



**FOREST SERVICE HANDBOOK
SHOSHONE NATIONAL FOREST (REGION 2)
CODY, WYOMING**

FSH 2709.11 – SPECIAL USES MANAGEMENT

CHAPTER 40 – SPECIAL USES ADMINISTRATION

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Forest Supervisor

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Digest:

41.23 - Revises previous Forest direction on the administration of recreation residence authorizations.

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41.23 – Recreation Residence Use

The following exhibit shows the Shoshone Forest Management Standards for Recreation Residences:

41.23 – Exhibit 01

**Recreation Residences
Shoshone National Forest**

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**Standards for Recreation Residences
Shoshone National Forest**

Introduction

Managing recreation residences on the Shoshone National Forest (SHNF) will be in accordance with the current Shoshone Forest Management Standards for Recreation Residence Guidelines. The most current copy of this document will be posted on the Shoshone intranet website at http://fsweb/rec/sho_mgmt_stds.doc.

Deviations from these standards will require Forest Supervisor approval.

These guidelines have been prepared by the Shoshone National Forest to explain the framework of rules under which recreation residence special use permits are administered. Most of the policies and guidelines listed below are excerpts from the recreation sections of the *Forest Service Manual* (FSM) and *Forest Service Handbook* (FSH). Relevant sections from the manual are included in the appendix.

Since the occupancy of recreation residences must contain safeguards to protect the public land, permits issued for this use contain stipulations that assist in reaching that goal. The following section is intended to help promote an awareness and understanding of the special use administration standards by which this Forest operates.

The contact person for special use administration is normally the District Special Use Administrator or Recreation Staff Officer. Feel free to call them any time you have questions about your cabin or your permit. Addresses and phone numbers for the Forest Supervisor's Office and the District Ranger Offices are listed below.

Forest Supervisor's Office	808 Meadow Lane, Cody, Wyoming 82414	307-527-6241
North Zone	203A Yellowstone Avenue, Cody, Wyoming 82414	307-527-6921
Washakie	333 East Main Street, Lander, Wyoming 82520	307-332-5460
Wind River	1403 W. Ramshorn, Dubois, Wyoming 82513	307-455-2466

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Definition of Recreation Residence

Recreation residences in the National Forest were established to provide a forest recreation experience. In order to ensure that the recreation intent is maintained, it is required that the recreation residence not be used to the exclusion of a home elsewhere. A home elsewhere can be a house, apartment, mobile home, or other reasonable domicile either owned or rented and must be open and available to the permittee at all times. It cannot be simply an address used in the pretense of a home elsewhere. It must be a place where the permittee routinely receives mail, is registered to vote, where children attend school, and from where the permittee normally commutes to work.

There is no limit on the length of stay in a recreation residence. However, the above criteria make it clear that a permittee is not allowed to utilize the residence continually for 12 months a year. The recreation residence should be utilized at least 15 days per year by the permittee to ensure that the privilege granted by the permit is exercised and the continued exclusive use of public land is justified.

Guidelines for Recreation Residences

The recreation residence is used for personal recreation only. It cannot be used commercially in any way. Permittees may not use the recreation residence as a place from which they routinely commute to work on a full time basis, nor may their relatives, guests, or renters. No business of any form may be conducted from a recreation residence. Some typical examples that would be prohibited are real estate sales, firewood sales, carpentry and repair services, and snowmobile rental.

Permits

The subject of permits has been an area of some confusion for cabin owners and others over the years. Following is a listing and description of the primary permits, which are related to recreation residence use.

1. Term Special Use Permit for Recreation Residence (form 2700-18, 11/72)

This is a Term Special Use Permit that was modified and adapted to fit the specific requirements and conditions relating to recreation residence authorizations. This permit is the one most familiar to current cabin owners, as it was in use for many years before being superseded by the most recent revision, in 1989 (see following item).

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2. Term Special Use Permit for Recreation Residences (Form 2700-18, 5/89)

The 1989 permit is the most recent revision of the recreation residence permit and is the one currently being issued to new permittees and for reissuance of existing permits on the Shoshone National Forest. This permit was an outgrowth of the Chief's proposed new national policy for recreation residences, and it contains many provisions and conditions requested by permittee organizations. As a result of the appeals that have delayed implementation of new policy, it is likely that this latest permit will undergo some additional modifications before a final version is approved. In the meantime, the 5/89 version of Form 2700-18 will be used for new permittees and for renewal of existing permits.

