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**FSM 2700 – SPECIAL USES MANAGEMENT**

**CHAPTER 2700 – ZERO CODE**

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**Approved:** GLORIA MANNING  
Associate Deputy Chief, NFS

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<b>New Document</b>	2700_zero_code	18 Pages
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**Digest:**

2702 - Makes minor changes for clarification.

2703.1 - Changes caption from “Review of Proposed Use” to “Evaluation of Proposed Use,” removes obsolete criteria that do not conform to 36 CFR 251.54, and replaces these with a cross reference to 36 CFR 251.54 and FSH 2709.11, sections 11 and 12.

2703.2 - Changes caption from “Denial of Use” to “Use of National Forest System lands.” Removes obsolete criteria that are inconsistent with 36 CFR 251.54. Adds a cross reference to FSM 2720 for the types of special uses that may be authorized. Clarifies when to apply the considerations in this section. Adds a consideration for consistency with the Energy Policy Act

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**Digest--Continued:**

of 2005 to cooperate with other federal agencies in locating electric transmission and distribution facilities and in processing those applications, and for the mission of the Forest Service for consistency with the Federal Land Policy and Management Act of 1976. Adds a cross reference to FSM 2340.3 for considering recreation special uses. Renumbers other existing considerations and makes minor changes for clarification.

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## **2701 - AUTHORITY**

### **2701.1 - Current Statutory Authorities**

The following statutory authorities govern the issuance and administration of special-use authorizations on National Forest System lands.

1. Organic Administration Act of June 4, 1897, (16 U.S.C. 477-482, 551). This act authorizes the Secretary of Agriculture to issue rules and regulations for the occupancy and use of the National Forests. This is the basic authority for authorizing use of National Forest System lands for other than rights-of-way.
2. Preservation of American Antiquities Act of June 8, 1906, (16 U.S.C. 431 et seq.). This act authorizes permits for archeological and paleontological exploration involving excavation, removal, and storage of objects of antiquity or permits necessary for investigative work requiring site disturbance or sampling which results in the collection of such objects.
3. The Act of March 4, 1915, as amended July 28, 1956, (16 U.S.C. 497). This act authorizes term permits for structures or facilities on National Forest System land, and sets maximum limits of 80 acres and 30 years.
4. The Mineral Leasing Act of 1920, as amended on November 16, 1973, (30 U.S.C. 185(1)). This act authorizes the issuance of permits and easements for oil and gas pipelines. It requires annual payments in advance which represent fair market rental value and provides for reimbursement to the Government for administrative and other costs incurred in monitoring, construction (including costs for preparing required environmental analysis and documentation), operation, maintenance, and termination of oil and gas pipelines.
5. Bankhead-Jones Farm Tenant Act of July 22, 1937, as amended (7 U.S.C. 1010-1012). Title III of this act directs and authorizes the Secretary of Agriculture to develop programs of land conservation and use to protect, improve, develop, and administer the land acquired and to construct structures thereon needed to adapt the land to beneficial use. Under the act, the Department of Agriculture may issue leases, licenses, permits, term permits, or easements for most uses, except rights-of-way.
6. Alaska Term Permit Act of March 30, 1948, (48 U.S.C. 341). The act authorizes term permits in Alaska on lands planned for indefinite Government ownership, limited to a maximum of 80 acres and 30 years.

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7. Section 7 of the Granger-Thye Act of April 24, 1950, (16 U.S.C. 490, 504, 504a, 555, 557, 571c, 572, 579a, 580c-5801, 581i-1). This act authorizes special-use permits not to exceed 30 years duration for the use of structures or improvements under the administrative control of the Forest Service and for the use of land in connection therewith, without acreage limitation.

8. Independent Offices Appropriation Act of 1952, as amended (31 U.S.C. 9701). This act provides authority for agency heads to charge fees for services or benefits provided by the agency that are fair and based on fair market value and cost to the Government. Office of Management and Budget (OMB) Circular No. A-25 further defines this authority and requires agencies to establish user fees based on sound business management principles.

