

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2514

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.

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IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2005

Mr. SIMPSON introduced the following bill; which was referred to the  
Committee on Resources

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## A BILL

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.

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

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

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

Sec. 1. Short title and table of contents.

Sec. 2. Rules of construction.

**TITLE I—CENTRAL IDAHO ECONOMIC DEVELOPMENT AND  
 RECREATION PROMOTION**

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

Sec. 102. Land conveyance, certain 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 recre-  
 ation, public land in central Idaho.

Sec. 108. Stanley-Red Fish Lake bike and snowmobile trail.

Sec. 109. Support for other trail construction and maintenance activities.

Sec. 110. Support for outfitter and guide activities.

Sec. 111. Red Trees Phase II study regarding forest health and public safety.

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

Sec. 113. Continuation of public access to Bowery National Forest Guard Sta-  
 tion.

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

**TITLE II—CENTRAL IDAHO WILDERNESS AREAS**

Sec. 201. Additions to National Wilderness Preservation System.

Sec. 202. General administration of wilderness areas.

Sec. 203. Incorporation of acquired lands and interests.

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 CLOUD MANAGEMENT AREA

- Sec. 301. Establishment of management area.  
 Sec. 302. Land acquisition in management area.  
 Sec. 303. Motorized and bicycle travel.  
 Sec. 304. Support and use of Idaho Off Road Motor Vehicle Program.

## TITLE IV—WAIVER OF GRAZING PERMITS

- Sec. 401. Findings and purpose.  
 Sec. 402. Voluntary grazing permit waiver program.  
 Sec. 403. Compensation.

**1 SEC. 2. RULES OF CONSTRUCTION.**

2 Nothing in this Act shall be construed to restrict or  
 3 preclude the use of public or private airports or landing  
 4 strips located in or adjacent to a wilderness area des-  
 5 ignated by title II or the Boulder-White Cloud Manage-  
 6 ment Area established by title III.

7 **TITLE I—CENTRAL IDAHO ECO-**  
 8 **NOMIC DEVELOPMENT AND**  
 9 **RECREATION PROMOTION**

10 **SEC. 101. LAND CONVEYANCE, CERTAIN SAWTOOTH NA-**  
 11 **TIONAL RECREATION AREA LAND TO CUSTER**  
 12 **COUNTY, IDAHO.**

13 (a) CONVEYANCE REQUIRED.—The Secretary of Ag-  
 14 riculture, acting through the Chief of the Forest Service,  
 15 shall convey, without consideration, to Custer County,  
 16 Idaho, all right, title, and interest of the United States  
 17 in and to the parcels of Federal land in the Sawtooth Na-  
 18 tional Recreation Area identified for conveyance under  
 19 this section on the map entitled “Custer County Sawtooth  
 20 Conveyance” and dated November 1, 2005.

1 (b) USE OF CONVEYED LAND.—In making the con-  
2 veyance under subsection (a) to the County, the Secretary  
3 shall include deed restrictions relating to the use of the  
4 conveyed land to ensure that such use is consistent with  
5 the planning process of the County and management of  
6 the Sawtooth National Recreation Area.

7 (c) SURVEY.—The exact acreage and legal descrip-  
8 tion of the land to be conveyed under subsection (a) shall  
9 be determined by a survey satisfactory to the Secretary.  
10 The cost of the survey shall be borne by the Secretary.

11 (d) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
12 retary may require such additional terms and conditions  
13 in connection with the conveyance under subsection (a) as  
14 the Secretary considers appropriate to protect the inter-  
15 ests of the United States.

16 **SEC. 102. LAND CONVEYANCE, CERTAIN SAWTOOTH NA-**  
17 **TIONAL FOREST AND BLM LAND TO BLAINE**  
18 **COUNTY, IDAHO.**

19 (a) CONVEYANCE REQUIRED.—The Secretary of Ag-  
20 riculture, acting through the Chief of the Forest Service,  
21 and the Secretary of the Interior, acting through the Di-  
22 rector of the Bureau of Land Management, shall convey,  
23 without consideration, to Blaine County, Idaho, all right,  
24 title, and interest of the United States in and to the par-  
25 cels of Federal land in the Sawtooth National Forest and

1 Bureau of Land Management land identified for convey-  
2 ance under this section on the map entitled “Blaine Coun-  
3 ty Conveyance” and dated November 1, 2005.

4 (b) TREATMENT OF ROADS AND TRAILS.—In making  
5 the conveyance under subsection (a) to the County, the  
6 Secretary shall include deed restrictions to ensure that any  
7 roads and trails located on the conveyed land remain open  
8 to public use notwithstanding any subsequent conveyance  
9 of the land by the County.

10 (c) SURVEY.—The exact acreage and legal descrip-  
11 tion of the land to be conveyed under subsection (a) shall  
12 be determined by a survey satisfactory to the Secretary.  
13 The cost of the survey shall be borne by the Secretary.

14 (d) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
15 retary may require such additional terms and conditions  
16 in connection with the conveyance under subsection (a) as  
17 the Secretary considers appropriate to protect the inter-  
18 ests of the United States.

19 **SEC. 103. LAND CONVEYANCE, DESIGNATED NATIONAL**  
20 **FOREST SYSTEM LAND TO CITY OF STANLEY,**  
21 **IDAHO.**

22 (a) CONVEYANCE REQUIRED.—The Secretary of Ag-  
23 riculture, acting through the Chief of the Forest Service,  
24 shall convey, without consideration, to the City of Stanley,  
25 Idaho, all right, title, and interest of the United States

1 in and to the parcels of National Forest System land iden-  
2 tified for conveyance under this section on the map enti-  
3 tled “City of Stanley Conveyance” and dated November  
4 1, 2005.

