

118TH CONGRESS  
1ST SESSION

# H. R. 930

To amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2023

Ms. KUSTER (for herself, Mr. CURTIS, Mr. NEGUSE, and Mr. LAMALFA) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account, 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.**

4 This Act may be cited as the “Ski Hill Resources for  
5 Economic Development Act of 2023”.

1 **SEC. 2. ESTABLISHMENT OF SKI AREA FEE RETENTION AC-**  
2 **COUNT.**

3 (a) IN GENERAL.—Section 701 of division I of the  
4 Omnibus Parks and Public Lands Management Act of  
5 1996 (16 U.S.C. 497c) is amended by adding at the end  
6 the following:

7 “(k) SKI AREA FEE RETENTION ACCOUNT.—

8 “(1) DEFINITIONS.—In this subsection:

9 “(A) ACCOUNT.—The term ‘Account’  
10 means the Ski Area Fee Retention Account es-  
11 tablished under paragraph (2).

12 “(B) COVERED UNIT.—The term ‘covered  
13 unit’ means the unit of the National Forest  
14 System that collects the ski area permit rental  
15 charge under this section.

16 “(C) SECRETARY.—The term ‘Secretary’  
17 means the Secretary of Agriculture.

18 “(2) ESTABLISHMENT.—The Secretary of the  
19 Treasury shall establish a special account in the  
20 Treasury, to be known as the ‘Ski Area Fee Reten-  
21 tion Account’.

22 “(3) DEPOSITS.—Subject to paragraphs (4)  
23 and (5), a ski area permit rental charge collected by  
24 the Secretary under this section shall—

25 “(A) be deposited in the Account;

1           “(B) be available to the Secretary for use,  
2           without further appropriation; and

3           “(C) remain available for the period of 4  
4           fiscal years beginning with the first fiscal year  
5           after the fiscal year in which the ski area per-  
6           mit rental charge is deposited in the Account  
7           under subparagraph (A).

8           “(4) DISTRIBUTION OF AMOUNTS IN THE AC-  
9           COUNT.—

10           “(A) LOCAL DISTRIBUTION OF FUNDS.—

11           “(i) IN GENERAL.—Except as pro-  
12           vided in subparagraph (C), the Secretary  
13           shall expend 80 percent of the ski area  
14           permit rental charges deposited in the Ac-  
15           count from a covered unit at the covered  
16           unit in accordance with clause (ii).

17           “(ii) DISTRIBUTION.—Of the amounts  
18           made available for expenditure under  
19           clause (i)—

20           “(I) 75 percent shall be used at  
21           the covered unit for activities de-  
22           scribed in paragraph (5)(A); and

23           “(II) 25 percent shall be used for  
24           activities at the covered unit described  
25           in paragraph (5)(B).

1           “(B) AGENCY-WIDE DISTRIBUTION OF  
2 FUNDS.—The Secretary shall expend 20 percent  
3 of the ski area permit rental charges deposited  
4 in the Account from a covered unit at any unit  
5 of the National Forest System for an activity  
6 described in subparagraph (A) or (B) of para-  
7 graph (5).

8           “(C) REDUCTION OF PERCENTAGE.—

9           “(i) REDUCTION.—The Secretary  
10 shall reduce the percentage otherwise ap-  
11 plicable under subparagraph (A)(i) to not  
12 less than 60 percent if the Secretary deter-  
13 mines that the amount otherwise made  
14 available under that subparagraph exceeds  
15 the reasonable needs of the covered unit  
16 for which expenditures may be made in the  
17 applicable fiscal year.

18           “(ii) DISTRIBUTION OF FUNDS.—The  
19 balance of the ski area permit rental  
20 charges that are collected at a covered  
21 unit, deposited into the Account, and not  
22 distributed in accordance with subpara-  
23 graph (A) or (B) shall be available to the  
24 Secretary for expenditure at any other unit

1 of the National Forest System in accord-  
2 ance with the following:

3 “(I) 75 percent shall be used for  
4 activities described in paragraph  
5 (5)(A).