9. Act of September 3, 1954, (68 Stat. 1146; 43 U.S.C. 931c, 931d). This act authorizes permits, term permits, leases, or easements at the fair market value, not to exceed 30-years duration, to States, counties, cities, municipalities, or other public agencies without acreage limitation for the construction and operation of public buildings or other public works, exclusive of rights-of-way.

10. Highway Act of August 27, 1958, (23 U.S.C. 317), supplemented by the Act of October 15, 1966 (49 U.S.C. 1651). This act authorizes the Federal Highway Administration to grant easements to States for highways that are part of the Federal-aid system or that are constructed under the provision of Chapter 2 of the Highway Act.

The Forest Service consents to the grant of these easements in a form agreed upon by the two agencies and upon the State highway agency's execution of stipulations. This is the only authority for granting rights-of-way for projects on the Federal-aid system or projects constructed under the provisions of Chapter 2 of the Highway Act (FSM 2731).

11. Wilderness Act of September 3, 1964 (16 U.S.C. 1131-1136). This act establishes requirements for special-use authorizations in designated wilderness areas for temporary structures, commercial public services and access to valid mining claims and non-Federal lands. Under this act, Presidential approval is necessary for the establishment of new water facilities, power projects, and transmission lines.

Except for the Alaska National Interest Lands Conservation Act of December 2, 1980, this act is the exclusive authority for rights-of-way occurring within designated wilderness areas.

12. Land and Water Conservation Fund Act of September 3, 1964, as amended (16 U.S.C. 4601-6a(c)). Section 4(c) of this act authorizes permits for recreation, such as group activities, organized events, motorized recreational vehicle use, and other specialized recreation activities of limited duration.

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13. National Forest Roads and Trails Act of October 13, 1964, (16 U.S.C. 532-38). This act authorizes the Secretary of Agriculture to grant temporary or permanent easements to landowners who join the Forest Service in providing a permanent road system that serves lands administered by the Forest Service and lands or resources of the landowner. It also authorizes the grant of easements to public road agencies for public roads that are not a part of the Federal-aid system (FSM 2732).

14. The Act of November 16, 1973, (30 U.S.C. 185). This act, amending Section 28 of the 1920 Mineral Leasing Act, authorizes the Forest Service to issue authorizations for oil and gas pipelines and related facilities located wholly on National Forest System land. When the lands are under the jurisdiction of two or more Federal agencies, authority for issuance is reserved to the Department of the Interior, Bureau of Land Management, subject to approval by the agencies involved.

15. Title V, Federal Land Policy and Management Act of October 21, 1976, (43 U.S.C. 1761-1771). Title V of the Federal Land Policy and Management Act (FLPMA) authorizes the Secretary of Agriculture to issue permits, leases, or easements to occupy, use, or traverse National Forest System lands. FLPMA directs the United States to receive fair market value unless otherwise provided for by statute and provides for reimbursement of administrative costs in addition to the collection of land use fees (43 U.S.C. 1764(g)).

a. Except in designated Wilderness Areas, Alaska, and specifically excepted situations, FLPMA is the only authority for all forms of use involving:

(1) Transportation, distribution, or storage of water.

(2) Transportation, distribution, or storage of liquids or gases other than water and other than oil, natural gas, synthetic liquid, or gas fuels, or their refined products.

(3) Transportation of solid materials and associated facilities for storing such materials.

(4) Generation, transmission, and distribution of electrical energy.

(5) Transmission or reception of electronic signals and other means of communication.

(6) Transportation facilities outside of wilderness, except those rights issued in connection with commercial recreation facilities, authorized by the Federal Highway Act (FSM 2731), or the National Forest Road and Trail Act (FRTA) of October 13, 1964 (FSM 2732). The FLPMA is also used for granting rights-of-way

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to those otherwise qualified for FRTA easements, but who elect to pay a road-use fee at the time of commercial hauling instead of paying their share of road costs at the time the easement is issued. For further direction of FLPMA road rights-of-ways see FSM 2733.

