

**(g) Minimum rental charge**

In cases where an area of national forest land is under a ski area permit but the permittee does not have revenue or sales qualifying for rental charge payment pursuant to subsection (a), the permittee shall pay an annual minimum rental charge of \$2 for each national forest acre under permit or a percentage of appraised land value, as determined appropriate by the Secretary.

**(h) Five-year phase-in of increase**

Where the new rental charge provided for in subsection (b)(1) results in an increase in permit rental charge greater than one-half of 1 percent of the permittee's adjusted gross revenue as determined under subsection (b)(1), the new rental charge shall be phased in over a five-year period in a manner providing for increases of approximately equal increments.

**(i) Construction with National Environmental Policy Act of 1969**

To reduce Federal costs in administering the provisions of this section, the reissuance of a ski area permit to provide activities similar in nature and amount to the activities provided under the previous permit shall not constitute a major Federal action for the purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

**(j) Withdrawal from mining laws**

Subject to valid existing rights, all lands located within the boundaries of ski area permits issued prior to, on or after November 12, 1996, pursuant to authority of the Act of March 4, 1915 (38 Stat. 1101, chapter 144; 16 U.S.C. 497), and the Act of June 4, 1897, or the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b) are hereby and henceforth automatically withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral and geothermal leasing and all amendments thereto. Such withdrawal shall continue for the full term of the permit and any modification, reissuance, or renewal thereof. Unless the Secretary requests otherwise of the Secretary of the Interior, such withdrawal shall be canceled automatically upon expiration or other termination of the permit and the land automatically restored to all appropriation not otherwise restricted under the public land laws.

(Pub. L. 104-333, div. I, title VII, §701, Nov. 12, 1996, 110 Stat. 4182; Pub. L. 106-176, title I, §117, Mar. 10, 2000, 114 Stat. 27.)

## REFERENCES IN TEXT

Act of March 4, 1915, referred to in subsections (a) and (j), is act Mar. 4, 1915, ch. 144, 38 Stat. 1086. For complete classification of this Act to the Code, see Tables.

Act of June 4, 1897, referred to in subsections (a) and (j), is act June 4, 1897, ch. 2, 30 Stat. 11. For complete classification of this Act to the Code, see Tables.

The National Forest Ski Area Permit Act of 1986, referred to in subsections (a) and (j), is Pub. L. 99-522, Oct. 22, 1986, 100 Stat. 3000, which enacted section 497b of this title and provisions set out as a note under section 497b of this title. For complete classification of this Act to the Code, see Short Title note set out under section 497b of this title and Tables.

The National Environmental Policy Act of 1969, referred to in subsection (i), is Pub. L. 91-190, Jan. 1, 1970, 83

Stat. 852, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

## AMENDMENTS

2000—Subsec. (b)(3). Pub. L. 106-176, §117(1), substituted “required by this section” for “legislated by this Act”.

Subsec. (d). Pub. L. 106-176, §117(2), in introductory provisions, substituted “formula of this section” for “formula of this Act”, in pars. (1) to (3), substituted “this section” for “this Act”, and, in concluding provisions, inserted “adjusted gross revenue for the” before “1994-1995 base year” and substituted “this section” for “this Act”.

Subsec. (f). Pub. L. 106-176, §117(3), inserted “offered for commercial or other promotional purposes” after “complimentary lift tickets”.

Subsec. (i). Pub. L. 106-176, §117(4), substituted “this section” for “this Act”.

## CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

**§ 497d. Recreation residence fees**

The Secretary of Agriculture shall on and after November 14, 1997, phase in, over a 3-year period in equal annual installments, that portion of the fee increase for a recreation residence special use permit holder which is more than 100 percent of the previous year's fee: *Provided*, That no recreation residence fee may be increased any sooner than one year from the time the permittee has been notified by the Forest Service of the results of an appraisal which has been conducted for the purpose of establishing such fees: *Provided further*, That no increases in recreation residence fees on the Sawtooth National Forest will be implemented prior to January 1, 1999.

(Pub. L. 105-83, title III, §343, Nov. 14, 1997, 111 Stat. 1604.)

## LIMITATION ON INCREASES IN RECREATION RESIDENCE FEES

Pub. L. 106-113, div. B, §1000(a)(3) [title III, §342], Nov. 29, 1999, 113 Stat. 1535, 1501A-202, provided that: “Notwithstanding section 343 of Public Law 105-83 [16 U.S.C. 497d], increases in recreation residence fees shall be implemented in fiscal year 2000 only to the extent that the fiscal year 2000 fees do not exceed the fiscal year 1999 fee by more than \$2,000.”

## LIMITATION ON RECREATION RESIDENCE FEE INCREASES ON SAWTOOTH NATIONAL FOREST

Pub. L. 105-277, div. A, §101(e) [title III, §345], Oct. 21, 1998, 112 Stat. 2681-231, 2681-298, provided that: “Notwithstanding section 343 of Public Law 105-83 [16 U.S.C. 497d], increases in recreation residence fees on the Sawtooth National Forest shall be implemented in fiscal year 1999 only to the extent that such fee increases do not exceed 25 percent.”

**§ 497e. Enhancing Forest Service administration of rights-of-way and land uses****(a) Program required**

For fiscal year 2014 and each fiscal year thereafter, the Secretary of Agriculture shall conduct a program for the purpose of enhancing Forest