5 (b) SURVEY.—The exact acreage and legal descrip-  
6 tion of the land to be conveyed under subsection (a) shall  
7 be determined by a survey satisfactory to the Secretary.  
8 The cost of the survey shall be borne by the Secretary.

9 (c) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
10 retary may require such additional terms and conditions  
11 in connection with the conveyance under subsection (a) as  
12 the Secretary considers appropriate to protect the inter-  
13 ests of the United States.

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

16 (a) CONVEYANCE REQUIRED.—The Secretary of the  
17 Interior, acting through the Director of the Bureau of  
18 Land Management, shall convey, without consideration, to  
19 the City of Clayton, Idaho, all right, title, and interest of  
20 the United States in and to the Bureau of Land Manage-  
21 ment land identified for conveyance under this section on  
22 the map entitled “City of Clayton Conveyance” and dated  
23 November 1, 2005.

24 (b) SURVEY.—The exact acreage and legal descrip-  
25 tion of the land to be conveyed under subsection (a) shall

1 be determined by a survey satisfactory to the Secretary.

2 The cost of the survey shall be borne by the Secretary.

3 (c) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
4 retary may require such additional terms and conditions  
5 in connection with the conveyance under subsection (a) as  
6 the Secretary considers appropriate to protect the inter-  
7 ests of the United States.

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

10 (a) CONVEYANCE REQUIRED.—The Secretary of the  
11 Interior, acting through the Director of the Bureau of  
12 Land Management, shall convey, without consideration, to  
13 the City of Mackay, Idaho, all right, title, and interest of  
14 the United States in and to the Bureau of Land Manage-  
15 ment land identified for conveyance under this section on  
16 the map entitled “City of Mackay Conveyance” and dated  
17 November 1, 2005.

18 (b) SURVEY.—The exact acreage and legal descrip-  
19 tion of the land to be conveyed under subsection (a) shall  
20 be determined by a survey satisfactory to the Secretary.  
21 The cost of the survey shall be borne by the Secretary.

22 (c) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
23 retary may require such additional terms and conditions  
24 in connection with the conveyance under subsection (a) as

1 the Secretary considers appropriate to protect the inter-  
2 ests of the United States.

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

5 (a) CONVEYANCE REQUIRED.—The Secretary of the  
6 Interior, acting through the Director of the Bureau of  
7 Land Management, shall convey, without consideration, to  
8 the City of Challis, Idaho, all right, title, and interest of  
9 the United States in and to the Bureau of Land Manage-  
10 ment land identified for conveyance under this section on  
11 the map entitled “City of Challis Conveyance” and dated  
12 November 1, 2005.

13 (b) SURVEY.—The exact acreage and legal descrip-  
14 tion of the land to be conveyed under subsection (a) shall  
15 be determined by a survey satisfactory to the Secretary.  
16 The cost of the survey shall be borne by the Secretary.

17 (c) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
18 retary may require such additional terms and conditions  
19 in connection with the conveyance under subsection (a) as  
20 the Secretary considers appropriate to protect the inter-  
21 ests of the United States.

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

4 (a) **MOTORIZED RECREATION PARK.**—Subject to  
5 subsection (b), the Secretary of the Interior shall convey,  
6 without consideration, to the State of Idaho all right, title,  
7 and interest of the United States in and to a parcel of  
8 public land administered through the Bureau of Land  
9 Management, consisting of approximately 960 acres near  
10 Boise, Idaho, for the purpose of permitting the State to  
11 establish a motorized recreation park on the land. As a  
12 condition of the conveyance of the land, the State shall  
13 agree to include a beginner track as part of the recreation  
14 park to be used to teach safe, responsible riding tech-  
15 niques and to establish areas for drivers with different lev-  
16 els of skills.

17 (b) **RESERVATION OF PORTION FOR BICYCLE USE.**—  
18 As a condition of the conveyance of the land under sub-  
19 section (a), the State shall reserve 20 acres of the con-  
20 veyed land for the use of mountain bikes and open the  
21 reserved portion to such use as soon as practicable after  
22 the date of the conveyance. Funds appropriated pursuant  
23 to the authorization of appropriations in section 109 shall  
24 be available to facilitate the establishment of the bicycle  
25 portion of the recreation park.

1 (c) SURVEY.—The exact acreage and legal descrip-  
2 tion of the land to be conveyed under this section shall  
3 be determined by a survey satisfactory to the Secretary.  
4 The cost of the survey shall be borne by the State.

5 (d) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
6 retary concerned may require such additional terms and  
7 conditions in connection with the conveyance under this  
8 section as the Secretary considers appropriate to protect  
9 the interests of the United States.

10 **SEC. 108. STANLEY-RED FISH LAKE BIKE AND SNOWMOBILE**  
11 **TRAIL.**

12 (a) DEVELOPMENT OF TRAIL.—The Secretary of Ag-  
13 riculture shall design, construct, and maintain a paved  
14 trail between the city of Stanley, Idaho, and Red Fish  
15 Lake that is designated for use—

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

18 (2) as a snowmobile route when there is ade-  
19 quate snow cover.

