

DRAFT BILL

July 8, 2008

To Clarify the Authority of the Secretary of Agriculture Regarding Additional
Recreational Uses of National Forest Lands Subject to Ski Area Permits

Be it enacted, etc.

SECTION 1. FINDINGS AND PURPOSE

(a) FINDINGS. – The Congress finds as follows:

- (1) It is in the national interest to provide and encourage Americans to take advantage of opportunities during all four seasons to engage in outdoor recreational activities that can contribute to their health and well-being; and
- (2) Under current law, the National Forests are managed in ways that not only encourage understanding and appreciation of nature and the importance of conserving natural resources but also provide year-round opportunities for natural resource-based developed outdoor recreation outside of urban settings; but
- (3) Increasing the extent to which National Forest lands can provide such opportunities could help meet public needs; and
- (4) National Forest lands used for skiing and other snowsports also can provide additional opportunities for seasonal and year-around recreational activities; and
- (5) Authorizing use of such lands for such additional activities and associated facilities can reduce the impacts of such activities and facilities on other portions of the National Forests; and
- (6) It is desirable to revise the National Ski Area Permit Act of 1986 to reflect the snowsports other than nordic and alpine skiing occurring on lands subject to ski area permits and to clarify the authority of the Secretary of Agriculture to permit appropriate additional seasonal or year-round activities and facilities on such lands.

(b) PURPOSE. – The purpose of this Act is to revise the National Ski Area Permit Act of 1986 so as to reflect the snowsports other than nordic and alpine skiing occurring on lands subject to ski area permits and to clarify the authority of the Secretary of Agriculture to permit certain additional uses of lands subject to ski area permits under that Act.

SECTION 2. AMENDMENTS – The National Ski Area Permit Act of 1986 (16 U.S.C. 497b) is amended as follows:

- (1) In subsection (a), by striking “nordic and alpine ski areas and facilities” and inserting in lieu thereof “ski areas and associated facilities”
- (2) In subsection (b) by striking “nordic and alpine skiing operations and purposes” and inserting in lieu thereof “skiing and other snowsports and such other mountain resort recreational activities as the Secretary may authorize pursuant to subsection (c) of this subsection.”
- (3) By adding after subsection (b) a new subsection, as follows:

(c) Other Recreational Uses --

(1) The Secretary may authorize the holder of a ski area permit issued pursuant to subsection (b) to also provide on lands subject to the permit such other seasonal or year - round natural-resource based developed outdoor recreation activities and facilities, in addition to skiing and other snowsports, as the Secretary determines appropriate.

(2) Activities and facilities authorized under this subsection shall encourage outdoor recreation, harmonize with the natural environment to the extent practicable, and be subject to such terms and conditions as the Secretary determines appropriate.

(3) No activity or facility shall be authorized under this subsection if the Secretary determines that its authorization would result in the primary recreational purpose of lands subject to a ski area permit becoming other than skiing or other snowsports.

- (4) By striking subsection (c) and inserting in lieu thereof the following:

(d) The Secretary shall promulgate rules and regulations to implement subsection (b) of this section.

- (5) By redesignating subsection (d) as subsection (e)