

117TH CONGRESS  
1ST SESSION

# H. R. 3686

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.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2021

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

---

## 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” or the “SHRED Act”.

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 a unit of the National Forest Sys-  
14 tem that collects a rental charge.

15 “(C) PROGRAM.—The term ‘Program’  
16 means the Forest Service Ski Area Program.

17 “(D) REGION.—The term ‘region’ means a  
18 region of the Forest Service.

19 “(E) RENTAL CHARGE.—The term ‘rental  
20 charge’ means a permit rental charge that is  
21 charged under subsection (a).

22 “(F) SECRETARY.—The term ‘Secretary’  
23 means the Secretary of Agriculture.

24 “(2) ESTABLISHMENT.—The Secretary of the  
25 Treasury shall establish in the Treasury a special

1 account, to be known as the ‘Ski Area Fee Retention  
2 Account’, into which there shall be deposited—

3 “(A) in the case of a covered unit at which  
4 \$15,000,000 or more is collected by the covered  
5 unit from rental charges in a fiscal year, an  
6 amount equal to 60 percent of the rental  
7 charges collected at the covered unit in the fis-  
8 cal year; or

9 “(B) in the case of any other covered unit,  
10 an amount equal to 75 percent of the rental  
11 charges collected at the covered unit in a fiscal  
12 year.

13 “(3) AVAILABILITY.—Subject to paragraph (5),  
14 any amounts deposited in the Account under para-  
15 graph (2) shall be available to the Secretary for use  
16 in accordance with paragraph (4), without further  
17 appropriation, and shall remain available until ex-  
18 pended.

19 “(4) USE AND DISTRIBUTION OF AMOUNTS IN  
20 THE ACCOUNT.—

21 “(A) DISTRIBUTION OF PERCENTAGE  
22 AMOUNTS.—Except as provided in subpara-  
23 graphs (B), (C), (D), (F), and (G), 75 percent  
24 of the amounts deposited in the Account from  
25 a covered unit at which the rental charges were

1 collected in the preceding fiscal year shall be  
2 available for expenditure in accordance with  
3 subparagraph (E) at that covered unit.

4 “(B) REDUCTION OF PERCENTAGE  
5 AMOUNT.—Subject to subparagraph (C), the  
6 Secretary may reduce the percentage of  
7 amounts available to a covered unit under sub-  
8 paragraph (A) if the Secretary determines that  
9 the amounts will exceed the reasonable needs of  
10 the covered unit for the purposes described in  
11 subparagraph (E) in the fiscal year.

12 “(C) LIMITATION.—The Secretary may not  
13 reduce, pursuant to subparagraph (B), the per-  
14 centage of amounts available under subpara-  
15 graph (A)—

16 “(i) in the case of a covered unit de-  
17 scribed in paragraph (2)(A), to less than  
18 25 percent of the amount of rental charges  
19 deposited in the Account from the covered  
20 unit in a fiscal year; or

21 “(ii) in the case of any other covered  
22 unit, to less than 40 percent of the amount  
23 of rental charges deposited in the Account  
24 from the covered unit in a fiscal year.

1           “(D) DISTRIBUTION OF REDUCTION  
2 AMOUNTS.—The Secretary may make any  
3 amounts in the Account remaining as a result  
4 of any reduction in the percentage of amounts  
5 under subparagraph (B) available to other cov-  
6 ered units or the regions in which the covered  
7 units are located for the purposes described in  
8 subparagraph (E), taking into consideration the  
9 following factors:

10           “(i) Any backlog in ski area permit  
11 and Program administration in the covered  
12 units, including—

13           “(I) the number of proposals for  
14 ski area improvement projects; and

15           “(II) the processing of proposals  
16 for ski area improvement projects.

17           “(ii) Any need for services, training,  
18 staffing, or the streamlining of programs  
19 in the other covered units or the region in  
20 which the covered units are located that  
21 would improve the administration of the  
22 Program.

23           “(iii) Any need for wildfire prepared-  
24 ness, planning, and coordination in and  
25 around ski areas.

1           “(E) AUTHORIZED EXPENDITURES.—  
2           Amounts distributed from the Account to a cov-  
3           ered unit under this subsection may be used  
4           for—

5                   “(i) ski area special use permit and  
6           Program administration in the covered  
7           unit, including—

8                           “(I) the processing of proposals  
9                           for ski area improvement projects;  
10                           and

11                           “(II) staffing and contracting for  
12                           that processing and related services in  
13                           the covered unit or in the applicable  
14                           region;

15                           “(ii) staff training for processing of  
16                           ski area applications and administering ski  
17                           area permits in the covered unit or the re-  
18                           gion in which the covered unit is located;

19                           “(iii) interpretation activities, visitor  
20                           information, visitor services, and signage in  
21                           the covered unit to enhance the ski area  
22                           visitor experience on National Forest Sys-  
23                           tem land; and

24                           “(iv) wildfire preparedness, planning,  
25                           and coordination in and around ski areas

1 in the covered unit or in the applicable re-  
2 gion.

3 “(F) EXPENDITURE FOR OTHER PUR-  
4 POSES.—If any amounts remain in the Account  
5 after all necessary Program expenditures have  
6 been made under subparagraph (D), the Sec-  
7 retary may use the amounts for other purposes  
8 in accordance with subparagraph (G).

9 “(G) OTHER RECREATION PERMIT ADMIN-  
10 STRATION, VISITOR SERVICES, AND OTHER  
11 PURPOSES.—In addition to any amounts re-  
12 maining in the Account described in subpara-  
13 graph (F), 25 percent of the amounts deposited  
14 in the Account from a covered unit in which the  
15 rental charges were collected shall remain avail-  
16 able for expenditure at that covered unit or the  
17 region in which the covered unit is located for—

18 “(i) administering non-ski area Forest  
19 Service recreation special use permits;

20 “(ii) avalanche information and edu-  
21 cation activities carried out by the Sec-  
22 retary or nonprofit partners;

23 “(iii) recreation management, mainte-  
24 nance, and services; and

25 “(iv) administration of leases under—

1 “(I) the Forest Service Facility  
2 Realignment and Enhancement Act of  
3 2005 (16 U.S.C. 580d note; Public  
4 Law 109–54); and

5 “(II) section 8623 of the Agri-  
6 culture Improvement Act of 2018 (16  
7 U.S.C. 580d note; Public Law 115–  
8 334).

9 “(H) LIMITATION.—Amounts in the Ac-  
10 count may not be used for—

11 “(i) the conduct of wildfire suppres-  
12 sion outside ski area permit boundaries; or

13 “(ii) the acquisition of land for inclu-  
14 sion in the National Forest System.

15 “(5) SAVINGS PROVISIONS.—

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

21 “(B) SUPPLEMENTAL FUNDING.—Rental  
22 charges retained and expended under this sub-  
23 section shall supplement (and not supplant) ap-  
24 propriated funding for the operation and main-  
25 tenance of each covered unit.

1           “(C) COST RECOVERY.—Nothing in this  
2           subsection affects any cost recovery under any  
3           other provision of law for processing applica-  
4           tions for or monitoring compliance with ski area  
5           permits or other recreation special use per-  
6           mits.”.

7           (b) EFFECTIVE DATE.—This section (including the  
8           amendments made by this section) shall take effect on the  
9           date that is 60 days after the date of enactment of this  
10          Act.

11          (c) IMPLEMENTATION.—The Secretary of Agriculture  
12          shall not be required to issue regulations or policy guid-  
13          ance to implement this section (including the amendments  
14          made by this section).

○