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

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated to the Secretary \$500,000  
3 to carry out this section. Amounts appropriated pursuant  
4 to this authorization of appropriations shall remain avail-  
5 able until expended.

6 **SEC. 109. SUPPORT FOR OTHER TRAIL CONSTRUCTION AND**  
7 **MAINTENANCE ACTIVITIES.**

8 There is authorized to be appropriated to the Sec-  
9 retary of Agriculture or the Secretary of the Interior  
10 \$500,000 for the construction and maintenance of bicycle  
11 trails in the State of Idaho. Amounts appropriated pursu-  
12 ant to this authorization of appropriations shall remain  
13 available until expended.

14 **SEC. 110. SUPPORT FOR OUTFITTER AND GUIDE ACTIVI-**  
15 **TIES.**

16 (a) EXISTING OPERATING PERMITS.—Before the end  
17 of the one-year period beginning on the date of the enact-  
18 ment of this Act, the Secretary of Agriculture and the Sec-  
19 retary of the Interior shall grant a 10-year extension of  
20 each guide or outfitter operating permit that, as of the  
21 date of the enactment of this Act, authorized activities on  
22 lands included in a wilderness area designated by title II  
23 or the Boulder-White Cloud Management Area established  
24 by title III. The Secretary concerned may refuse to grant  
25 the extension of a permit only if the Secretary determines

1 that the permittee has not operated in a satisfactory man-  
2 ner in compliance with the terms and conditions of the  
3 permit. The Secretary concerned may require the modi-  
4 fication of the extended permit as necessary to comply  
5 with the requirements of this Act.

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

15 **SEC. 111. RED TREES PHASE II STUDY REGARDING FOREST**  
16 **HEALTH AND PUBLIC SAFETY.**

17 (a) STUDY REQUIRED.—Not later than June 1,  
18 2005, the Secretary of Agriculture shall complete and sub-  
19 mit to Congress a Red Trees Phase II study evaluating,  
20 in accordance with Federal laws and regulations, nec-  
21 essary landscape approaches to risk assessment to identify  
22 forest health projects that, if implemented, will effectively  
23 mitigate major fire risks on lands included in the Saw-  
24 tooth National Recreation Area. The Secretary shall in-  
25 clude, as part of the submission to Congress, such rec-

1 ommendations as the Secretary considers appropriate for  
2 the timely implementation of the projects, the local utiliza-  
3 tion of forest products derived from the projects, and con-  
4 servation measures to protect soil, water, wildlife, recre-  
5 ation, and scenic values.

6 (b) TREATMENT OF PROCEEDS.—Notwithstanding  
7 any other provision of law, proceeds derived from any for-  
8 est health project recommended as part of the study re-  
9 quired by subsection (a), in excess of the costs incurred  
10 to administer the project, shall be available to the Sec-  
11 retary, without appropriation and until expended, to carry  
12 out conservation projects in the Boulder-White Clouds  
13 Management Area established by title III.

14 **SEC. 112. GRANTS TO SUPPORT SUSTAINABLE ECONOMIC**  
15 **DEVELOPMENT AND RECREATION.**

16 (a) GRANT TO CUSTER COUNTY, IDAHO.—There is  
17 appropriated to the Secretary of Agriculture, out of any  
18 funds in the Treasury not otherwise appropriated,  
19 \$5,000,000, which shall be used by the Secretary to make  
20 a grant to Custer County, Idaho, in the full amount so  
21 appropriated. The grant recipient shall use the grant  
22 funds to support sustainable economic development in  
23 Custer County.

24 (b) GRANT TO STATE OF IDAHO.—There is appro-  
25 priated to the Secretary of Agriculture, out of any funds

1 in the Treasury not otherwise appropriated, \$500,000,  
2 which shall be used by the Secretary to make a grant to  
3 the State of Idaho Parks and Recreation Department, in  
4 the full amount so appropriated. The grant recipient shall  
5 use the grant funds to purchase Bayhorse Campground  
6 for use as a State park.

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

9 (a) CONSTRUCTION OF ROAD AND BRIDGE.—To en-  
10 sure continued public access to the Bowery Guard Station,  
11 the Secretary of Agriculture shall construct a new road  
12 on National Forest System lands, to the east of the exist-  
13 ing private property line on the east side of the Leisinger  
14 property, and a new bridge over West Pass Creek as part  
15 of such road.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
17 authorized to be appropriated to the Secretary such sums  
18 as may be necessary to carry out this section. Amounts  
19 appropriated pursuant to this authorization of appropria-  
20 tions shall remain available until expended.

21 **SEC. 114. EXPANSION AND IMPROVEMENT OF HERD LAKE**  
22 **CAMPGROUND.**

23 (a) EXPANSION AND IMPROVEMENT OF CAMP-  
24 GROUND.—The Secretary of the Interior shall expand and

1 improve the Herd Lake Campground facilities located  
2 below the outlet of Herd Lake.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
4 authorized to be appropriated to the Secretary \$500,000  
5 to carry out this section. Amounts appropriated pursuant  
6 to this authorization of appropriations shall remain avail-  
7 able until expended.