3. 99 Year Lease

The so-called "99 year lease" is mentioned here only because the term has been much discussed and misunderstood over the years. Many permittees have had (and some still do) the mistaken impression that their permit is a 99-year lease. Actually, there is not, and never has been, an instrument in the Forest Service known as a "99 year lease" – and it is uncertain exactly where this idea originated. Apparently, the "99 year lease" was not an uncommon practice on private land in the early part of the century, and some such leases for summer homes and subdivisions do exist on private land in the foothills and mountain areas. It is possible that these areas, because of their location adjacent to or near National Forest land became associated, in the view of some permittees, with National Forest recreation residence tracts.

General Permit Requirements

Permittees may on occasion ask, "Why have inspections?" or "Why so many rules and policies?" It is intended to administer the recreation residence permit in a manner that will maintain a forest-related recreation experience for the permittee and the public and to prevent that experience from being significantly lessened by the presence of human improvements.

The regulations and conditions governing the use, maintenance and reconstruction of recreation residences are those necessary to comply with state, county, and local ordinances, building and sanitation codes, and to safeguard the interest of the general public in the National Forests. Restrictions and special rules are designed to fit local conditions, and their objectives are to:

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1. Prevent urbanization of recreation residence tracts by limiting the addition of small improvements. To achieve this objective, we have limited the size of structures and number of buildings allowed per lot.
2. Help assure the safety of the permittees and the general public.
3. Protect the forest environment from degradation as a result of encroachment of city type development, such as bright colored buildings, T.V. antennas, elaborate ultra modern structures, urban landscaping, or cabins that turn into shacks due to poor maintenance and an accumulation of junk around them.
4. Protect the forest environment including soil, vegetation, water, wildlife, and air quality.
5. Comply with the meaning and intent of the special use permit.
6. Comply with the Act of March 4, 1915, the legislation, which authorized use and occupancy of National Forest land for recreation purposes such as summer homes, stores, and resorts.
7. Comply with the 1966 National Historic Preservation Act, by recording and protecting historic values associated with eligible summer homes, some of which may be prime examples of a style of vernacular architecture or of a traditional recreation lifestyle.

Transfer of Improvements and Issuance of New Special Use Permits

1. General conditions requiring the issuance of new permits are:
 - (a) Transfer or sale of improvements.
 - (b) Adding or removing a name from the permit as the result of death or divorce or for personal reasons.
2. Sale of a recreation residence on National Forest land involves a sale of only the structures thereon. The sale value of your improvements will depend upon how you maintain them.

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3. Authority to use the land occupied by the improvements is granted by a special use permit signed by the District Ranger. This permit itself is not transferable. It must be terminated and a new permit issued. A recreation residence special use permit grants the use of specific lot for recreation-related residential purposes for a definite period of time.
4. Issuance of a new special use permit may be requested by a permittee desiring to sell his cabin. However, issuance of the new permit is not automatic. Limitations and different requirements brought about by 50 years of changes in public needs and demands may be incorporated in permits to new owners. Issuance of the new permit will then be subject to acceptance of these terms by the new owner.

Prospective buyers and sellers of improvements should personally contact the District Special Use Administrator to find out under what conditions a new permit will be approved. A conditional sales agreement or escrow instructions could provide that the permit be available for the buyer's inspection prior to closing the purchase.

5. The District Special Use Administrator should be informed of contemplated sales involving the recreation residence. The seller and buyer must execute the combined relinquishment/application form. This is a formal notice to the District Ranger of an intention to sell and a request that the permit be terminated and a new one issued to the buyer. In addition, a Bill of sale or other proof of ownership must be submitted. A service fee will be charged for the permit transfer.
6. Upon receipt of the completed relinquishment and application form the District Office will arrange for an inspection of the recreation residence and recommendations for a new permit may be made subject to the correction or improvement of any substandard condition(s) noted. The new permit may be withheld pending the satisfactory completion of major unsatisfactory conditions. If only minor corrections are needed, a time schedule may be agreed upon for completion of these items. Acceptance by the new owner will be necessary to validate the permits.
7. Sales of improvements that are part of an estate require submission of evidence that the person signing the relinquishment is the legal heir, administrator, or executor of the estate.

