

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3686
OFFERED BY MR. NEGUSE OF COLORADO**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Ski Hill Resources for
3 Economic Development Act” or the “SHRED Act”.

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

6 (a) IN GENERAL.—Section 701 of division I of the
7 Omnibus Parks and Public Lands Management Act of
8 1996 (16 U.S.C. 497c) is amended by adding at the end
9 the following:

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

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

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

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

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

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

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

10 “(A) be deposited in the Account; and

11 “(B) remain available to the Secretary for
12 use, without further appropriation;

13 “(4) DISTRIBUTION OF AMOUNTS IN THE AC-
14 COUNT.—

15 “(A) LOCAL DISTRIBUTION OF FUNDS.—

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

22 “(ii) DISTRIBUTION.—Of the amounts
23 made available for expenditure under
24 clause (i)—

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

4 “(II) 25 percent shall be used at
5 the covered unit for activities de-
6 scribed in paragraph (5)(B).

7 “(B) AGENCY-WIDE DISTRIBUTION OF
8 FUNDS.—The Secretary shall expend 20 percent
9 of the ski area permit rental charges deposited
10 in the Account at any unit of the National For-
11 est System for an activity described in subpara-
12 graph (A) or (B) of paragraph (5).

13 “(C) REDUCTION OF PERCENTAGE.—

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

23 “(ii) DISTRIBUTION OF FUNDS.—The
24 balance of the ski area permit rental
25 charges that are collected at a covered

1 unit, deposited into the Account, and not
2 distributed in accordance with subpara-
3 graph (A) or (B) shall be available to the
4 Secretary for expenditure at any other unit
5 of the National Forest System in accord-
6 ance with the following:

7 “(I) 75 percent shall be used for
8 activities described in paragraph
9 (5)(A).

10 “(II) 25 percent shall be used for
11 activities described in paragraph
12 (5)(B).

13 “(5) EXPENDITURES.—Amounts available to
14 the Secretary for expenditure from the Account shall
15 be used only for—

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

18 “(I) programmatic costs associ-
19 ated with the processing of an appli-
20 cation for a new ski area or a ski area
21 improvement project, including staff-
22 ing, subject to paragraph 7(C); and

23 “(II) administering a ski area
24 permit described in subsection (a);

25 “(ii) staff training for—

1 “(I) the processing of an applica-
2 tion, for—

3 “(aa) a new ski area;

4 “(bb) a ski area improve-
5 ment project; or

6 “(cc) a special use permit;
7 or

8 “(II) administering—

9 “(aa) a ski area permit de-
10 scribed in subsection (a); or

11 “(bb) a recreation special
12 use permit;

13 “(iii) avalanche informational and
14 educational activities carried out by the
15 Secretary or nonprofit partners;

16 “(iv) an interpretative activity or pro-
17 gram, National Forest System visitor in-
18 formation, a visitor service, or signage;

19 “(v) direct costs associated with col-
20 lecting a ski area permit rental charge or
21 other fee collected by the Secretary related
22 to recreation, other than a cost recovery
23 fee;

24 “(vi) wildfire prevention, planning,
25 and coordination programs and activities,

1 except through hazardous fuel reduction
2 activities; or

3 “(B)(i) the repair, maintenance, or en-
4 hancement of a federally-owned facility, road, or
5 trail directly related to visitor enjoyment, visitor
6 access, or visitor health or safety;

7 “(ii) habitat restoration directly re-
8 lated to recreation;

9 “(iii) law enforcement related to pub-
10 lic use and recreation;

11 “(iv) the construction or expansion of
12 parking areas; or

13 “(v) the administration of leases,
14 other than costs covered by monitoring
15 fees, under—

16 “(I) the Forest Service Facility
17 Realignment and Enhancement Act of
18 2005 (16 U.S.C. 580d note; Public
19 Law 109–54); and

20 “(II) section 8623 of the Agri-
21 culture Improvement Act of 2018 (16
22 U.S.C. 580d note; Public Law 115–
23 334).

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

1 “(A) the conduct of wildfire suppression;

2 or

3 “(B) the acquisition of land for inclusion
4 in the National Forest System.

5 “(7) EFFECT.—

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

11 “(B) SUPPLEMENTAL FUNDING.—Rental
12 charges retained and expended under this sub-
13 section shall supplement (and not supplant) ap-
14 propriated funding for the operation and main-
15 tenance of each covered unit and region in
16 which a covered unit is located.

17 “(C) COST RECOVERY.—Nothing in this
18 subsection affects any cost recovery, including
19 processing and monitoring fees, under any pro-
20 vision of law (including regulations) for proc-
21 essing a special use application or monitoring a
22 special use authorization.”.

23 (b) EFFECTIVE DATE.—This section (including the
24 amendments made by this section) shall take effect on the

1 date that is 60 days after the date of the enactment of
2 this Act.