## 8 **TITLE II—CENTRAL IDAHO** 9 **WILDERNESS AREAS**

### 10 **SEC. 201. ADDITIONS TO NATIONAL WILDERNESS PRESER-** 11 **VATION SYSTEM.**

12 (a) ADDITIONS.—Congress has determined that the  
13 following lands in central Idaho shall be designated as wil-  
14 derness and managed as components of the National Wil-  
15 derness Preservation System:

16 (1) ERNEST HEMINGWAY WILDERNESS.—Cer-  
17 tain Federal land in the Sawtooth and Challis Na-  
18 tional Forests, comprising approximately 72,500  
19 acres, as generally depicted on the map entitled “Er-  
20 nest Hemingway” and dated \_\_\_\_\_, which  
21 shall be known as the “Ernest Hemingway Wilder-  
22 ness”.

23 (2) WHITE CLOUDS WILDERNESS.—Certain  
24 Federal land in the Sawtooth and Challis National  
25 Forests, comprising approximately 74,700 acres, as

1 generally depicted on the map entitled “White  
2 Clouds” and dated \_\_\_\_\_, which shall be  
3 known as the “White Clouds Wilderness”.

4 (3) JERRY PEAK WILDERNESS.—Certain Fed-  
5 eral land in the Challis National Forest and Challis  
6 District of the Bureau of Land Management, com-  
7 prising approximately 146,900 acres, as generally  
8 depicted on the map entitled “Jerry Peak Wilder-  
9 ness” and dated \_\_\_\_\_, which shall be  
10 known as the “Jerry Peak Wilderness”.

11 (b) MAPS AND LEGAL DESCRIPTION.—

12 (1) IN GENERAL.—As soon as practicable after  
13 the date of enactment of this Act, the Secretary of  
14 Agriculture, in the case of the wilderness areas des-  
15 ignated by paragraphs (1) and (2) of subsection (a),  
16 and the Secretary of the Interior, in the case of the  
17 wilderness area designated by paragraph (3) of such  
18 subsection, in this title referred to as the “Secretary  
19 concerned”, shall file a map and legal description of  
20 the wilderness areas designated by such subsection  
21 with the Committee on Resources of the House of  
22 Representatives and the Committee on Energy and  
23 Natural Resources of the Senate.

24 (2) EFFECT.—Each map and legal description  
25 shall have the same force and effect as if included

1 in this title, except that the Secretary concerned  
2 may correct clerical and typographical errors in the  
3 map or legal description.

4 (3) AVAILABILITY.—Each map and legal de-  
5 scription shall be on file and available for public in-  
6 spection in the appropriate offices of the Bureau of  
7 Land Management or the Forest Service.

8 (c) WITHDRAWAL.—Subject to valid existing rights,  
9 the wilderness areas designated in subsection (a) are with-  
10 drawn from all forms of entry, appropriation, and disposal  
11 under the public land laws, location, entry, and patent  
12 under the mining laws, and operation of the mineral leas-  
13 ing, mineral materials, and geothermal leasing laws.

14 **SEC. 202. GENERAL ADMINISTRATION OF WILDERNESS**  
15 **AREAS.**

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

1           (b) CONSISTENT INTERPRETATION TO THE PUB-  
2 LIC.—Although the wilderness areas designated by section  
3 201 consist of National Forest System land under the ju-  
4 risdiction of the Secretary of Agriculture and public land  
5 under the jurisdiction of the Secretary of the Interior, the  
6 Secretary of Agriculture and the Secretary of the Interior  
7 shall collaborate to assure that the wilderness areas are  
8 interpreted to the public as an overall complex tied to-  
9 gether by common location in the Boulder-White Cloud  
10 Mountains and common identity with the natural and cul-  
11 tural history of the State of Idaho and its Native Amer-  
12 ican and pioneer heritage.

13           (c) COMPREHENSIVE WILDERNESS MANAGEMENT  
14 PLAN.—Not later than three years after the date of the  
15 enactment of this Act, the Secretary of Agriculture and  
16 Secretary of the Interior shall collaborate to develop a  
17 comprehensive wilderness management plan for the wil-  
18 derness areas designated by section 201. The completed  
19 management plan shall be submitted to the Committee on  
20 Resources of the House of Representatives and the Com-  
21 mittee on Energy and Natural Resources of the Senate.

22           (d) FIRE, INSECTS, AND DISEASES.—Within the wil-  
23 derness area designated by section 201, the Secretary con-  
24 cerned may take such measures as the Secretary con-  
25 cerned determines to be necessary for the control of fire,

1 insects, and diseases, subject to such conditions as the  
2 Secretary concerned considers desirable, as provided in  
3 section 4(d)(1) of the Wilderness Act (16 U.S.C.  
4 1131(d)(1)).

5 (e) WILDERNESS TRAILS AND TRAILHEADS.—

6 (1) CONSTRUCTION OF NEW TRAILHEAD.—The  
7 Secretary concerned shall construct a new trailhead  
8 for nonmotorized users and improve access to the  
9 Wickiup Trail (#684) and at the Big Boulder Trail-  
10 head to separate motorized/bicycle users from non-  
11 motorized/bicycle users.

12 (2) INCLUSION OF ACCESSIBLE TRAILS.—The  
13 Secretary concerned may establish wheelchair acces-  
14 sible trails into the wilderness areas designated by  
15 section 201, including the Bowery Creek Guard Sta-  
16 tion along the West Fork of the East Fork of the  
17 Salmon River.

18 (f) TREATMENT OF EXISTING CLAIMS AND PRIVATE  
19 LANDS.—Nothing in this title is intended to affect the  
20 rights or interests in real property, patented mining  
21 claims, or valid claims or prevent reasonable access for  
22 the development and use of valid mineral rights. The Sec-  
23 retary concerned may enter into negotiations with the  
24 holder of a patented claim or valid claim located in a wil-

1 derness area designated by section 201 for the voluntary  
2 relinquishment of the claim.