(7) Other transportation systems or facilities that are in the public interest, including those that would arise from future technological advances.

b. Section 504g of Title V (Public Law 98-300) exempts facilities financed through the Rural Electrification Administration from Federal land use fees. This section also provides for recovery of administrative costs from those uses.

c. Section 501(b)(3) of Title V (Act of October 27, 1986; 100 Stat. 3047; commonly referred to as "Colorado Ditch Bill") expanded the authority of the Secretary of Agriculture to:

(1) Issue free conditional easements for certain water conveyance systems crossing National Forest System lands;

(2) Authorize lump-sum payments for uses on National Forest System lands; and

(3) Administer uses on National Forest System lands authorized under previous acts that were granted or issued by the Secretary of the Interior.

16. American Indian Religious Freedom Act of August 11, 1978 (42 U.S.C. 1996). This act states the policy of the United States to preserve and protect the rights of Native Americans to reasonable access and use National Forest System lands for exercising their traditional cultural religious beliefs and practices. This act does not grant authority to issue authorizations.

17. Archeological Resources Protection Act of October 31, 1979, (16 U.S.C. 470aa). This act authorizes the Secretary of Agriculture to issue permits for archeological research, investigations, studies, and excavations.

18. Alaska National Interest Lands Conservation Act of 1980, (16 U.S.C 3210).

a. The Alaska National Interest Lands Conservation Act (ANILCA) provides numerous authorities related to access that are specific to National Forests in Alaska (except for sec. 1323(a), which applies to all National Forest System lands; see the following paragraph b). The Regional Forester, Region 10, shall prepare Manual supplements providing necessary direction for Alaska.

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- b. The provisions of section 1323(a) (16 U.S.C. 3210) apply to all National Forest System lands. This section provides that, subject to terms and conditions established by the Secretary of Agriculture, the owners of non-Federal land within the National Forest System shall be provided adequate access to their land. Regulations implementing section 1323(a) are set forth at Title 36, Code of Federal Regulations, Part 251, Subpart D - Access to Non-Federal Lands. See FSM 2701.3, paragraph 3, for the summary of the provisions of 36 CFR 251, Subpart D.
19. Federal Timber Contract Payment Modification Act of 1984, (16 U.S.C. 618). Section 3 of this act authorizes a waiver of all or part of a land use fee for an organizational camp operated by the Boy Scouts of America or other nonprofit organizations when they provide services the authorized officer determines are a valuable benefit to the public or programs of the Secretary of Agriculture.
20. National Forest Ski Area Permit Act of 1986, (16 U.S.C. 497b). This act authorizes use for up to 40 years and acreage size deemed appropriate by the authorized officer for nordic and alpine ski areas and facilities.
21. Omnibus Parks and Public Lands Management Act of 1996, (16 U.S.C. 497c). Section 701 of this act:
- a. Establishes a system to calculate fees for ski area permits issued under the National Forest Ski Area Permit Act of 1986, (16 U.S.C. 497b),
  - b. Provides for holders of ski area permits issued under other authorities to elect this permit fee system (FSH 2709.11, sec. 38.03a),
  - c. Includes provisions concerning compliance with the National Environmental Policy Act when issuing permits for existing ski areas (FSM 2721.61f and FSH 2709.11, sec. 41.61b), and
  - d. Withdraws leasable and locatable minerals, subject to valid existing rights (FSH 2709.11, sec. 41.61c).
22. Act of May 26, 2000, (16 U.S.C. 4061-6d). This act supplements the authority of the Secretary of Agriculture to regulate commercial filming and still photography on National Forest System lands. It also authorizes the Secretary to retain and spend land use fees collected for commercial filming and still photography without further appropriation, and provides for recovery of administrative and personnel costs in addition to the collection of the land use fee.