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8. Permits are issued in the name of one individual, to a husband and wife, or to a Family Trust. Existing permits that were not issued to an individual or husband and wife will be revised at the first opportunity so that the responsible individual is identified.
9. No more than one recreation residence will be issued to single family (husband, wife, dependent children).
10. The new permittee must meet with the district Special Use Administrator and go over the terms and conditions of the permit prior to signing it.
11. A conditional sales contract protects the seller and is recognized by the Forest Service to the extent that in the event of default of contract, the permit to the buyer who defaults will be terminated and new permit issued to the person showing legal right of possession. The permit is a privilege granted to an individual. The seller cannot assure the buyer that the privilege of occupying National Forest land will be continued.
12. Use of National Forest land for facilities such as roads and pipelines requires either authorization as part of your recreation residence permit or as a separate permit.
13. A recreation residence permit holder must be an individual, a married couple, or a designated representative of a formally established living or family trust. The holder of the permit must be able to demonstrate ownership of the authorized improvements. When the holder is a designated representative of a family trust or living trust, the holder must be able to demonstrate ownership of the authorized improvements in the name of the trust that they are representing.

Destruction, Abandonment, Termination, and Future Use

The Shoshone National Forest will manage recreation residences in accordance with *Forest Service Manual* and *Forest Service Handbook* direction. These policies recognize the need to provide for public safety, to protect forest resources, and to balance the growing needs for all National Forest resources.

1. **Destruction** – Upon substantial destruction of a residence by fire or natural causes (falling trees, limbs, avalanches, landslides, etc.), the permittee will be given the following options:

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- (a) The permittee may rebuild a residence on the lot if the authorized officer determines that the site can be safely occupied and that re-building will be allowed. Plans must be approved to the Forest Service, the County, and others (where appropriate). The building must be completed within two years.
- (b) Or, the permittee may elect to abandon the residence, in which case the permit will terminate after the Forest Service has received written notification of abandonment and given written agreement to the request. The permittee will be responsible for removal of the improvements and restoration of the site.
- (c) Or, the permittee may elect to sell the partial residence remaining on the lot. In this case, the Forest Service will review the site and write an inspection outlining work to be completed and a corresponding time schedule.

In no case will separate structures (guest houses, garages, etc.) be allowed to be rebuilt.

2. **Abandonment** – Upon abandonment of improvements, the permittee will be notified of the termination of the permit. The permittee will be informed of their obligation under the permit to restore the permitted site to its natural condition. A 6-month time limit will normally be given, subject to weather conditions.

3. **Termination / Future Uses** –

- (a) All residences within tracts will be on common termination dates.
- (b) Term recreation residence permits are issued for a specific period of time and provide for reimbursement as outlined in the permit, should public interest require termination of the permit during the term period.
- (c) There is no guarantee, implied or intended, that a new permit will be issued at the end of any currently existing term permit. Prospective permittees should realize the necessity of amortizing any personal investment during the period of the permit.

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- (d) Permits will be issued for existing residences at the end of their current terms when it is in the public interest to do so and no management use conflicts exist. Permittees are encouraged to check with their District Ranger for information on anticipated future management requirements concerning their continued exclusive use of National Forest lands. In addition, the District Ranger will make every effort to keep the permittees informed of changes that might affect them.

- (e) It is Forest Service policy to provide permittees at least 10 years advance written notice if the use is to be terminated for some other use. Exception: (a) when it is in the public interest, particularly when the final decision authority does not rest with the Forest Service (e.g., state highway relocation); (b) when there is an uncorrected breach of the permit; or (c) the site has been rendered unsafe by a catastrophic event such as flood, avalanche, or landslide.

Use of the Permitted Area

The use of recreation vehicles for guest rooms is not authorized. Pickup campers, vacation trailers, tent trailers, and motor homes may not be stored on a recreation lot. It is realized that visits by friends driving such vehicles are common and that some permittees may drive such vehicles while using the recreation residence. Occasional temporary use is permissible. The intent is to prevent recreation vehicles from being used as regular sleeping quarters and from being stored on a recreation residence lot.