3 (g) GRAZING.—Grazing of livestock in a wilderness  
4 area designated by section 201, where established before  
5 the date of the enactment of this Act, shall be adminis-  
6 tered in accordance with the provisions of section 4(d)(4)  
7 of the Wilderness Act (16 U.S.C. 1133(d)(4)), section 108  
8 of Public Law 96–560, and section 101(f) of Public Law  
9 101–628, and in accordance with the guidelines set forth  
10 in Appendix A of House Report 96–617 of the 96th Con-  
11 gress and House Report 101–405 of the 101st Congress.

12 (h) COMMERCIAL OUTFITTERS AND SADDLE AND  
13 PACK STOCK.—Nothing in this title shall preclude horse-  
14 back riding or the entry of recreational saddle or pack  
15 stock into the wilderness areas designated by section 201,  
16 including when such entry is made by commercial outfit-  
17 ters.

18 **SEC. 203. INCORPORATION OF ACQUIRED LANDS AND IN-**  
19 **TERESTS.**

20 Any land or interest in land located inside the bound-  
21 aries of a wilderness area designated by section 201 that  
22 is acquired by the United States after the date of the en-  
23 actment of this Act shall be added to and administered  
24 as part of the wilderness area.

1 **SEC. 204. ADJACENT MANAGEMENT.**

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

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

13 **SEC. 205. WILDFIRE MANAGEMENT.**

14 Consistent with section 4 of the Wilderness Act (16  
15 U.S.C. 1133), nothing in this title precludes a Federal,  
16 State, or local agency from conducting wildfire manage-  
17 ment operations, including operations using aircraft or  
18 mechanized equipment, to manage wildfires in the wilder-  
19 ness areas designated by section 201.

20 **SEC. 206. WATER RIGHTS.**

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

22 (1) The lands designated as wilderness areas by  
23 section 201 are located at the headwaters of the  
24 streams and rivers on those lands, with few, if any,  
25 actual or proposed water resource facilities located  
26 upstream from such lands and few, if any, opportu-

1 nities for diversion, storage, or other uses of water  
2 occurring outside such lands that would adversely  
3 affect the wilderness values of such lands.

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

8 (3) Therefore, it is possible to provide for prop-  
9 er management and protection of the wilderness  
10 value of the lands designated as wilderness areas by  
11 section 201 in ways different from the ways utilized  
12 in other laws designating wilderness areas.

13 (b) PURPOSE.—The purpose of this section is to pro-  
14 tect the wilderness values of the lands designated as wil-  
15 derness areas by section 201 by means other than a feder-  
16 ally reserved water right.

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

19 (1) shall constitute, or be construed to con-  
20 stitute, either an express or implied reservation by  
21 the United States of any water or water rights with  
22 respect to the wilderness areas designated by section  
23 201;

24 (2) shall affect any water rights in the State of  
25 Idaho existing on the date of the enactment of this

1 Act, including any water rights held by the United  
2 States;

3 (3) shall be construed as establishing a prece-  
4 dent with regard to any future wilderness designa-  
5 tions;

6 (4) shall be construed as limiting, altering,  
7 modifying, or amending any of the interstate com-  
8 pacts or equitable apportionment decrees that appor-  
9 tion water among and between the State of Idaho  
10 and other States; and

11 (5) shall be construed as limiting, altering,  
12 modifying, or amending provisions of Public Law  
13 92–400, which established the Sawtooth National  
14 Recreation Area (16 U.S.C. 460aa et seq.).

15 (d) IDAHO WATER LAW.—The Secretary concerned  
16 shall follow the procedural and substantive requirements  
17 of the law of the State of Idaho when seeking to establish  
18 any water rights, not in existence on the date of the enact-  
19 ment of this Act, with respect to the wilderness areas des-  
20 ignated by section 201.

21 (e) NEW PROJECTS.—

22 (1) PROHIBITION.—Except as otherwise pro-  
23 vided in this Act, on and after the date of the enact-  
24 ment of this Act, neither the President nor any  
25 other officer, employee, or agent of the United

1 States shall fund, assist, authorize, or issue a license  
2 or permit for the development of any new water re-  
3 source facility inside any of the wilderness areas des-  
4 ignated by section 201.

5 (2) DEFINITION.—In this subsection, the term  
6 “water resource facility” means irrigation and  
7 pumping facilities, reservoirs, water conservation  
8 works, aqueducts, canals, ditches, pipelines, wells,  
9 hydropower projects, and transmission and other an-  
10 cillary facilities, and other water diversion, storage,  
11 and carriage structures.

12 **SEC. 207. WILDLIFE MANAGEMENT.**

13 (a) STATE JURISDICTION.—In accordance with sec-  
14 tion 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),  
15 nothing in this title affects or diminishes the jurisdiction  
16 of the State of Idaho with respect to fish and wildlife man-  
17 agement, including the regulation of hunting, fishing, and  
18 trapping, in the wilderness areas designated by section  
19 201.