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23. Cabin User Fee Fairness Act of 2000, (16 U.S.C. 6201-6213) as set out in title VI of the appropriations act for the Department of the Interior and Related Agencies for Fiscal Year 2001 (Pub. L. 106-291). This act establishes procedures for appraising recreation residence lots and determining fees for recreation residence lots located on National Forest System lands.

24. National Forest Organizational Camp Fee Improvement Act of 2003, (16 U.S.C. 6231 et seq.). This act establishes a land use fee system for organizational camps located on National Forest System lands and authorizes the Secretary to retain and spend these fees without further appropriation. The act also exempts certain ministerial actions from the provisions of the National Environmental Policy Act.

## **2701.2 - Repealed Statutory Authorities That Remain Applicable**

The following acts which authorized the use of Federal land have been repealed. However, uses on National Forest System lands which were authorized under these authorities must continue to be administered in accordance with their terms and conditions. Refer to FSM 5520 for management direction.

1. The Act of July 26, 1866, (14 Stat. 254; 30 U.S.C. 51). This act granted rights-of-way for the construction of ditches and canals for water to be used for mining, agriculture, manufacturing, or other purposes.
2. The Act of March 3, 1875, as amended by the Act of March 3, 1899 (43 U.S.C. 934-939; 16 U.S.C. 525). This act granted rights-of-way to railroads for 100 feet on each side of the center line of the road; use of land for associated facilities, not to exceed 20 acres; and the right to take earth, stone, and timber necessary for railroad construction.
3. The Act of March 3, 1891, (26 Stat. 1096; codified in scattered sections of 43 U.S.C.). This act granted rights-of-way for irrigation to any canal or ditch company organized under the State or Territory law. It requires that the survey of the canal location be filed with the land office and construction be completed within 5 years.
4. The Act of February 15, 1901, (31 Stat. 790; codified in scattered sections of 16 and 43 U.S.C.). This act authorized the Secretary of the Interior to permit the use of rights-of-way through the public lands, forests, and other reserves of the United States for electrical plants and power and telephone transmission lines; and for canals, and ditches to promote irrigation, mining, manufacturing, or the supplying of water for domestic, public, or any other beneficial uses.
5. The Act of February 1, 1905, (16 U.S.C. 524). This act granted rights-of-way for the storage and transportation of water for municipal and mining purposes and for milling and reduction of ores.

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6. The Act of March 4, 1911, (36 Stat. 1253; 43 U.S.C. 961). This act grants rights-of-way over, across, and upon public lands and reservations for electrical poles and lines for the transmissions and distribution of electrical power and communications purposes.

### **2701.3 - Regulations**

The following regulations provide direction for special uses management on National Forest System lands:

1. Title 36, Code of Federal Regulations, Part 251, Subpart B. This subpart provides direction for special uses management on National Forest System lands, including guidance pertaining to the special-use application process; terms and conditions of use; rental fees; fee waivers; termination, revocation, suspension, and modification of existing authorizations; and permit administration.
2. Title 36, Code of Federal Regulations, Part 251, Subpart C. This subpart provides a process for appeals of decisions related to administration of special use authorizations on National Forest System lands.
3. Title 36, Code of Federal Regulations, Part 251, Subpart D. This subpart governs procedures by which landowners may apply for access across National Forest System lands, the terms and conditions that govern any special use authorization that is issued by the Forest Service to permit such access, and the criteria that authorized officers must consider in evaluating such applications. The rules provide that, subject to the terms and conditions set out in the rules, "landowners shall be authorized such access as the authorized officer deems to be adequate to secure them the reasonable use and enjoyment of their land."
4. Title 36, Code of Federal Regulations, Part 251, Subpart E. This subpart implements section 1307 of the Alaska National Interest Lands Conservation Act with regard to the continuation of visitor services offered as of January 1, 1979, and the granting of a preference to local residents and certain Native Corporations to obtain special use authorizations for visitor services provided on National Forest System lands within Conservation System Units of the Tongass and Chugach National Forests in Alaska.

