 - (n) Herd Creek Road to Herd Lake;
 - (o) Washington Lake Trail to the Lake;
 - (p) NOTE- This is not an all-inclusive list and not all roads remaining open are listed.
- 3 The Champion Lakes Trail (USFS#105)- The existing trail will be reopened to two-wheel motorized and mechanized vehicle use.
- 4 Phyllis Lake to Washington Basin Trail- A new trail will be constructed south

from Phyllis Lake to Washington Basin and opened as a two-wheel motorized and mechanized vehicle trail and snowmobile route.

- 5 The following roads or trails which are currently open to mechanized and motorized use will be closed:
 - (a) Grand Prize Gulch road (USFS#402) and trail (USFS#112) from Grand Prize trailhead to the intersection of USFS#114 at the Bowery Guard Station;
 - (b) 4th of July Trail (#109) from the Phyllis Lake turnoff to the North Side of Washington Lake.
 - (c) Warm Springs Trail from 671 (from 646 North) and Garland Creek Trail 672. Trail 104 remains open but the remainder of 671 up Warm Springs Creek from 104 will be closed to motorized and mechanized trail use.
 - (d) Bowery Creek Trail.

- 6 Road Offset-The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by a road shall be at least 100 feet from the edge of the road to allow public access.

- 7 Road Maintenance and Construction- The Secretary shall permit the mining and removal of gravel, sand, and rock from Federal lands along existing roads as necessary for road maintenance.
 - o The Secretary shall allow road maintenance and minor road relocation plus limited road construction for necessary access for any new campgrounds, trailheads, picnic areas, etc., as approved by the USFS planning process.
 - o No new permanent roads shall be constructed within the Boulder-White Clouds Recreation Management Area unless the Secretary finds it necessary to replace damaged or destroyed roads.
 - o Should a road or trail become blocked, impaired or otherwise impassable due to a landslide, washout, erosion, etc., the Secretary shall repair or relocate the road or trail in an expedient manner.

- 8 Snowmobile Access and Recreation- High elevation snowmobiling will continue in the following areas under the travel plan existing on September 1, 2003:
 - (a) Railroad Ridge area;
 - (b) Casino Lakes area;
 - (c) Warm Springs Meadows area;
 - (d) Fisher Creek area;
 - (e) Washington Lake area;
 - (f) Washington Basin area;
 - (g) Pole Creek area/Grand Prize Gulch;
 - (h) Boulder Basin area (as part of the Ketchum agreement with cross country skiers)
 - (i) Note- this is not an all-inclusive list and not all snowmobile areas remaining open are listed.
 - o Areas within the proposed Boulder-White Clouds Recreation Management

Area currently closed to snowmobiles to safeguard elk winter range (USFS map areas labeled “A”) will remain closed unless changed by the USFS in consultation with the State of Idaho.

- 9 Mountain Biking- Mountain biking shall be allowed to continue on those non-wilderness trails listed above for motorized use.
 - Funding will be made available to create or enhance new or existing trails to replace opportunities lost in those areas designated as wilderness.
- 1 Access/Campgrounds- Efforts will be made to acquire new access points and create campgrounds to be managed by either the state or federal agencies.
- 2 Wilderness Trails and Trailheads- New non-motorized and non-mechanized trails and trailheads will be built to compensate for loss of opportunities at wilderness trailheads and to separate motorized/mechanized users from non-motorized/mechanized users.
 - Examples would be gaining access and improving Wickiup Trail (#684) for non-motorized [wilderness opportunities, and gaining access and building a new wilderness user trail starting in the vicinity of the Big Boulder Trailhead.](#)
- 14 Idaho Department of Parks and Recreation
 - Certain small parcels of land may be transferred to the State of Idaho to be administered by the Department of Parks and Recreation for campgrounds, recreation facilities and access to federal lands.
- 15 Off-highway Vehicle Fund
 - One million dollars will be provided to the Idaho Off Road Motor Vehicle Program (ORMV). These funds are to be used within the Boulder-White Clouds Recreation Area and will be administered by the Idaho Park and Recreation Board with recommendations for use to be made by the ORMV Fund Advisory Committee. The use of these funds will be to acquire, purchase, improve, repair, maintain, furnish and equip off-road motor vehicle facilities and sites. A portion of the fund goes for enforcement activities and rehabilitation of land damaged by off-road vehicle users.
- 1 Nothing in the Framework shall be construed as precluding the Secretary from closing any trail for purposes of resource protection or public safety.
 - In the event the Secretary closes a road or trail, for resource protection or public safety, an equivalent opportunity shall be opened elsewhere within the Boulder-White Clouds Recreation Management Area in cooperation with the ORMV Fund Advisory Committee.