20 (b) MANAGEMENT ACTIVITIES.—In furtherance of  
21 the purposes and principles of the Wilderness Act, man-  
22 agement activities to maintain or restore fish and wildlife  
23 populations and the habitats to support such populations  
24 may be carried out within wilderness areas designated by  
25 section 201 where consistent with relevant wilderness

1 management plans, in accordance with appropriate poli-  
2 cies such as those set forth in Appendix B of House Re-  
3 port 101–405 of the 101st Congress, including the occa-  
4 sional and temporary use of motorized vehicles, if such  
5 use, as determined by the Secretary concerned is the min-  
6 imum impact necessary to reasonably accomplish the task.

7 (c) USE OF AIRCRAFT.—Consistent with section  
8 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and  
9 in accordance with appropriate policies such as those set  
10 forth in Appendix B of House Report 101–405 of the  
11 101st Congress, the State of Idaho may continue to use  
12 aircraft, including helicopters, to survey, capture, trans-  
13 plant, monitor, and manage elk, deer, bighorn sheep,  
14 mountain goats, wolves, grizzly bears, and other wildlife  
15 and fish.

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

1 **SEC. 208. NATIVE AMERICAN CULTURAL AND RELIGIOUS**  
2 **USES.**

3 Nothing in this title shall be construed to diminish  
4 the rights of any Indian tribe. Nothing in this title shall  
5 be construed to diminish tribal rights regarding access to  
6 Federal lands for tribal activities, including spiritual, cul-  
7 tural, and traditional food-gathering activities.

8 **SEC. 209. MILITARY OVERFLIGHTS.**

9 Nothing in this title restricts or precludes—

10 (1) low-level overflights of military aircraft over  
11 the wilderness areas designated by section 201, in-  
12 cluding military overflights that can be seen or  
13 heard within the wilderness areas;

14 (2) flight testing and evaluation; or

15 (3) the designation or creation of new units of  
16 special use airspace, or the establishment of military  
17 flight training routes, over the wilderness areas.

18 **SEC. 210. WILDERNESS REVIEW.**

19 (a) NATIONAL FORESTS.—Section 5 of Public Law  
20 92–400 (16 U.S.C. 460aa–4), which required a review of  
21 the undeveloped and unimproved portion or portions of the  
22 Sawtooth National Recreation Area established by that  
23 Act as to suitability or nonsuitability for preservation as  
24 part of the National Wilderness Preservation System, is  
25 repealed.

26 (b) PUBLIC LANDS.—

1           (1) FINDING.—Congress finds that, for the pur-  
2           pose of section 603 of the Federal Land Policy and  
3           Management Act of 1976 (43 U.S.C. 1782), the  
4           public land administered by the Bureau of Land  
5           Management in the following areas have been ade-  
6           quately studied for wilderness designation:

7                   (A) The Jerry Peak Wilderness Study  
8           Area.

9                   (B) The Jerry Peak West Wilderness  
10          Study Area.

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

13                  (D) The Boulder Creek Wilderness Study  
14          Area.

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

18                   (A) is no longer subject to section 603(c)  
19           of the Federal Land Policy and Management  
20           Act of 1976 (43 U.S.C. 1782(c)); and

21                   (B) shall be managed in accordance with  
22           land management plans adopted under section  
23           202 of that Act (43 U.S.C. 1712).

1       **TITLE III—BOULDER-WHITE**  
2       **CLOUD MANAGEMENT AREA**

3       **SEC. 301. ESTABLISHMENT OF MANAGEMENT AREA.**

4       (a) FINDINGS AND PURPOSES.—In the case of those  
5 Federal lands not designated as wilderness in title II, Con-  
6 gress has examined the management alternatives for such  
7 lands and finds that the designation of such lands as a  
8 special management area will provide outstanding oppor-  
9 tunities for many forms of recreation, including mountain  
10 biking, snowmobiling, and the use of off-road motorized  
11 vehicles. The purpose of this title is to statutorily provide  
12 for the continued management of such lands for motorized  
13 and other recreational opportunities, livestock grazing,  
14 and conservation and resource protection in accordance  
15 with the current management areas and plans of the  
16 Challis National Forest, the Sawtooth National Recreation  
17 Area, and the Challis District of the Bureau of Land Man-  
18 agement In addition, it is the purpose of this title to pro-  
19 vide that motorized use of such lands shall be allowed in  
20 accordance with the travel map entitled “Boulder-White  
21 Clouds Management Area Travel Plan” and dated June  
22 1, 2005.

23       (b) ESTABLISHMENT.—Those Federal lands in the  
24 Challis National Forest, the Sawtooth National Recreation  
25 Area, and the Challis District of the Bureau of Land Man-

1 agement that are not designated as wilderness in title II,  
2 as generally depicted on the map entitled “Boulder-White  
3 Cloud Management Area” and dated June 1, 2005, are  
4 hereby designated as the Boulder White Cloud Manage-  
5 ment Area (in this title referred to as the “management  
6 area”) and shall be managed as provided by this title.

7 (c) ADMINISTRATION.—Except as otherwise provided  
8 in this title, the Secretary of Agriculture, in the case of  
9 National Forest System lands included in the management  
10 area, and the Secretary of the Interior, in the case of pub-  
11 lic lands included in the management area, in this title  
12 referred to as the “Secretary concerned”, shall administer  
13 the management area in accordance with this title and the  
14 laws and regulations generally applicable to the National  
15 Forest System lands and the public lands included in the  
16 respective management areas and in accordance with the  
17 respective management plans of the Sawtooth National  
18 Recreation Area, Challis National Forest and the Challis  
19 District of the Bureau of Land Management as referenced  
20 by the map referred to in subsection (b).