### **2702 - OBJECTIVES**

The objectives of the special-uses program are to:

1. Authorize and manage special uses of National Forest System lands in a manner which protects natural resources and public health and safety, consistent with National Forest System Land and Resource Management Plans;

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2. Administer special uses based on resource management objectives and sound business management principles;
3. Develop and maintain a well-trained workforce to properly manage and administer special uses; and
4. Facilitate the delivery of recreational opportunities on National Forest System lands for services not provided by the Forest Service.

**2703 - POLICY**

**2703.1 - Evaluation of Proposed Use**

Apply the first and second-level screening criteria per 36 CFR 251.54 and FSH 2709.11, sections 11 and 12, to proposals for the use of National Forest System lands.

**2703.2 - Use of National Forest System Lands**

See FSM 2720 for the types of uses that may be authorized.

In applying the second-level screening criterion regarding the public interest (36 CFR 251.54(e)(5)(ii)), consider the following:

1. Section 368(c) of the Energy Policy Act of 2005 provides that the Forest Service has an ongoing responsibility to establish procedures for identifying and designating additional energy transmission corridors on federal lands and to expedite applications for electric transmission and distribution facilities within those corridors. Cooperate and coordinate with other federal agencies to optimize siting of rights-of-way for energy transmission corridors (30 U.S.C. 185(p); 43 U.S.C. 1763), and endeavor to expedite applications for electric transmission and distribution facilities on National Forest System lands through coordination with other affected federal agencies.
2. Authorize use of National Forest System lands other than noncommercial group uses only if:
  - a. The proposed use is consistent with the mission of the Forest Service to manage National Forest System lands and resources in a manner that will best meet the present and future needs of the American people, taking into account the needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific, and historical values; and

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- b. The proposed use cannot reasonably be accommodated on non-National Forest System lands, and the application for electric transmission and distribution facilities does not conflict with paragraph 1.
3. Do not authorize the use of National Forest System lands solely because it affords the applicant a lower cost or less restrictive location when compared with non-National Forest System lands.
4. See FSM 2340.3 for specific policy related to proposals for recreation special uses.

**2703.3 - Authorization of Use**

Authorize the use of National Forest System lands under the proper statutory or regulatory authority with terms and conditions which protect the resource values and the interests of the Federal Government. Limit the use to the minimum area and period of time required to accommodate the use. Establish fees reflecting the fair market value prior to authorizing the use.

**2703.4 - Administration**

Administer all special-uses in accordance with the terms and conditions of the authorization. Conduct field inspections and audits to ensure compliance with permit provisions. Document observed breach of terms and conditions and follow through with corrective action. Provide timely billings for all fees due the Federal Government.

**2703.5 - Information Systems**

Maintain an accurate database using the Special Uses Data System (SUDS) for administering, budgeting, planning, and reporting activities associated with the special uses program (FSM 2704.22).

**2703.6 - Training**

Develop and maintain a well-trained workforce to manage and administer special uses properly.

**2704 - RESPONSIBILITY**

**2704.1 - Washington Office**

**2704.11 - Deputy Chief for National Forest System**

The Deputy Chief for the National Forest System has the responsibility to provide direction, leadership, and administration of servicewide special use programs, policies, and procedures, and to advise the Chief of current, national special-uses related issues.

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### **2704.12 - Associate Deputy Chief for National Forest System**

The Associate Deputy Chief for National Forest System with responsibility for special use management has the responsibility to serve as reviewing officer on appeals of special use issues appealed to the Chief (FSM 1570), unless a superior officer elects to serve as reviewing officer.