Public Use

The public has the right to cross land under special use authorization if necessary for access to adjacent National Forest lands. At the earliest opportunity, borderline or off-lot improvements blocking necessary public access to lakeshore, streamside, and other areas will be removed. The public does not have the right to use land within the permitted lot boundary for activities such as picnicking, camping, or vehicle travel and parking.

Subleasing / Rental

Sublease and rental are considered synonymous. Subleasing of the site and improvements have to be approved in advance by the authorized Forest Service line officer and will be for recreation use only. It constitutes use by another party or parties in addition to the minimum 15 days of recreation use each year by the permittee. Subleasing will be incidental to the permittee's personal use and will normally be of a

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short duration. As a guide, “short duration” is 2 weeks, although periods of up to 30 days may be authorized.

The intent is to allow better utilization of National Forest System lands. Subleasing decisions will be made and documented in the permit folder, citing reasons for the decision. Keep in mind, however, that the Forest Service is not obligated to allow permittees full recovery for costs of owning a recreation residence by subleasing. An application for subleasing is found in Appendix B

Permitted Structures – Improvements

1. General

One objective for a recreation tract is to give the impression of a forest having a few cabins – rather than a subdivision with a few trees. Therefore the dominant character of a recreation residence tract must be the forest environment, not the improvements.

NOTE: If the historic standards of a particular lot group; such as but not limited to architectural style, lack of electrical or telephone service, lack of wells or indoor plumbing, smaller square footage limits, no porches or decks, or any other standard that has been in practice for a particular lot group; are more stringent than these standards, then the lot group’s standards will prevail.

2. Authorized structures

Only those structures named on the face of the permit are authorized. The objective is to have only one dwelling per lot (recreation residence). Unauthorized structures (i.e. guest houses and sleeping quarters) will be phased out as opportunity allows, or attached through alterations of design, such as with a breezeway (if the resulting total size of the residence does not exceed 1200 square feet). Opportunities that may allow removal of excess structures include: (1) a change in ownership, (2) expiration of the permit, (3) a request for new construction, and (4) destruction of the structure.

Separate structures such as pump houses, storage, generators, and outhouses (subject to county approval) may be authorized if they cannot be logically incorporated into the main residence. Separate structures are not included in the 1,200 square feet total living space allowed, but shall conform to the following maximum sizes:

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Toilet Structure:	80 square feet
Well house	30 square feet
Storage shed	120 square feet

Construction or reconstruction of guesthouses and garages with/without sleeping facilities will not be authorized under any circumstances.

3. Plans

The special use permit requires a permittee to submit conceptual design and layout plans for proposed development or change to the District Ranger. The conceptual plans should be detailed enough to allow preparation of an analysis, and details shown should include roads, trees, rock outcrops, planned and existing improvement locations, and the lot boundary as accurately as possible. The size of the structure should also be indicated.

After review by the District Ranger and receipt of the District Ranger's approval-in-concept of the proposed development, addition, or alteration, the permittee's construction plans will be designed or approved by a State of Wyoming licensed architect or licensed (certified) structural engineer. The plans will then be submitted by the district to the Forest Supervisor's office for approval. The architect's or engineer's signature and seal will appear on the plans submitted to the Forest Supervisor's office. The permittee must also obtain required permits from other state or local agencies (if applicable) and submit these to the Forest Service before the project can start.

New construction, alteration, addition, or substantial repairing of existing improvements will be authorized only when it does not exceed the maximum size standard, 1200 square feet, and is compatible with the forest environment. Comments from affected neighbors will be requested along with project proposal plans for additions to cabins.

Approval for new construction and alterations is given for the upcoming year only. If work has not commenced within one year, new approval must be sought (to accommodate possible changes in circumstances related to the proposed construction). Once work has commenced, the permittee has 18 months to complete all exterior work, so the residence looks finished from the outside. It is permissible for interior work to continue beyond 18 months, but no lumber, building debris, or other materials may be stored on the lot outside the authorized improvements.