21 (d) DEVELOPMENT.—No new roads may be con-  
22 structed within the management area, except as necessary  
23 for access to campgrounds and other recreation areas as  
24 determined by the Secretary concerned. Roads may be  
25 maintained and relocated as necessary. The Secretary con-

1 cerned shall permit the mining and removal of gravel,  
2 sand, and rock along existing roads in the management  
3 area as necessary for road maintenance in accordance with  
4 the applicable management plan.

5 (e) TIMBER HARVESTING.—Timber harvesting shall  
6 be allowed on lands in the management area only in ac-  
7 cordance with the management plan applicable to the  
8 lands and for necessary control of fire, insects, and dis-  
9 eases and for public safety.

10 (f) TRAILS.—

11 (1) CONSTRUCTION, MAINTENANCE, AND IM-  
12 PROVEMENTS.—There is authorized to be appro-  
13 priated to the Secretary of Agriculture and the Sec-  
14 retary of the Interior \$650,000 for trail construction  
15 and maintenance and for other improvements related  
16 to outfitting, guiding, hiking, and horseback use  
17 within the management area. Amounts appropriated  
18 pursuant to this authorization of appropriations  
19 shall remain available until expended.

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

1 (A) a trail between the 4th of July Road  
2 and Phyllis Lake that is wheelchair accessible;  
3 and

4 (B) other trails in the management area.

5 **SEC. 302. LAND ACQUISITION IN MANAGEMENT AREA.**

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

9 (1) located inside the boundaries of the man-  
10 agement area; or

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

14 (b) NO USE OF CONDEMNATION.—No lands or inter-  
15 ests in lands may be acquired by condemnation for inclu-  
16 sion in the management area or to provide access to the  
17 management area.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
19 authorized to be appropriated not more than \$5,000,000  
20 to carry out this section. Amounts appropriated pursuant  
21 to this authorization of appropriations shall remain avail-  
22 able until expended.

23 **SEC. 303. MOTORIZED AND BICYCLE TRAVEL.**

24 (a) MOTORIZED AND BICYCLE TRAVEL AUTHOR-  
25 IZED.—In the case of land included in the management

1 area, motorized and bicycle travel shall continue to be al-  
2 lowed in accordance with Forest Service and Bureau of  
3 Land Management travel plans and maps in existence as  
4 of September 1, 2003, which managed recreation use for  
5 the specific areas, roads, and trails on those lands, as ref-  
6 erenced on the travel map entitled “Boulder-White Clouds  
7 Management Area Travel Plan” and dated June 1, 2005.

8 (b) ESTABLISHMENT OR USE OF OTHER TRAILS AND  
9 ROUTES.—Notwithstanding subsection (a), other trails  
10 and routes may be used for motorized and bicycle travel  
11 whenever the Secretary concerned considers such use to  
12 be necessary for administrative purposes or to respond to  
13 an emergency.

14 (c) ROUTE AND TRAIL CLOSURES.—The following  
15 roads or trails shall be closed to motorized and mechanized  
16 trail use, except when there is adequate snowcover to per-  
17 mit snowmobile use:

18 (1) Forest Service Trail 109 between the Phyl-  
19 lis Lake turnoff to 4th of July Lake and the north  
20 side of Washington Lake.

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

23 (d) GROUNDS FOR TRAIL SEGMENT CLOSURES.—Re-  
24 source damage that can be mitigated and issues of user  
25 conflict shall not be used as grounds for the closure of

1 a trail or route in the management area, although the Sec-  
2 retary concerned may close any trail or route, or prohibit  
3 the use of trail or route for motorized and mechanize trav-  
4 el, if the Secretary determines that such closure or prohi-  
5 bition is the only reasonable means available for resource  
6 protection or public safety.

7 (e) MITIGATION OF TRAIL CLOSURES.—If the Sec-  
8 retary determines under subsection (d) that closing an  
9 available trail or route in the management area is nec-  
10 essary for resource protection or public safety, the Sec-  
11 retary shall take any of the following mitigation actions,  
12 intended to provide commensurate motorized recreation  
13 opportunities in the same general area of the management  
14 area:

15 (1) Repair resource damage and secure condi-  
16 tions so that closed trails may be reopened to motor-  
17 ized use.

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

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

24 (f) RELATION TO OTHER LAWS.—In considering  
25 mitigation actions under subsection (e), the Secretary con-

1 cerned shall ensure that such action is consistent with the  
2 overall objectives of the management area. If the lands  
3 are also included in the Sawtooth National Recreation  
4 Area, the Secretary concerned shall also administer the  
5 action in accordance with Public Law 92–400 (16 U.S.C.  
6 460aa et seq.), the travel plan in existence as of Sep-  
7 tember 1, 2003, for the Sawtooth National Recreation  
8 Area, and executive orders and other relevant laws and  
9 regulations existing on or before that date.