Part 4- Conservation

- 1 Wilderness- Approximately 250,000-300,000 acres of wilderness would be created. (Please note- the exact figure on wilderness acreage will not be determined until the USFS has completed the maps). The wilderness areas shall be known as the:
 - “Boulder Wilderness Area”, to be managed by the U.S. Forest Service;
 - “White Cloud Wilderness Area” to be managed by the U.S. Forest Service;
 - “Jerry Peak Wilderness Area” to be managed by the Bureau of Land Management.
- 2 Release of Wilderness Study Areas- Those USFS and BLM wilderness study areas within the area bordered by Highway 75 (Stanley-Challis), Highway 75 (Stanley- Ketchum), Trail Creek Road (Ketchum-Highway 93), Highway 93 (Trail Creek Rd.-Challis) not included in wilderness will be released and granted special management status and will be managed as the Boulder-White Clouds Recreation Management Area.
- 3 The original Congressionally-designated 1972 BWCs WSA on National Forest lands will be repealed, and those lands will be managed either as Wilderness or part of the Boulder-White Clouds Recreation Management Area.
 - These actions will resolve the longstanding wilderness issue in the BWCs and will make certain what lands will be managed as wilderness and what lands will not.
- 1 A wheelchair accessible trail will be established into the Wilderness at near the Bowery Creek Guard Station along the West Fork of the East Fork of the Salmon. In addition, other areas that would be conducive to wheelchair access into the wilderness will be considered.
- 4 Structures Allowed within Wilderness Areas- Structures on public land in the wilderness area shall be limited to temporary structures. Historical structures within the wilderness area may be protected.
- 5 Land Acquisition - The Secretary may acquire other non-Federal lands and interests in lands located within the wilderness area by exchange, donation or purchase from willing sellers.

Adjacent Management

- 1 No Buffer Zone- Congress does not intend for the designation of wilderness pursuant to this framework to lead to the creation of protective perimeters or buffer zones around any such wilderness area.
- 2 Nonwilderness Activities- The fact that nonwilderness activities or uses can be seen or heard from areas within the proposed wilderness shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

Part 5- Additional Considerations

Water

- 1 Wilderness Lands Located in Headwaters- Lands considered for wilderness in this framework 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 Wilderness Lands Not Suitable for Water Development- The lands considered for wilderness by this framework are not suitable for use for development of new water resource facilities, or for the expansion of existing facilities.
- 3 Federal Reserve Water Right Unnecessary- The wilderness values will be protected without the need for a federal reserved water right.
- 4 No New Water Facilities or Applications- On and after the date of the proposed enactment of this framework, 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 or water right application within the wilderness areas designated by this framework.
- 5 Nothing in this framework 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 lands considered for Wilderness by this framework.
- 6 Nothing in this framework shall affect any water rights in the State of Idaho existing on the date of the enactment of this framework, including any water rights held by the United States.

Hunting, Fishing and Trapping

- 1 No Affect on Hunting, Fishing and Trapping in Wilderness Area- The Secretary shall permit hunting, fishing, and trapping on Federal lands included within the Wilderness Areas in accordance with applicable laws and regulations of the United States and the State of Idaho.
- 2 No Affect on State of Idaho Wildlife Jurisdiction- Nothing in this framework 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 this framework
- 3 Wildlife Management in Wilderness Areas- 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 this framework 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.

- 4 Use of Aircraft for Wildlife Management- Consistent with the Wilderness Act the State of Idaho and federal agencies may use aircraft, including helicopters, to survey, capture, transplant, and monitor wildlife populations including bighorn sheep if the use is occasional and temporary and is determined to be the minimum necessary to accomplish the task.

Forest Health and Public Safety

- 5 Limited timber harvesting for the control of insects, fire, disease and public safety, will be allowed outside of the wilderness area according to the existing management plans for the SNRA, Challis National Forest and BLM.
- 6 Red Trees- The Secretary is directed to complete a Red Trees Phase II study which would evaluate, in accordance with all existing federal laws and regulations, necessary landscape approaches to risk assessment in order to identify projects which will effectively mitigate major fire risks. The study will include recommendations for timely implementation; local utilization of forest products produced by these appropriate projects and conservation measures to protect soil, water, wildlife, recreation and scenic values. This study and recommendations for implementation shall be submitted to Congress by June 1, 2005.
 - 1 Any proceeds from forest health projects above the cost of administrating the projects shall be returned to the Boulder-White Clouds Recreation Management Area to be used for conservation projects.
 - 2 Congress authorizes such funding as may be necessary to fulfill the requirements of this Section.
- 7 Wildfire Management- Consistent with section 4 of the Wilderness Act (16 U.S.C. 1133), nothing in this framework 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 this framework.

Tribal Interests

- 8 Native American Cultural and Religious Uses- Nothing in this framework shall be construed to diminish the rights of any Indian tribe, including access to Federal lands for tribal activities, including spiritual, cultural and traditional food gathering activities.

Military Overflights

- 3 Nothing in this framework restricts or precludes low-level overflights of military aircraft over the areas proposed as wilderness, including military overflights that can be seen or heard within the wilderness areas; flight testing and evaluation; or the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the wilderness areas.