

110TH CONGRESS
2D SESSION

H. R. 5671

To amend the laws establishing the Whiskeytown-Shasta-Trinity National Recreation Area and the Columbia River Gorge National Scenic Area, units of the National Forest System derived from the public domain, to authorize the Secretary of Agriculture to retain and utilize special use permit fees collected by the Secretary in connection with the operation of marinas in the recreation area and the operation of the Multnomah Falls Lodge in the scenic area, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2008

Mr. HERGER (for himself and Mr. BLUMENAUER) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the laws establishing the Whiskeytown-Shasta-Trinity National Recreation Area and the Columbia River Gorge National Scenic Area, units of the National Forest System derived from the public domain, to authorize the Secretary of Agriculture to retain and utilize special use permit fees collected by the Secretary in connection with the operation of marinas in the recreation area and the operation of the Multnomah Falls Lodge in the scenic area, 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,*

1 **SECTION 1. RETENTION AND USE OF MARINA PERMIT FEES**
2 **COLLECTED AT WHISKEYTOWN-SHASTA-TRIN-**
3 **ITY NATIONAL RECREATION AREA.**

4 (a) TREATMENT OF MARINA FEES.—Section 9 of
5 Public Law 89–336 (16 U.S.C. 460q–8) is amended by
6 adding at the end the following new subsection:

7 “(c) SPECIAL RULE REGARDING MARINA FEES.—
8 Amounts collected in connection with the issuance of a
9 special use permit under the last paragraph under the
10 heading ‘FOREST SERVICE’ in the Act of March 4, 1915
11 (16 U.S.C. 497), for the establishment or operation of a
12 marina in the recreation area shall be deposited in an ex-
13 isting special account in the Treasury established for the
14 Secretary of Agriculture for recreation management pur-
15 poses. Such amounts shall be available to the Secretary,
16 until expended and without further appropriation, for ex-
17 penditure within the recreation area for repair, mainte-
18 nance, and facility enhancement related directly to visitor
19 enjoyment, visitor access, and health and safety, for inter-
20 pretation, visitor information, visitor service, visitor needs
21 assessments, and signs, for habitat restoration directly re-
22 lated to wildlife-dependent recreation that is limited to
23 hunting, fishing, wildlife observation, or photography, for
24 law enforcement related to public use and recreation, and
25 for direct operating or capital costs associated with the
26 issuance of such special use permits, including any fee

1 management agreement or reservation service used in the
2 issuance of such permits. The Secretary may not use such
3 amounts for biological monitoring for listed or candidate
4 species under the Endangered Species Act of 1973 (16
5 U.S.C. 1531 et seq.). The Secretary may transfer up to
6 20 percent of such amounts to appropriations available for
7 the operation of other units or areas of the National For-
8 est System. This subsection shall apply with respect to fis-
9 cal year 2009 and subsequent fiscal years that begin dur-
10 ing the period in which the Secretary is authorized to
11 carry out the Federal Lands Recreation Enhancement
12 Act, as provided in section 810 of such Act (16 U.S.C.
13 6808).”.

14 (b) CONFORMING AMENDMENTS.—Such section is
15 further amended—

16 (1) by striking “Revenues” and inserting “(a)
17 TREATMENT OF REVENUES AND FEES.—Except as
18 provided in subsections (b) and (c), revenues”; and

19 (2) by striking “national park system except
20 that fees” and inserting “National Park System.

21 “(b) SPECIAL RULE REGARDING MINERAL DEVEL-
22 OPMENT.—Fees”.

1 **SEC. 2. RETENTION AND USE OF PERMIT FEES FOR OPER-**
2 **ATION OF MULTNOMAH FALLS LODGE, CO-**
3 **LUMBIA RIVER GORGE NATIONAL SCENIC**
4 **AREA.**

5 Section 16 of the Columbia River Gorge National
6 Scenic Area Act (Public Law 99–663; 16 U.S.C. 544n)
7 is amended by adding at the end the following new sub-
8 section:

9 “(d) SPECIAL RULE REGARDING RETENTION AND
10 USE OF LODGE FEES.—Amounts collected in connection
11 with the issuance of a special use permit under the last
12 paragraph under the heading ‘FOREST SERVICE’ in the Act
13 of March 4, 1915 (16 U.S.C. 497), for the operation of
14 the Multnomah Falls Lodge in the scenic area shall be
15 deposited in an existing special account in the Treasury
16 established for the Secretary for recreation management
17 purposes. Such amounts shall be available to the Sec-
18 retary, until expended and without further appropriation,
19 for expenditure within the scenic area for repair, mainte-
20 nance, and facility enhancement related directly to visitor
21 enjoyment, visitor access, and health and safety, for inter-
22 pretation, visitor information, visitor service, visitor needs
23 assessments, and signs, for habitat restoration directly re-
24 lated to wildlife-dependent recreation that is limited to
25 hunting, fishing, wildlife observation, or photography, for
26 law enforcement related to public use and recreation, and

1 for direct operating or capital costs associated with the
2 issuance of such special use permits, including any fee
3 management agreement or reservation service used in the
4 issuance of such permits. The Secretary may not use such
5 amounts for biological monitoring for listed or candidate
6 species under the Endangered Species Act of 1973 (16
7 U.S.C. 1531 et seq.). The Secretary may transfer up to
8 20 percent of such amounts to appropriations available for
9 the operation of other units or areas of the National For-
10 est System. This subsection shall apply with respect to fis-
11 cal year 2009 and subsequent fiscal years that begin dur-
12 ing the period in which the Secretary is authorized to
13 carry out the Federal Lands Recreation Enhancement
14 Act, as provided in section 810 of such Act (16 U.S.C.
15 6808).”.

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