### **2704.13 - Washington Office, Director of Lands and Director of Recreation and Heritage Resources**

It is the responsibility of these directors to:

1. Advise the Associate Deputy Chief and the Deputy Chief for National Forest System and the Chief on servicewide special-use activities, programs, policies, and issues within their jurisdiction.
2. Ensure coordination among regions for major special-use activities through national meetings, committees, correspondence, and staff advice.
3. Maintain relationships with the public, Members of Congress, and organizations that have concerns about the special-use program and its management on a national basis.
4. Recommend objectives and priorities for special-use management.
5. Provide leadership in national training programs and support and consistency to regional training efforts.
6. Conduct on-site and off-site monitoring and field reviews of special use activities to ensure program objectives are being met.
7. Maintain a National database system to monitor the special-uses program and to facilitate information requests, both within and outside of the agency. Establish minimum standards for agencywide data systems and management.

### **2704.2 - Field Units**

#### **2704.21 - Regional Forester**

It is the responsibility of the regional forester to:

1. Establish management direction (objectives, standards, and policies) that ensure the integration of special use activities with other regional programs and the consistency of National Forest System land and resource management plans with National policy.
2. Provide for consistency and coordination in special-use management among forests and adjacent regions.

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3. Provide training and technical assistance to forest supervisors and their employees to ensure that special-uses are managed within current guidelines, policy, regulations, and laws.
4. Maintain communication with individuals and organizations with regional concerns about management of the special-uses program.
5. Evaluate special-use applications under the regional forester's authority (FSM 2704.32) and complete appropriate environmental analysis and documentation prior to issuing authorizations.
6. Review, for adherence to policy, special use permits before they are issued when the capital investment exceeds or is expected to exceed \$1,000,000 for winter sports resorts (FSM 2721.61) and \$500,000 for other resorts (FSM 2721.33).

**2704.22 - Forest Supervisor**

It is the responsibility of the forest supervisor to:

1. Provide management direction that ensures integration of special use activities and objectives into programs and projects at the ranger district level.
2. Ensure integration of special use activities with other resources management in developing and implementing the National Forest System land and resource management plan.
3. Maintain communication with organizations and individuals with interests in special uses activities.
4. Identify needs and provide technical assistance and training to ranger districts to ensure proper administration of the special-uses program.
5. Use the Special Use Data System (SUDS) for special-uses administration, program planning, budgeting, resource coordination, and reporting. Maintain, update, and verify the accuracy of the SUDS data base.
6. Evaluate special-uses applications under the forest supervisor's authority and complete appropriate environmental documentation prior to issuing authorizations.

**2704.23 - District Ranger**

Each district ranger is responsible for all special use activities on the district. Except for those responsibilities specifically reserved by the forest supervisor, it is the responsibility of the district ranger to:

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1. Assure high quality on-the-ground administration of the special-uses program.
2. Provide training in special-use administration to appropriate district personnel.
3. Maintain communication with local individuals and organizations with interest in the special-uses program.
4. Monitor and evaluate special-use activities to determine the effects on other resources and ensure compliance with the National Forest System land and resource management plan.
5. Evaluate special-uses applications under the district ranger's authority and complete appropriate environmental documentation prior to issuing authorizations.

**2704.3 - Delegation of Authority for Issuance and Approval of Special Uses Authorizations**

Pursuant to the delegations of authority by the Secretary at Title 7, Code of Federal Regulations, section 2.6(2) (FSM 1230), the Chief has full authority to act for the Secretary in the authorization and administration of special-uses on National Forest System lands. This section redelegates that authority to other Forest Service line officers.

**2704.31 - Chief**

The Chief retains the authority to issue authorizations for sanitariums or hotels at mineral springs having medicinal values as prescribed by the Act of February 28, 1899, (16 U.S.C. 495).

**2704.32 - Regional Forester**

Except as provided in section 2704.31, regional foresters have authority to approve and issue special use authorizations. This authority may be redelegated to forest supervisors, except for the following uses:

1. Rights-of-way for oil and gas pipelines 24 inches or more in diameter (sec. 28, Mineral Leasing Act of 1920; FSM 2701.1).
2. Easements for all uses except roads; the authority to issue easements for roads may be delegated to specific forest supervisors on a case-by-case basis.
3. Inter-Regional special-use authorizations. This authority may be redelegated to a forest supervisor on a case-by-case basis by formal agreement between regional foresters, using one region or forest as the lead.
4. Inter-Forest special-use authorizations. This authority may be redelegated on a case-by-case or type-of-use basis with one forest designated as the lead.