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

12 (a) GRANT TO PROGRAM.—There is authorized to be  
13 appropriated to the Secretary of Agriculture not more  
14 than \$1,000,000, which shall be used by the Secretary to  
15 make a grant to the State of Idaho in the full amount  
16 so appropriated for deposit with the Off Road Motor Vehi-  
17 cle Program of the Idaho Department of State Parks and  
18 Recreation, which is used to support the acquisition, pur-  
19 chase, improvement, repair, maintenance, furnishing, and  
20 equipping of off-road motor vehicle facilities and sites, to  
21 groom snowmobile trails, and for enforcement activities  
22 and the rehabilitation of land damaged by off-road vehicle  
23 users. As a condition of the grant, the State must main-  
24 tain the grant funds as a separate account of the Off Road

1 Motor Vehicle Program and may not use the funds except  
2 as provided by this section.

3 (b) USE OF GRANT FUNDS.—When the Secretary  
4 concerned determines that additional funds are required  
5 to carry out the activities described in subsection (a) in  
6 the management area, the Secretary may apply for funds  
7 from the Off Road Motor Vehicle Program. Funds re-  
8 ceived under this subsection shall be used only in the man-  
9 agement area.

10 (c) CONSULTATION AND RECOMMENDATIONS.—Be-  
11 fore funds are provided under subsection (b), the Off Road  
12 Motor Vehicle Program shall consider any recommenda-  
13 tions regarding the use of the funds made by the advisory  
14 committee established as part of the program as well as  
15 public comments.

16 (d) RELATION TO OTHER LAWS.—Any action under-  
17 taken using funds obtained under subsection (b) shall con-  
18 form to the applicable travel plan of the Challis National  
19 Forest, the Sawtooth National Recreation Area, or the  
20 Challis District of the Bureau of Land Management.

## 21 **TITLE IV—WAIVER OF GRAZING** 22 **PERMITS**

### 23 **SEC. 401. FINDINGS AND PURPOSE.**

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



1 II, the Sawtooth National Recreation Area, or the water-  
2 shed of the East Fork Salmon River shall be eligible to  
3 participate in the voluntary grazing permit waiver pro-  
4 gram under this title.

5 (b) NOTICE OF PARTICIPATION.—If a person de-  
6 scribed in subsection (a) desires to participate in the vol-  
7 untary grazing permit waiver program under this title, the  
8 person shall notify the Federal agency from which the per-  
9 son obtained the permit, in writing, not later than one  
10 year after the date of the enactment of this Act, of the  
11 voluntary decision of the person to participate in the pro-  
12 gram in exchange for compensation under section 403.  
13 Nothing in this subsection prevents a person described in  
14 subsection (a) from waiving, at any time, a grazing permit  
15 without compensation.

16 (c) WAIVER.—In the notification submitted under  
17 subsection (b), the person shall agree to waive the valid  
18 grazing permit authorizing livestock grazing on grazing al-  
19 lotments located in whole or in part on lands described  
20 in subsection (a). The waiver shall take effect on the date  
21 the person receives the compensation provided under sec-  
22 tion 403, the date the person makes the waiver by dona-  
23 tion, or the date the person receives appropriate com-  
24 pensation from a third party, whichever occurs first.

1 (d) EFFECT OF PERMIT WAIVER ON RANGE DEVEL-  
2 OPMENTS.—

3 (1) WAIVER.—Except as provided in paragraph  
4 (2), a person who waives a permit under this section  
5 shall be deemed to have waived any claim to all  
6 range developments on the subject grazing allotment  
7 or allotments.

8 (2) REMOVAL.—The Federal agency from which  
9 a person obtained a grazing permit may authorize  
10 the person to remove those range developments asso-  
11 ciated with the permit that are not permanent and  
12 are easily removable, as determined by the Federal  
13 agency. The removal of the range developments shall  
14 be completed before the end of the one-year period  
15 beginning on the date the waiver of the permit takes  
16 effect under subsection (c) and shall be subject to  
17 the supervision of the Federal agency.

18 (e) CANCELLATION.—Not later than 30 days after  
19 the waiver of a grazing permit takes effect under sub-  
20 section (c), the Federal agency shall cancel the permitted  
21 grazing on the Federal land in the allotments covered by  
22 the notification. Upon cancellation, grazing permits shall  
23 be prohibited in the areas where permits were waived, and  
24 no future management allocations for grazing shall be per-  
25 mitted.

1 (f) TREATMENT OF VACANT ALLOTMENTS.—Any va-  
2 cant, unallocated grazing allotments in existence on lands  
3 described in subsection (a) shall not be made available to  
4 any person after the date of the enactment of this Act.

5 **SEC. 403. COMPENSATION.**

6 (a) ELIGIBILITY AND AMOUNT OF COMPENSATION.—  
7 The Federal agency may make a payment to permittees  
8 described in subsection (a) of section 402 who waive graz-  
9 ing permits as provided in subsection (b) of such section  
10 according to a schedule of payments prepared jointly by  
11 such agencies and filed with the Committee on Resources  
12 of the House of Representatives and the Committee on  
13 Energy and Natural Resources of the Senate. The total  
14 amount available for such payments is \$7,000,000. If a  
15 permittee is in arrears of Federal grazing fees, the amount  
16 of fees in arrears shall be deducted from the amount of  
17 compensation otherwise due the permittee under this sub-  
18 section.

19 (b) EXCEPTIONS.—Compensation shall not be pro-  
20 vided under this section if the permittee waives the permit  
21 by donation. The amount of any compensation the per-  
22 mittee receives from a third party for the waiver of the  
23 permit shall be deducted from the amount of compensation  
24 otherwise due the permittee under subsection (a).

1           (c) PROHIBITION ON USE OF FUNDS FOR ADMINIS-  
2 TRATIVE COSTS.—None of the funds made available to  
3 provide compensation under this title may be used to cover  
4 administrative costs incurred by a Federal agency to carry  
5 out this title.

○