6 “(II) 25 percent shall be used for  
7 activities described in paragraph  
8 (5)(B).

9 “(5) EXPENDITURES.—Amounts available to  
10 the Secretary for expenditure from the Account shall  
11 be only used for—

12 “(A)(i) the administration of the Forest  
13 Service ski area program, including—

14 “(I) the processing of an application  
15 for a new ski area or a ski area improve-  
16 ment project, including staffing and con-  
17 tracting for the processing; and

18 “(II) administering a ski area permit  
19 described in subsection (a);

20 “(ii) staff training for—

21 “(I) the processing of an application  
22 for—

23 “(aa) a new ski area;

24 “(bb) a ski area improvement  
25 project; or

1 “(ee) a special use permit; or

2 “(II) administering—

3 “(aa) a ski area permit described  
4 in subsection (a); or

5 “(bb) a special use permit;

6 “(iii) an interpretation activity, National  
7 Forest System visitor information, a visitor  
8 service, or signage;

9 “(iv) direct costs associated with collecting  
10 a ski area permit rental charge or other fee col-  
11 lected by the Secretary related to recreation;

12 “(v) planning for, or coordinating to re-  
13 spond to, a wildfire in or adjacent to a recre-  
14 ation site, particularly a ski area; or

15 “(vi) reducing the likelihood of a wildfire  
16 starting, or the risks posed by a wildfire, in or  
17 adjacent to a recreation site, particularly a ski  
18 area, except through hazardous fuels reduction  
19 activities; or

20 “(B)(i) the repair, maintenance, or en-  
21 hancement of a Forest Service-owned facility,  
22 road, or trail directly related to visitor enjoy-  
23 ment, visitor access, or visitor health or safety;

24 “(ii) habitat restoration directly related to  
25 recreation;

1           “(iii) law enforcement related to public use  
2           and recreation;

3           “(iv) the construction or expansion of  
4           parking areas;

5           “(v) the processing or administering of a  
6           recreation special use permit;

7           “(vi) avalanche information and education  
8           activities carried out by the Secretary or non-  
9           profit partners;

10          “(vii) search and rescue activities carried  
11          out by the Secretary, a local government, or a  
12          nonprofit partner; or

13          “(viii) the administration of leases under—

14                 “(I) the Forest Service Facility Re-  
15                 alignment and Enhancement Act of 2005  
16                 (16 U.S.C. 580d note; Public Law 109–  
17                 54); and

18                 “(II) section 8623 of the Agriculture  
19                 Improvement Act of 2018 (16 U.S.C. 580d  
20                 note; Public Law 115–334).

21          “(6) LIMITATION.—Amounts in the Account  
22          may not be used for—

23                 “(A) the conduct of wildfire suppression;

24                 or

1           “(B) the acquisition of land for inclusion  
2 in the National Forest System.

3           “(7) EFFECT.—

4           “(A) IN GENERAL.—Nothing in this sub-  
5 section affects the applicability of section 7 of  
6 the Act of April 24, 1950 (commonly known as  
7 the ‘Granger-Thye Act’) (16 U.S.C. 580d), to  
8 ski areas on National Forest System land.

9           “(B) SUPPLEMENTAL FUNDING.—Rental  
10 charges retained and expended under this sub-  
11 section shall supplement (and not supplant) ap-  
12 propriated funding for the operation and main-  
13 tenance of each covered unit.

14           “(C) COST RECOVERY.—Nothing in this  
15 subsection affects any cost recovery under any  
16 provision of law (including regulations) for  
17 processing an application for or monitoring  
18 compliance with a ski area permit or other  
19 recreation special use permit.”.

20           (b) EFFECTIVE DATE.—This section (including the  
21 amendments made by this section) shall take effect on the  
22 date that is 60 days after the date of enactment of this  
23 Act.

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