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### **2704.33 - Forest Supervisor**

Forest supervisors may approve and issue all special-use authorizations for which authority has been delegated by the regional forester, as stipulated in FSM 2704.32. Forest supervisors may redelegate to district rangers the authority to issue certain special-use authorizations, as provided in FSM 2704.34.

### **2704.34 - District Ranger**

District rangers may issue special-use authorizations for the following types of uses or situations as delegated by the forest supervisor (FSM 2704.33):

1. Uses of a short-term nature (occupancy not to exceed 5 years).
2. Standardized authorizations for:
  - a. Uses approved in the National Forest System land and resource management plan, including recreation residence authorizations where a determination has been made to continue that use.
  - b. Communications uses on a designated site with an approved communications site plan.
  - c. Ten-year permits for outfitting and guiding.

### **2704.35 - Station Director**

Directors of research experiment stations and the Forest Products Laboratory may issue special-use authorizations for lands under their administration.

## **2705 - DEFINITIONS**

The following special terms are used throughout FSM 2700. For additional terms related to special uses, refer to Title 36, Code of Federal Regulations, Part 251.

Annual Fee. The net fee charged to a special-use authorization holder, payable in advance, for use of the land for a period of one year or fraction thereof.

Base Fee. The minimum fee that the authorized officer may accept for a given authorization subject to the graduated rate fee system. It is the historic amount the previous holder paid in the year of ownership.

Construction Fee. A fixed fee generally based on land value and used during the construction period for uses that will later generate a fee based on percentage of income.



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Exempted Fee. A fee for the use of National Forest System lands that is excused from payment by statute or regulation.

Fair Market Value. The amount or value for which in all probability a property would be sold by a knowledgeable owner willing but not obligated to sell to a knowledgeable purchaser who desired but is not obligated to buy.

Fee Schedule. A predetermined fee for a defined category of use. A schedule may be National, regional, or forest-wide in scope and may be adjusted at certain intervals based on an appropriate index.

Fee System. A set of procedures and techniques used to establish fees for a particular category of authorized use.

Fee Waiver. A reduction of all, or part, of the use fee in accordance with criteria provided in regulations.

Index. A means of measuring differences in the magnitude of a group of related variables in comparison with a base period. The most common types of indexes are those which show the change in prices of specific commodities or group averages over a period of time.

Minimum Fee. The lowest fee established for a particular use.

Negotiated Fee. A fee agreed to between the applicant or holder and the authorized officer for a specific use.

Reissuance. The issuance of a new special-use authorization for the same use upon the transfer of ownership of improvements.

Renewal. The issuance of a new special-use authorization for the same use to the same holder upon the expiration of the current authorization.

Temporary Permit. An authorization that is issued for 1 year or less.

Use Fee. The unadjusted fee for the use based on fair market value.

## **2709 - HANDBOOKS**

### **2709.1 - Internal Servicewide Handbooks**

#### **2709.11 - Special Uses Handbook**

This handbook contains detailed instructions and technical information related to special-use management activities, authorization preparation, and administration.

**FSM 2700 - SPECIAL USES MANAGEMENT  
CHAPTER 2700 - ZERO CODE**

**2709.12 - Road Rights-of-Way Grants Handbook**

This handbook contains specific instructions for lands staffs and program managers in the selection, writing, format, and administration of road right-of-way authorizations and grants.

**2709.14 - Recreation Special Uses Handbook**

This handbook contains detailed instructions and technical information related to recreation special-use management activities, authorization preparation, and administration.

**2709.15 - Hydroelectric Handbook**

This handbook contains specific instructions for processing applications for hydropower licenses and permits, as well as direction regarding the Forest Service's relationship with the Federal Energy Regulatory Commission and Forest Service administration of hydropower permits.