

FACT SHEET

Bill To Revise 1986 National Forest Ski Area Permits Act

The bill would revise the 1986 law dealing with use of National Forests for ski areas in order to reflect current ways those areas are used and to provide clear authority for the Forest Service to allow additional recreational uses of those areas.

Background

Earlier this year, representatives of the National Ski Areas Association informed Rep. Udall they thought it would be good to update the Ski Areas Permit Act of 1986 and to clarify the authority of the Forest Service to permit use of ski areas for summer, seasonal, or year-round outdoor recreational activities and facilities in support of those activities.

That prompted Representative Udall to send a letter asking Mark Rey, the Under Secretary of Agriculture for Natural Resources and the Environment, whether current law could be clearer on those points. Under Secretary Rey replied that, if requested, the USDA "would be happy to work with you to amend" the 1986 law to provide the Forest Service with clear authority regarding such activities and facilities.

The proposed bill reflects Representative Udall's views that it is in the national interest to encourage Americans to engage in outdoor recreational activities that can contribute to their health and well-being, and that National Forest lands, including ski areas, can play a role by providing opportunities for such activities. It also reflects technical suggestions provided by the Forest Service in response to Representative Udall's request as well as suggestions from the National Ski Areas Association and other interested parties.

The Bill

The bill would amend the 1986 Act in three ways –

- References to "nordic and alpine ski areas" and "nordic and alpine skiing" would be revised to reflect the fact that ski areas now are also used for other snowsports, such as snowboarding.
- Outdated provisions regarding issuance of initial regulations and treatment of ski areas holding permits prior to 1986 would be deleted.
- And new provisions would be added to provide clear authority for the Forest Service to allow holders of ski area permits to use ski area lands to provide opportunities for other natural-resource based developed outdoor recreational activities (and supporting facilities) in addition to skiing and other snowsports.

The bill makes clear that the only additional recreational activities and facilities that the Forest Service could authorize are those that –

- 1) are determined appropriate,
- 2) encourage outdoor recreation, and
- 3) harmonize to the natural environment to the extent practicable.

It also makes clear that the activities and facilities will be subject to such terms and conditions as the Forest Service determines appropriate. And it specifies that no activity or facility can be authorized if the agency determines that authorization would result in the primary recreational purpose of lands covered by a permit under the 1986 law would not be skiing or other snowsports