

**Forest Service Manual
National Headquarters (Washington Office)
Washington, DC**

**Forest Service Manual 2700 – Special Uses Management
Zero Code**

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Approved by: Kenderick Arney, Regional Forester

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Digest: The following is an explanation of changes throughout the directive by section.

2701.1 – Current Statutory Authorities: Updates citation for Expanding Public Lands Outdoor Recreation Experiences Act (EXPLORE Act), Public Law 118-234 (Jan. 4, 2025) to be consistent across directives. This act declares that it is the policy of the Federal Government to foster and encourage recreation on Federal recreational lands and waters, to the extent consistent with the laws applicable to specific areas of Federal recreational lands and waters, including multiple-use mandates and land management planning requirements.

2702 – Objectives: Updates section to align with EXPLORE Act language.

2703.7 – Special Recreation Permitting Modernization (EXPLORE Act Title III): Removes this section.

2704 – Responsibility: Updates responsibilities for line officers in alignment with EXPLORE Act (sections 2704.13, 2704.21, and 2704.22).

2704.33 – Forest and Grassland Supervisor Responsibility: Incorporates by reference that the responsibility for wind energy testing may not be re-delegated to District Rangers.

2705 – Definitions: Removes definitions referenced in the EXPLORE Act.

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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 up to 30 years and 80 acres for resorts, marinas, and other commercial structures or facilities involving significant investment on National Forest System land.
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.

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 and Counties 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 a Highway Easement Deed in a form agreed upon by the two agencies and upon the County or 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. 4601-6)*. 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.
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 up to 30 years 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). FLPMA is also used for granting rights-of-way 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 504(g) of Title V (Public Law 98-300) exempts facilities pursuant to the Rural Electrification Act 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. 470(aa))*. 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 section 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.
- b. The provisions of section 1323(a) 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. 497(b)).* This Act authorizes use for up to 40 years at an 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. 497(c)).* 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. 497(b));
- b. Provides for holders of ski area permits issued under other authorities to elect this permit fee system (FSH 2709.11, section 38.03(a));
- c. Includes provisions concerning compliance with the National Environmental Policy Act when issuing permits for existing ski areas (FSM 2721.61(f) and FSH 2709.11, section 41.61(b)); and
- d. Withdraws leasable and locatable minerals, subject to valid existing rights (FSH 2709.11, section 41.61(c)).

22. *Act of May 26, 2000 (16 U.S.C. 406l-6).* 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.
23. *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.
24. *Cabin Fee Act of December 19, 2014, (16 U.S.C. 6214) in section 3024 of the National Defense Authorization Act for FY2015, Pub. L. No. 113-291.* This Act established a transfer fee and fee tiers for special use permits for the use and occupancy of National Forest System land for recreational residence purposes and also include fee retention starting in 2025. The Act repealed the Cabin User Fee Fairness Act of 2000 and removed the requirement to appraise the authorized recreation residence lots.
25. *National Forest Trails Stewardship Act (16 U.S.C. 583(k)).* This Act authorizes offset of all or part of the land use fee by the cost of construction, improvement, and Government maintenance performed by the holder of National Forest System trails, trailheads, and developed sites that support public use.
26. *Section 50302 of Public Law 119-021, 139 Stat. 71, enacted July 4, 2025.* This section established an acreage rent and a capacity fee for wind and solar energy facilities on National Forest Service lands, excluding any forest reserve not created from the public domain. It requires the Forest Service to charge wind and solar energy facilities an acreage rent during construction and, once energy generation commences, to charge a capacity fee equal to the greater of the acreage rent or 3.9 percent of the gross proceeds from the sale of electricity.
27. *Expanding Public Lands Outdoor Recreation Experiences Act (EXPLORE Act), Public Law 118-234 (Jan. 4, 2025).* This act declares that it is the policy of the Federal Government to foster and encourage recreation on Federal recreational lands and waters, to the extent consistent with the laws applicable to specific areas of Federal recreational lands and waters, including multiple-use mandates and land management planning requirements.

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 (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, and 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).* 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).* 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.
6. *The Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961).* This Act granted 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.
5. *Title 7, Code of Federal Regulations, Part 2, Subpart J, 2.60(2).* This regulation delegates authority to the Chief of the Forest Service to protect, manage, and administer the national forests, national forest purchase units, national grasslands and other lands and interests in lands administered by the Forest Service, which collectively are designated the National Forest System.

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.
2. Administer special uses based on resource management objectives and sound business management principles. Develop and maintain a well-trained workforce to properly manage and administer special uses.
3. Facilitate the delivery of recreational opportunities on National Forest System lands.