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4. Size

A recreation residence building may not be constructed higher than one story and a loft if on level ground. In cases where excavation is allowed into a slope, recreation residence will be limited to two stories and a loft (in this case the “day lighted” basement living area is considered the first story). For the purposes of these standards, a loft is defined as interior space meeting the following description:

- The square footage is two-thirds or less of the ground floor area. Total square footage will be 1200 square feet excluding loft.
- A loft is defined as an upper story in which the height of the gabled exterior wall is less than 3 feet.
- New construction of two story structures will not be authorized.
- No bathrooms are included in the loft.
- The loft is not partitioned off from the vaulted ceiling of the main floor (where applicable).

The interior living space is limited to 1200 square feet. This excludes any loft, and exterior deck or screened-in porch.

5. Decks, Appurtenances, and Minor Improvements

Decks and patios must be attached to the residence. Combined deck and/or patio size will not exceed the lesser 50% of the size of the living space or 600 square feet. Decks on only one side of the residence are preferred. Deck and patio location must be approved by the Forest Service and must be within the setback line (see Improvements Standards, Item 9). If area under deck is used for storage it must be fully enclosed. Lattice is not recommended due to the fire hazard.

Appurtenances may be approved on a case-by-case basis if they do not detract from the forest setting. Examples:

- Satellite dishes/antennas – may be approved on a case by case basis when potential visual impacts can be successfully mitigated.
- Solar panels – may be approved if constructed of a non-reflective color harmonious with the forest setting.

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- Hot tub – may be approved if incorporated into the main structure or deck and if not visible by neighbors or from public vantage points.
- Bar-B-Qs – may be approved if incorporated into deck or patio area, with Forest Service approval. Bar-B-Q's and fire pits may not be built into natural features (i.e., mortared against rocks). Existing fireplaces may remain maintained and compatible with forest setting. No new permanent fireplaces will be authorized. With the availability and safety of small, portable grills and propane units, it is not necessary to construct permanent fireplaces of rock or brick. Portable units shall not be manufactured of intense, bright, or visually contrasting white, chrome, etc. Warm and dark colors, such as brown, dark green, black, are recommended. Stainless steel will be allowed, however not preferred.

6. Utilities

Electric and telephone service must meet standards for safety and proper installation. All new utility lines will be placed underground.

Water systems

Development of water systems for recreational residence purposes require an authorization for the spring development and/or water well and a valid state water right. Water rights must be in the name of the United States. Modifications to the water system require Forest Service approval and proper notification to the State Engineer.

Improvement Standards

1. General

- (a) Mobile homes or trailers are not permitted. Storage of vehicles/ trailers on site will not be permitted.
- (b) Only one single-family residence shall be constructed on each lot. Separate structures may be permitted for uses not logically attached to the main structure, (i.e., outhouse, pump house, generator). Where septic systems are impractical or illegal, sealed vaults or chemical toilets will be required before a new permit will be issued.

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- (c) To the extent feasible, the overall appearance of improvements will blend with the setting. They will not contrast unnecessarily with natural landforms on the site. Design will emphasize low, predominately horizontal lines or will duplicate dominant landform line of the building site or background. Where possible, structures will be placed with their long site parallel to natural slopes. Design and material selection shall include the services of highly skilled design professionals (Architects and Landscape Architects.)
- (d) A chimney, flue, and spark arrester must be installed in accordance with federal, state, and county ordinances and regulations. Electrical wiring installation must conform to the code adopted by the local county.
- (e) All outdoor lighting including lights on buildings, structures, etc shall be downward oriented. No Halogen, mercury vapor, metal halide, high pressure sodium or similar shall be installed except Halogen lights with less than 100 watt with internal and/or external glare shields may be allowed as approved by the Forest Service. Existing Halogen, mercury vapor, metal halide or high pressure sodium lights shall conform to the downward orientation standard and external shields added if internal or external shields do not exist.

Incandescent yellow bug proof lights are preferred, however incandescent lights and incandescent flood lights with glare shields are allowed.

Low voltage and low mounted path lighting is preferred in contrast to overhead pole, building, structure "flood" lighting.

All lighting shall conform to the rustic, primitive and historic character of the Forest and architectural setting.

- (f) Yard and outdoor lighting (including lights attached to structures) needed for safety should be mounted on buildings or on freestanding posts. Power lines to lights and between buildings will be buried.
- (g) Handrails, fences, and gates will be constructed of wood and rustic metal that conforms to the historic character, and must be approved prior to installation. Fences and rails may not be attached to trees.
- (h) Propane tanks are allowed: they should be screened or painted in a subdued, non-reflective color, and meet the Built Environment Image Guidelines, Rocky Mountain province, as contained in Appendix D.

