

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 17, 2018.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 1482]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1482) 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, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1482 is to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho.

BACKGROUND AND NEED FOR LEGISLATION

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 1979¹ 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.² 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.³

In 2004, Congress amended the Wild and Scenic Rivers Act to authorize the continued established use and occupancy of three

¹Public Law 96-312.

²16 U.S.C. 1131 et seq.

³16 U.S.C. 1271 et seq.

commercial recreation facilities and related services at Smith Gulch.⁴ However, the U.S. Forest Service (USFS) does not interpret current law as authorizing the improvements or replacements to the facilities and structures at Smith Gulch that require the use of certain mechanized equipment.⁵

H.R. 1482 would authorize USFS 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.

In the 113th Congress, Congressman Simpson sponsored similar legislation (H.R. 4283), which passed the House of Representatives by a vote of 398 to 1.⁶

COMMITTEE ACTION

H.R. 1482 was introduced on March 9, 2017, by Congressman Michael K. Simpson (R-ID). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On July 11, 2018, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. Cost of Legislation and the Congressional Budget Act. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 13, 2018.

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1482, 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.

⁴Public Law 108-447.

⁵Based on information provided to the Committee on Natural Resources by the bill's sponsor.

⁶<http://www.lis.gov/cgi-lis/query/D?r113:2:./temp/~r113rpLHMQ>:

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jeff LaFave.

Sincerely,

MARK P. HADLEY
(For Keith Hall, Director).

Enclosure.

H.R. 1482—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

H.R. 1482 would authorize the Forest Service to allow three providers of commercial recreation services in the Salmon-Challis National Forest in Idaho to construct or improve certain facilities. Those recreation services currently operate under special use permits that do not allow those types of projects. Under the bill, if the operators of those recreation services request authorization to undertake those projects, the agency would be required to conduct environmental reviews. Any costs to carry out those reviews would be covered by cost-recovery fees assessed on the recreation services.

Using information provided by the Forest Service, CBO estimates that enacting the bill would increase offsetting receipts from cost-recovery fees and associated direct spending; therefore, pay-as-you-go procedures apply. However, CBO estimates that any net effect on direct spending would be negligible. Enacting the bill would not affect revenues.

CBO estimates that enacting H.R. 1482 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 1482 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

On April 7, 2017, CBO transmitted a cost estimate for 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, as ordered reported by the Senate Committee on Energy and Natural Resources on March 30, 2017. The two bills are similar, and CBO's estimates of the budgetary effects are the same.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.