

So the bill was passed by the House by a voice vote last Congress. The administration supports this bill. It was requested by the Utah National Guard. As I said, it is cosponsored by the entire Utah delegation.

I urge its adoption, and I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SABLAN asked and was given permission to revise and extend his remarks.)

Mr. SABLAN. Mr. Speaker, H.R. 686 will transfer a parcel of Federal land to the State of Utah for use as part of a Utah National Guard facility. The bill specifies that the land would return to Federal ownership if it is no longer needed for national defense purposes.

This legislation passed the House under Democratic leadership in both the 110th and 111th Congresses, and we support its passage again today.

I yield back the balance of my time.

Mr. BISHOP of Utah. I have no requests for time, and I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to discuss H.R. 686, "Utah National Guard Readiness Act." The bill requires the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard.

Our National Guard and in some instances combat soldiers of tomorrow must have access to training. Our troops must receive the training they need prior to being deployed in combat zones. By allocating parcels of land for that purpose helps to ensure our nation's security. Camp Williams, located 26 miles south of Salt Lake City, is a professional training environment operated by the Utah Army National Guard. The Utah Training Center consists of 24,000 acres of combat areas resembling the same types of environments encountered by those currently serving in Iraq and Afghanistan. Those facilities include small arms weapons firing ranges, artillery firing points, demolition, grenade and crew served weapon ranges.

This parcel of land will allow for specialized winter, desert, mountain, and amphibious training. Urban environments include the Mac MOUT Shoot-house, dismounted/mounted maneuver areas and the recently opened FOB. Leadership and individual training is enhanced by utilizing the rappel tower, leadership reaction course and Afghan Village. This facility seems to be well equipped for training the Utah National Guard.

The Utah National Guard has possessed facilities and trained at Camp Williams since 1912. H.R. 686 would convey 420 acres of land within the boundaries of Camp Williams, without consideration. The acreage proposed for conveyance is already withdrawn for military use by the Guard. This land transfer will open access to property along a major transportation corridor with all the utilities and services necessary to support expanded military use. The Utah National Guard already owns and operates several buildings, an air traffic control tower and a tactical airfield on portions of this property. Placing the land in the State's name for use by the National Guard consolidates ownership patterns in the headquarters

area and allows the State of Utah to bond for future Guard facilities. Transfer of title to these lands expedites the building and expansion of Camp Williams training facilities and would improve the readiness of the Utah National Guard. Additionally, the bill includes a provision directing that the land revert to federal ownership if it stops being used for National Guard or national defense purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 686, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

SKI AREA RECREATIONAL OPPORTUNITY ENHANCEMENT ACT OF 2011

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 765) to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 765

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Ski Area Recreational Opportunity Enhancement Act of 2011".

SEC. 2. PURPOSE.

The purpose of this Act is to amend the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b)—

(1) to enable snow-sports (other than nordic and alpine skiing) to be permitted on National Forest System land subject to ski area permits issued by the Secretary of Agriculture under section 3 of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b); and

(2) to clarify the authority of the Secretary of Agriculture to permit appropriate additional seasonal or year-round recreational activities and facilities on National Forest System land subject to ski area permits issued by the Secretary of Agriculture under section 3 of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b).

SEC. 3. SKI AREA PERMITS.

Section 3 of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b) is amended—

(1) in subsection (a), by striking "nordic and alpine ski areas and facilities" and inserting "ski areas and associated facilities";

(2) in subsection (b), in the matter preceding paragraph (1), by striking "nordic and alpine skiing operations and purposes" and inserting "skiing and other snow sports and recreational uses authorized by this Act";

(3) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(4) by inserting after subsection (b) the following:

“(c) OTHER RECREATIONAL USES.—

“(1) AUTHORITY OF SECRETARY.—Subject to the terms of a ski area permit issued pursuant to subsection (b), the Secretary may authorize a ski area permittee to provide such other seasonal or year-round natural resource-based recreational activities and associated facilities (in addition to skiing and other snow-sports) on National Forest System land subject to a ski area permit as the Secretary determines to be appropriate.

“(2) REQUIREMENTS.—Each activity and facility authorized by the Secretary under paragraph (1) shall—

“(A) encourage outdoor recreation and enjoyment of nature;

“(B) to the extent practicable—

“(i) harmonize with the natural environment of the National Forest System land on which the activity or facility is located; and

“(ii) be located within the developed portions of the ski area;

“(C) be subject to such terms and conditions as the Secretary determines to be appropriate; and

“(D) be authorized in accordance with—

“(i) the applicable land and resource management plan; and

“(ii) applicable laws (including regulations).