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- (i) Gasoline tanks will not be authorized.

2. Operation and Maintenance Plan

A requirement of the special use permit is that the permittee and the Forest Service jointly prepare an operation and maintenance (O&M) plan, which will be reviewed annually and updated as necessary. This O&M Plan will cover requirements such as maintenance of facilities, removal of vegetation, signing, fire protection, removal of garbage and trash, and the person responsible for implementing the plan.

3. Signing

Indiscriminate signing will not be permitted. All signs must be of a rustic nature and must be approved in advance by the authorized officer. Painting lot numbers on natural features will not be permitted and "Private Property" or "No Trespassing" signs will not be permitted.

One entry sign per lot is allowed. The owner's name and cabin number may be shown on a rustic, routed wooden sign. Maximum size of the sign is 18" x 8" x 2".

4. General Standards for Construction

The forest/mountain environment including its inherent activities and lifestyle is very different from the urban environment, and the Forest Service is striving for a standard that will be compatible with the natural environment. Following are some guides relating to this standard:

- (a) Modern materials such as structural steel, concrete, and glass in well-designed combination with wood or stone are acceptable. Chrome and stainless steel are not acceptable.
- (b) Buildings constructed entirely of metal, or sided with metal are not acceptable.
- (c) Wood and stone used in essentially rough form harmonizes very well with natural surroundings. The exterior of other materials used should appear similarly rough textured and/on of native materials or rustic wood patterns. Large even surfaces should be broken. Uniform lineal patterns are not desirable.

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- (d) Roofs must be designed and built to withstand the maximum snow loads of the area. Pitched roofs of at least 5” rise to 12” run are recommended.
- (e) The following roof coverings are acceptable:
- (1) Color-impregnated metal roofing may be used, when specifically approved by the Forest Service. Dark colors with a non-reflective finish will be approved where compatible with the forest setting.
 - (2) Non-flammable shake and other wood shingles (unless in conflict with county ordinance), composition shingles (mineral surface and asbestos), tile, and other non-flammable materials.
- Although shake and wood shingle roofing is desirable visually, summer homes located in dense forest should be roofed with non-flammable materials such as composition shingles or metal.
- (f) Acceptable materials for exterior walls and porches may be as follows:
- (1) Textured exterior plywood, wooden vertical or horizontal siding, peeled logs, native stone, or manufactured “logs.” Combinations of these materials are often more acceptable than a single material.
 - (2) Small concrete blocks, lightweight aggregate blocks, split face block, and similar materials in mute tan, gray, green, and charcoal are acceptable in appropriate combination with wood. The use of white or bright colored mortar or stucco, corrugated iron or tarpaper will not be approved.
- (g) Foundations:
- (1) Continuous foundations of approved materials are required. Exposed foundations shall extend about the ground only as far as necessary to conform to good construction practices.
 - (2) Solid masonry chimneys must extend to a solid ground foundation with adequate footing. Freestanding fireplaces of an approved design may be authorized.

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5. Colors

The exterior of improvements must be harmonious with the forest setting. Semi-transparent stains, which allow natural wood of a structure to be seen, are preferred over paints. Where paints are used, use of colors found in native soil, bark, rock, and vegetation during most or the year will achieve the desired harmony. Examples of such colors include brown, charcoal gray, green, and tan. Non-reflective matte finishes are more harmonious with the natural texture of the surrounding forest than bright, shiny surfaces.

Window trim, door casings, shutters, and other outside trim should harmonize with the main structure and the environment and generally should not present strong contrast. Colors such as white, bright green, orange, blue, or yellow are not acceptable. Aluminum window and door sashes must be in dark color, such as bronze anodized finish. Bare aluminum will not be permitted.

Propane tanks will conform to the color standard. If the permittee does not want to paint the tank a natural earth tone, a wooden screen fence, approved by the Forest Service, will be built to hide the tank.

6. Hazardous Trees

A “hazard” tree is defined as one, which poses a significant threat to the residence, associated structures, the parking area, powerlines, or outdoor areas of frequent use. Hazard trees include but are not limited to dead, dying, diseased, or strongly leaning trees within striking distance of improvements or use areas. Trees causing structural damage to an improvement (such as root growth causing a foundation to crack) can be considered hazard trees as well.