2703 – Policy

2703.1 – Evaluation of Proposed Use

Apply initial screening 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 corridors on Federal lands and to expedite applications for energy transmission and distribution facilities within those corridors. Cooperate and coordinate with other Federal agencies to optimize siting of rights-of-way for energy corridors on National Forest System lands (30 U.S.C. 185(p); 43 U.S.C. 1763), and endeavor to expedite applications for energy 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, energy, watershed, wildlife and fish, and natural scenic, scientific, and historical values; and

- b. The proposed use cannot reasonably be accommodated off National Forest System lands, provided that this requirement may not be applied in a way that conflicts with paragraph 1 of this section.
3. Do not authorize the use of National Forest System lands solely because it affords the applicant a lower cost or less restrictive location.
4. See FSM 2340.3 for specific policy related to proposals for recreation special uses.
5. For long-distance biking routes, coordinate with land management plans and interagency efforts to identify, sign, and publish routes, avoiding conflicts with Wilderness and existing uses, consistent with section 121.
(<https://www.govinfo.gov/content/pkg/COMPS-18096/pdf/COMPS-18096.pdf>)
6. For recreational climbing, apply agency guidance (see FSM 2355) recognizing the use, placement, and maintenance of fixed anchors in Wilderness as appropriate when consistent with the Wilderness Act and land management plans, per section 122.
(<https://www.fs.usda.gov/working-with-us/tribal-relations/national-consultation/climbing-opportunities>)(<https://www.govinfo.gov/content/pkg/COMPS-18096/pdf/COMPS-18096.pdf>)
7. For range access, coordinate with Recreation and Engineering programs on identification, siting, and management of target shooting facilities in National Forests consistent with section 123 and subsequent agency guidance.
(<https://www.govinfo.gov/content/pkg/COMPS-18096/pdf/COMPS-18096.pdf>)
(<https://www.naco.org/news/congress-passes-landmark-outdoor-recreation-package>)

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 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 service-wide special-use programs, policies, and procedures, and to advise the Chief of current national special-uses related issues.

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, Minerals, and Geology, and Director of Recreation and Heritage Resources

It is the responsibility of these directors to:

1. Advise the Chief, the Deputy Chief for National Forest System, and the Associate Deputy Chief on service-wide 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 agency-wide data systems and management.
8. It is the responsibility of the Washington Office Director of Lands, Minerals, and Geology to set encumbrance factors and approve or deny applications for capacity fee reductions for wind energy facilities, as well as to terminate wind or solar energy facility authorizations for non-payment, consistent with section 50302 of Public Law 119-021, 139 Stat. 71.
9. Represent the Forest Service in Federal Interagency Council on Outdoor Recreation (FICOR), coordinating recreation policy, data, technology adoption, and partnerships, and report implementation progress to the Deputy Chief, consistent with section 113. (<https://www.govinfo.gov/content/pkg/COMPS-18096/pdf/COMPS-18096.pdf>)
10. Coordinate with Recreation program leadership on range access planning and long-distance biking route identification and publication (sections 121 and 123), ensuring consistency with land management plans and resource protection. (<https://www.govinfo.gov/content/pkg/COMPS-18096/pdf/COMPS-18096.pdf>)

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, Grasslands and adjacent Regions.
3. Provide training and technical assistance to Forest and Grassland 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 and Grassland Supervisor

It is the responsibility of the Forest and Grassland 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 (SUDS) for special-uses administration, program planning, budgeting, resource coordination, and reporting. Maintain, update, and verify the accuracy of the SUDS database.
6. Screen proposals and process special-uses applications under the Forest or Grassland 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 or Grassland Supervisor, it is the responsibility of the District Ranger to:

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. Screen proposals and process 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 7 CFR 2.6(2), the Chief has full authority to act for the Secretary in the authorization and administration of special uses on National Forest System lands (FSM 1230). This section re-delegates 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 re-delegated to Forest or Grassland Supervisors, except for the following uses:

1. Rights-of-way for oil and gas pipelines 24 inches or more in diameter (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 re-delegated to a Forest or Grassland Supervisor on a case-by-case basis by written agreement between Regional Foresters or Forest/Grassland Supervisors, using one Region, Forest, or Grassland as the lead.
4. Inter-Forest/Grassland special use authorizations. This authority may be re-delegated on a case-by-case or type-of-use basis with one Forest or Grassland designated as the lead.

2704.33 – Forest and Grassland Supervisor

Forest and Grassland 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 and Grassland Supervisors may re-delegate to District Rangers the authority to issue certain special use authorizations, as provided in FSM 2704.34, with the exception of special use authorizations for wind energy testing. Refer to FSM 2726.21a for special use authorization responsibilities for wind energy facilities and wind energy testing

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, but not limited to 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 and Institute Director

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

2704.36 – Deputy Station and Deputy Institute Director

Deputy Station and Deputy Institute Directors may issue special use authorizations for lands under their administration as delegated by their Station or Institute Director.

2705 – Definitions

The following special terms are used throughout FSM 2700. For additional terms related to special uses, refer to 36 CFR 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.

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 discretionary reduction of all, or part, of the use fee in accordance with criteria provided in regulations in 36 CFR 251.57.

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 Service-Wide Handbooks

2709.11 – Special Uses Handbook

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

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.