“(3) INCLUSIONS.—Activities and facilities that may, in appropriate circumstances, be authorized under paragraph (1) include—

“(A) zip lines;

“(B) mountain bike terrain parks and trails;

“(C) frisbee golf courses; and

“(D) ropes courses.

“(4) EXCLUSIONS.—Activities and facilities that are prohibited under paragraph (1) include—

“(A) tennis courts;

“(B) water slides and water parks;

“(C) swimming pools;

“(D) golf courses; and

“(E) amusement parks.

“(5) LIMITATION.—The Secretary may not authorize any activity or facility under paragraph (1) if the Secretary determines that the authorization of the activity or facility would result in the primary recreational purpose of the ski area permit to be a purpose other than skiing and other snow-sports.

“(6) BOUNDARY DETERMINATION.—In determining the acreage encompassed by a ski area permit under subsection (b)(3), the Secretary shall not consider the acreage necessary for activities and facilities authorized under paragraph (1).

“(7) EFFECT ON EXISTING AUTHORIZED ACTIVITIES AND FACILITIES.—Nothing in this subsection affects any activity or facility authorized by a ski area permit in effect on the date of enactment of this subsection during the term of the permit.”;

(5) by striking subsection (d) (as redesignated by paragraph (3)), and inserting the following:

“(d) REGULATIONS.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall promulgate regulations to implement this section.”; and

(6) in subsection (e) (as redesignated by paragraph (3)), by striking “the National Environmental Policy Act, or the Forest and Rangelands Renewable Resources Planning Act as amended by the National Forest Management Act” and inserting “the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.)”.

SEC. 4. EFFECT.

Nothing in the amendments made by this Act establishes a legal preference for the holder of a ski area permit to provide activities and associated facilities authorized by section 3(c) of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b(c)) (as amended by section 3).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

H.R. 765 amends the National Forest Ski Area Permit Act of 1986 to authorize the Secretary of Agriculture to permit seasonal and year-round natural resource-based recreational activities that are associated with those facilities on the National Forest ski areas. Current law does not address any activities other than winter-related Nordic and alpine skiing, snow sports, and their ancillary facilities at ski areas on Forest Service land. Congress needs to pass this act to allow new activities such as climbing walls, mountain biking, alpine slides, and zip-lines to be able to be used.

The additional seasonal and year-round recreation authorized by this bill would allow the private sector to create year-round jobs, expand their wholesome outdoor recreational opportunities for American families and for visitors from overseas.

Facilities authorized by this bill will have to be in harmony with the natural environment. Furthermore, the legislation does not waive such laws as the Endangered Species Act or the National Environmental Policy Act to allow for these activities to take place. So the ski areas on the Forest Service lands are already themselves classified as developed sites. So these new activities will be in keeping with the intended use of these areas.

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Finally, I would also like to thank Chairman LUCAS of the Committee on Agriculture for assisting us in bringing this bill to the floor today. His cooperation on this and other issues shared with the Committee on Natural Resources is very much appreciated.

To support this understanding, I am including in the RECORD an exchange of letters between Chairman LUCAS and Chairman DOC HASTINGS regarding this particular bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, July 21, 2011.

Hon. DOC HASTINGS,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN HASTINGS: I am writing to you regarding H.R. 765, the Ski Recreational Opportunity Enhancement Act of 2011 which amends the National Forest Ski Area Permit Act of 1986 to allow Forest Service permits to include year-round recreational use of ski areas. The bill also amends the Act to allow for snowboarding and other snow sports on Forest Service lands, in addition to ski activities already permitted.

H.R. 765 has been referred to the Committee on Agriculture, in addition to the Committee on Natural Resources. On June 15, 2011, H.R. 765 was reported out of the House Natural Resources Committee by unanimous consent.

It is my understanding that the Committee on Natural Resources wishes to consider this important piece of legislation expeditiously. Therefore, I will agree to discharge H.R. 765 from further consideration by the Committee on Agriculture. I do so with the understanding that this action in no way waives the Committee on Agriculture's jurisdictional interests in the subject matter of the legislation nor serves as a precedent for future referrals. Furthermore, in the event a House-Senate conference is requested on this matter, the Committee on Agriculture reserves the right to seek the appointment of conferees.

I ask that you insert a copy of our exchange of letters into the Congressional Record during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between the Committee on Natural Resources and the Committee on Agriculture as we deal with forestry issues in the future.

Sincerely,

FRANK D. LUCAS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, September 28, 2011.

Hon. FRANK LUCAS,
Chairman, Committee on Agriculture,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 765, the Ski Area Recreational Opportunity Enhancement Act of 2011. As you know, the Committee on Natural Resources ordered reported the bill by unanimous consent on June 15, 2011. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, understand that the Committee on Agriculture will forego action on the bill.