Administration of hazard trees and other vegetation on recreation residence tracts will be managed to meet fire and other safety needs. Permittees have the primary responsibility to identify and remove trees that are hazardous to their improvements. Permittees should contact an appropriate contractor or the Forest Service if they are concerned about a particular tree; otherwise, the Forest Service will identify hazard trees during inspections and require permittees to remove them. The permittee must have written authorization before cutting the tree(s), and if they utilize the wood they must pay for it in advance.

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7. Landscaping and Vegetation Management

Landscaping is authorized only to restore natural conditions. Urban-like flower beds, and large, permanent decorations are not acceptable. Use only desirable local native species compatible with the site and uses, as approved by the authorized officer. Walks should be gravel or native materials. The authorized officer, in consultation with the Forest Landscape Architect, must approve exceptions. Removal of vegetation solely to improve views and visibility will not be approved.

State listed noxious weeds and other plants designated by the District Ranger must be controlled with either mechanical (pulling) or chemical means. Chemicals include the use of appropriate herbicides; herbicides must be used according to application labels.

Attachments or nails are not allowed on or in trees. Such attachments include, but are not limited to: gates, yard lights, power lines, fences, benches, signs, clotheslines, and wires.

Vegetation may be managed to reduce the threat of wildfire and the risk of damage to permitted dwellings and structures in accordance with established fire protection standards. Consult with the District Ranger for current fire protection standards. Dead and down woody material, brush, and other low growing vegetation less than 10' tall may be pruned, cut and removed by the permittee within the boundaries of their lot. Slash and debris as a result of the vegetation management shall be removed from the site by the permittee. Cutting and removal of trees (other than hazard trees) greater than 10 feet tall requires the written permission of the District Ranger.

8. Foot Bridges

Foot bridges will be allowed only when necessary to provide adequate access to on-lot improvements.

9. Lot Line and Setback

When improvements are proposed it will be the responsibility of the permittee and Forest Service to locate the approximate lot corners in order to comply with setback requirements. Corners will be monumented with metal pipe to approved Forest Service standards. Setback Corners will be 10 feet from the property line for all structures and improvements. Existing main residences encroaching on lot line and/or setback line may remain until it is reasonable to move, (i.e., rebuilding due to

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fire, flood, etc.). All other improvements will be removed an/or relocated, if authorized, at time of permit transfer. Variances may be granted on a case-by-case basis.

Removal of a lot boundary monument shall be considered a violation of the terms and conditions of the special use permit.

10. Roads and Bridges

Those roads/bridges that are not maintained by county, state, or other agency, or do not serve a public or other resource need, will be placed under permittee association for the tract. The roads/bridges will be maintained to Forest Service standards and inspected as required by Forest Service standards, which shall be defined in the permit or operating plan. Those roads serving both public and recreation residences' needs will be on a cost share basis – details will be worked out on a case-by-case basis.

The following criteria will be used to determine maintenance responsibility:

- Does the road/bridge serve resources or activities other than the cabins?
- Does Forest Service manage this resource/activity?
- Would the road/bridge exist if not for the cabins?
- Is there a potential Forest Service need for the road/bridge?

If the answer to all questions is yes, then the Forest Service should maintain the road/bridge. If the answer is no, then the Cabin Owner or Association will be responsible for maintenance. Answers of yes and no mean there is a shared responsibility, and an agreement will have to be reached on the proportionate shares.

The Forest Service will not be responsible for plowing snow on access roads into recreation residences.

11. Gates

On Forest Service or county maintained roads, gates will be installed only to prevent or reduce resource damage and will be closed only during the normal seasonal closures to all vehicles. On permittee or association maintained roads, gates may be approved that will restrict public vehicular traffic. These gates will be approved Forest Service design and have a sign with wording to allow foot traffic access to National Forest lands behind the gate and beyond the

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summer home group. All gates will be required to have a Forest Service lock in addition to the locks of any other users of the gate. If the road has shared maintenance, then the road/gate will be treated as though it were a Forest Service maintained facility.

