

Committee on Natural Resources

Rob Bishop Chairman
Markup Memorandum

July 6, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff — Chris Marklund
Subcommittee on Federal Lands (x67736)

Hearing: **H.R. 1482 (Rep. Michael K. Simpson)**, To authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes.
July 11, 2018, 10:15 AM; 1324 Longworth House Office Building

Summary of the Bill

H.R. 1482, introduced by Representative Michael K. Simpson (R-ID-02), authorizes the U.S. Department of Agriculture (USDA) to maintain or replace facilities or structures for commercial recreation services at Smith Gulch on the Salmon River in Idaho. Smith Gulch is located along a stretch of the Salmon River that has been designated as a wild and scenic river under the Wild and Scenic Rivers Act¹ as well as within the Frank Church River of No Return Wilderness, which was designated by Congress in the Central Idaho Wilderness Act of 1979.² Improvements or replacements authorized under H.R. 1482 must be consistent with applicable wilderness statutes and reduce the impact of commercial recreation facilities and services on wilderness and wild and scenic rivers.

Cosponsors

None.

Background

Smith Gulch is a ravine located along the Salmon River corridor in the Frank Church-River of No Return Wilderness in Idaho. The Central Idaho Wilderness Act of 1979³ designated 2.4 million acres of land in the area surrounding Smith Gulch as the River of No Return Wilderness to be managed in accordance with the Wilderness Act.⁴ The legislation also designated 79 miles of the Salmon River as a wild river to be managed in accordance with the Wild and Scenic Rivers Act.⁵

¹ 16 U.S.C. 1271 et seq.

² Public Law 96-312.

³ Ibid.

⁴ 16 U.S.C. 1131 et seq.

⁵ 16 U.S.C. 1271 et seq.

In 2004, Congress amended the Wild and Scenic Rivers Act to authorize the continued established use and occupancy of three commercial recreation services and related facilities at Smith Gulch.⁶ However, the USFS does not interpret current law authorizing the facilities at Smith Gulch to make improvements or replacements to the facilities and structures that require the use of certain mechanized equipment.⁷

H.R. 1482 would authorize USDA to make improvements to the commercial recreation facilities and structures at Smith Gulch, including hydroelectric generators, water pumps, electric lights, solar energy systems, battery power and other similarly appropriate improvements.

Companion legislation, S. 590, introduced by Sen. James E. Risch (R-ID) in the 115th Congress was reported by the Senate Energy and Natural Resources Committee on May 16, 2017 (S. Rept. 115-67). Legislation similar to H.R. 1482, introduced in the 113th Congress⁸ by Rep. Simpson, passed the House on September 8, 2014, by a vote of 398 to 1.

Cost

Currently, no CBO cost estimate for H.R. 1482 has been completed. However, CBO completed a cost estimate for identical Senate companion legislation, S. 590. CBO estimates the legislation would increase offsetting receipts by a negligible amount and would not increase net direct spending in the 10-year budget window. Specifically, CBO estimates that S. 590 would increase offsetting receipts from cost-recovery fees and associated direct spending, so pay-as-you-go procedures apply. However, CBO estimates that enacting S. 590 would not affect revenues. CBO estimates that enacting S. 590 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.⁹

Administration Position

Unknown.

Section-by-Section Analysis of H.R. 1482

Section 1 authorizes the Secretary of Agriculture to maintain or replace facilities and structures for commercial services at Smith Gulch. It requires the improvements or replacements to be consistent with the Central Idaho Wilderness Act of 1980 and reduce impacts on scenic river resources and values. The section also specifically authorizes the Secretary to consider hydroelectric generators and electrical transmission facilities, water pumps for fire suppression, transitions from propane to electrical lighting, solar energy systems, 6-volt or 12-volt battery

⁶ Public Law 108-447.

⁷ Based on information provided to the Committee on Natural Resources by the bill's sponsor.

⁸ H.R. 4283, 113th Congress, *To Amend the Wild and Scenic Rivers Act to Authorize the Secretary of the Interior to Maintain or Replace Certain Facilities and Structures for Commercial Recreation Services at Smith Gulch in Idaho, and for Other Purposes.*

⁹ Congressional Budget Office, S. 590, a bill to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes, April 7, 2017.

banks for power storage and other improvements or replacements the Secretary deems appropriate as a part of the authorized improvements or replacements.

Anticipated Amendments

No amendments are anticipated for this bill.

Effect on Current Law (Ramseyer)

None.