The Committee on Natural Resources concurs with the mutual understanding that by foregoing consideration of H.R. 765 at this time, the Committee on Agriculture does not waive any jurisdiction over the subject matter contained in this or similar legislation. Your committee will be appropriately consulted and involved as the bill or similar legislation moves forward. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture represented on the conference committee, as you are the primary committee of jurisdiction. Finally, I would be pleased to include your letter and this response in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration.

Sincerely,

DOC HASTINGS,
Chairman.

I urge the adoption of the measure, and I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SABLAN asked and was given permission to revise and extend his remarks.)

Mr. SABLAN. Mr. Speaker, the law governing the use of Forest Service lands for ski resorts has not kept pace with the development of year-round activities at many of these sites. New legislation is needed to authorize activities such as rock climbing, mountain biking and other offseason recreational activities.

H.R. 765 will authorize the Forest Service to permit certain nonsnow sports identified in the bill while specifically prohibiting things like tennis courts, swimming pools, and golf courses. The legislation will provide this expanded authority while ensuring that only activities which encourage outdoor recreation and harmonize with the environment are permitted.

Our colleague, Representative DEGETTE of Colorado, sponsored this legislation in the previous Congress and successfully guided the bill to approval by the House. This is important legislation that will create jobs, and she is to be commended for her leadership on this bill.

We support H.R. 765.

I have no requests for time, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, as has been mentioned by the gentleman, this is a bipartisan bill. I urge its adoption. It's a very good bill.

I have no requests for time, and I yield back the balance of my time.

Ms. DEGETTE. Mr. Speaker, it gives me great pleasure to bring this bill to the floor today. In my home state of Colorado, outdoor activities such as skiing, snowboarding, mountain biking, and hiking are part of our everyday lives. These activities often occur in our fantastic ski areas—many of which are located on public lands.

The Ski Area Recreational Opportunity Enhancement Act of 2011 clarifies the authority of the Forest Service to permit appropriate summer or year-round activities for ski areas. My bill will expand access to outdoor recreation, providing more opportunities for families to spend time outdoors. In the 2010/2011 ski season, there were over 60 million skier/snowboarder visits to American ski areas with nearly 21 million visits in the Rocky Mountain region. Providing summer recreation opportunities at already developed ski areas means winter guests will be more likely to return to their favorite spots at other times of the year. It will also provide substantial benefits to our local economies, and help create stable, year-round jobs in the thirteen states that are currently home to ski resorts on public land. The Outdoor Industry Association estimates active outdoor recreation, including activities at ski areas, contributes \$730 billion to the U.S. economy annually.

Furthermore, the act makes a commonsense change to the Ski Area Permit Act by expanding permitted activities to include snow sports such as snowboarding. Snowboarding now accounts for roughly 1/3 of all ski area

visits, and the law should reflect the reality of current winter activities.

I am proud to bring this bill to the floor today with broad bi-partisan support. We have worked closely with the Forest Service to develop a piece of legislation that is amenable to all affected parties, and I urge my colleagues to support this sensible piece of legislation.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 765, "The Ski Area Recreational Opportunity Enhancement Act of 2011," which amends the National Forest Ski Area Permit Act of 1986 to require the term and acreage of permits for the operation of ski areas and associated facilities on National Forest System lands to be governed by provisions under the Act relating to such permits and other applicable law. Furthermore, this legislation provides for the issuance of permits for the use and occupancy of suitable lands within the National Forest System for skiing and other snow sports and recreational uses authorized pursuant to this Act.

The Ski Area Recreational Opportunity Enhancement Act provides the American public with added ways to use and enjoy federally governed land. It is in a spirit of encouraging increased camaraderie, outdoor recreation and enjoyment of nature that I support providing an expanded opportunity for Americans to benefit from the natural resources in their own back yard. It is the responsibility of all Members of Congress to fulfill our moral obligation to promote harmony between Americans and the vast opportunities for outdoor recreation throughout the country. Additionally, this legislation serves to create revenue by allowing for additional permits, bolstering ski and winter recreation industries.

In the State of Texas, we have nearly 675,000 acres of public land that the U.S. Forest Service manages. This land is divided into four National Forests in east Texas and the National Grasslands in northeast Texas. Of the four National Forests, the 18th district is home to the Sam Houston National Forest. The Sam Houston National Forest consists of 161,508 acres with 47,609 acres in Montgomery County, 59,746 acres in San Jacinto County, and 54,153 acres in Walker County. The national forests in Texas were established by an act of the Texas legislature in 1933 that authorized the purchase of lands for the national forest system. These lands are operated under a Memorandum of Agreement with the U.S. Forest Service. Fishing, trapping, and public hunting of white-tailed deer, feral hog, waterfowl, dove, other migratory game birds, squirrel, quail, rabbits, hares, predators, furbearers, and frogs is permitted. Other outdoor recreation opportunities include camping, hiking, bicycling, and wildlife viewing.

In 1960, the Multiple Use-Sustained Yield Act codified into law the practices that had governed the management of national forests in Texas for 30 years. This act emphasized that resources on public lands would be managed so that they are used in the combination that will best meet the needs of the people, that the benefits obtained will exist indefinitely and that each natural resource would be managed in balance with other resources to meet present and future public needs.

Management plans outline direction for a forest under the multiple-use concept. However, even the most carefully planned system of management cannot foresee environmental or natural factors which can cause drastic

changes in a forest. Fire, storms, insects and disease, for example, can alter the way a forest is managed.

H.R. 765, "The Ski Area Recreational Opportunity Enhancement Act of 2011," provides for the issuance of permits for the use and occupancy of suitable lands within the National Forest System for skiing and other snow sports and recreational uses, highlighting the climate and recreational opportunities unique to specific regions of the nation. Since our nation's founding, we have marveled with immense pride at our vast natural resources, and this legislation serves to celebrate them.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 765.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

CLARIFYING INTERIOR DEPARTMENT JURISDICTION REGARDING CRAGIN PROJECT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 489) to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 489

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND WITHDRAWAL AND RESERVATION FOR CRAGIN PROJECT.

(a) DEFINITIONS.—In this section:

(1) COVERED LAND.—The term "covered land" means the parcel of land consisting of approximately 512 acres, as generally depicted on the Map, that consists of—

(A) approximately 300 feet of the crest of the Cragin Dam and associated spillway;

(B) the reservoir pool of the Cragin Dam that consists of approximately 250 acres defined by the high water mark; and

(C) the linear corridor.

(2) CRAGIN PROJECT.—The term "Cragin Project" means—

(A) the Cragin Dam and associated spillway;

(B) the reservoir pool of the Cragin Dam; and

(C) any pipelines, linear improvements, buildings, hydroelectric generating facilities, priming tanks, transmission, telephone, and fiber optic lines, pumps, machinery, tools, appliances, and other District or Bureau of Reclamation structures and facilities used for the Cragin Project.

(3) DISTRICT.—The term "District" means the Salt River Project Agricultural Improvement and Power District.

(4) LAND MANAGEMENT ACTIVITY.—The term "land management activity" includes, with respect to the covered land, the management of—

(A) recreation;

(B) grazing;

(C) wildland fire;

(D) public conduct;

(E) commercial activities that are not part of the Cragin Project;

(F) cultural resources;

(G) invasive species;

(H) timber and hazardous fuels;

(I) travel;

(J) law enforcement; and

(K) roads and trails.

(5) LINEAR CORRIDOR.—The term "linear corridor" means a corridor of land comprising approximately 262 acres—

(A) the width of which is approximately 200 feet;

(B) the length of which is approximately 11.5 miles;

(C) of which approximately 0.7 miles consists of an underground tunnel; and

(D) that is generally depicted on the Map.

(6) MAP.—The term "Map" means sheets 1 and 2 of the maps entitled "C.C. Cragin Project Withdrawal" and dated June 17, 2008.

(7) SECRETARY.—The term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(b) WITHDRAWAL OF COVERED LAND.—Subject to valid existing rights, the covered land is permanently withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(c) MAP.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior, in coordination with the Secretary, shall prepare a map and legal description of the covered land.

(2) FORCE AND EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors.

(3) AVAILABILITY.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Reclamation.

(d) JURISDICTION AND DUTIES.—

(1) JURISDICTION OF THE SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—Except as provided in subsection (e), the Secretary of the Interior, acting through the Commissioner of Reclamation, shall have exclusive administrative jurisdiction to manage the Cragin Project in accordance with this Act and section 213(i) of the Arizona Water Settlements Act (Public Law 108-451; 118 Stat. 3533) on the covered land.

(B) INCLUSION.—Notwithstanding subsection (e), the jurisdiction under subparagraph (A) shall include access to the Cragin Project by the District.

(2) RESPONSIBILITY OF SECRETARY OF THE INTERIOR AND DISTRICT.—In accordance with paragraphs (4)(B) and (5) of section 213(i) of the Arizona Water Settlements Act (Public Law 108-451; 118 Stat. 3533), the Secretary of the Interior and the District shall—

(A) ensure the compliance of each activity carried out at the Cragin Project with each applicable Federal environmental law (including regulations); and

(B) coordinate with appropriate Federal agencies in ensuring the compliance under subparagraph (A).

(e) LAND MANAGEMENT ACTIVITIES ON COVERED LAND.—