12. Off-lot Improvements

All improvements off the lot must be authorized on the face of the permit, using the appropriate authority (Act), or by separate permit. This would include improvements such as water systems (pipes, tanks, etc.), sanitation systems, and outhouses.

13. Fences

Fences will not normally be approved. Exceptions may be made when a fence is appropriate to define general public use areas from cabin use areas, or to meet other resource needs: and when it can be done within acceptable visual management constraints.

14. Culinary Water Systems

The owner of the recreation residence, or an association of owners if applicable, is responsible for testing drinking water and assuring its purity. It is recommended that water supplies be tested annually.

If a well is required, the owner(s) of the recreation residence must obtain necessary permits from the county. Water rights will be obtained in the name of the U.S Government, not the permittee.

15. Public Access Delineation

The Forest Service in partnership with the cabins/tracts will work to define and separate public and tract space by delineating public access routes to fishing access, trail heads etc. This may be done, for example, by developing public parking, open type (split rail) fences, trails signed for public use, and public benches. Consideration will be given to protection of sensitive plants, animals, and archaeological areas.

16. Livestock

No livestock shall be kept at recreation residences or on adjacent, off lot Forest lands. Existing livestock facilities (hitching rails, temporary corrals) shall be removed when permit is re-issued.

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17. Appearance

The premises and all improvements shall be maintained to an acceptable standard of repair, orderliness, neatness, sanitation and safety. Storage of building materials on site shall be limited to the length of time authorized for completion of any authorized construction.

18. Sanitation

Pit toilets no longer in service shall be cleaned up and removed from the site.

19. Food and Attractant Storage

Bears are very opportunistic and eat basically everything that humans and their pets do. They have a very keen sense of smell and are attracted by odors. Once a bear obtains human or pet foods they often become human food conditioned and a threat to human safety. The following are permittee responsibilities for keeping food and other attractants unavailable to bears.

- (a) All food, beverages, pet food, bird seed and scented non-food items such as suntan lotion, tooth paste, insect repellent, soap, candles, antifreeze must be stored inside a bear resistant building or out of sight in a hard sided vehicle when unattended. Screened in porches are not bear resistant.
- (b) Outside freezers or refrigerators must be secured to the wall, locked with padlocks and inspected by a Forest Service Officer to ensure they are bear resistant.
- (c) All garbage must be stored in approved bear resistant containers or stored inside a bear resistant building until it can be taken to a refuse site. Don't stockpile garbage and remove to a refuse site as soon as possible.
- (d) Growing vegetable gardens or planting of fruit trees or fruit producing shrubs is not allowed.
- (e) Bird feeders are not recommended from March 1 thru December 1. (Birds do not need supplemental feeding during this time anyway.) If bird feeders are used they must be hung at least 10 feet above the ground and four feet from any supporting post or tree trunk. Pick up all waste seed, hulls and shells, or use only shelled seeds and nuts. Store all birdseed indoors.
- (f) It is always best to feed dogs inside. Feed only the amount your dog can consume at one time. If you do feed your dogs outside, consider feeding them at midday and bring pet food bowls inside as soon as pets are finished eating. Don't leave bones and scented chew toys lying around your yard.

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- (g) Don't set out salt and mineral blocks or other foods to attract wildlife.
- (h) When cooking outside don't leave food unattended. Thoroughly clean outdoor barbecue grills or cookers when done cooking and store in a bear resistant building if possible.
- (i) Do not discard cooking grease in your yard.
- (j) Do not leave ice chests outside unattended.

Inspections

The premises and improvements are subject to Forest Service inspection to assure permittee compliance with terms of the special use permit, which requires that an acceptable standard of repair, cleanliness, and fire safety is maintained.

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GLOSSARY

authorized officer

Any Forest Service employee with delegated authority to evaluate and administer special-use authorizations.

day users

Those recreationists who travel Forest roads or highways and stop at developed sites or dispersed areas for swimming, picnicking, fishing, taking pictures, or other activities. Generally their length of stay is short.

design capacity

The maximum theoretical amount of use a developed recreation site was built to accommodate.

developed recreation site

Distinctly defined area where facilities are provided for concentrated public use (e.g., camp-grounds, picnic areas, boating sites, ski areas).

dispersed recreation

Outdoor recreation that occurs outside of developed recreation sites (e.g., scenic driving, hunting, backpacking, fishing).

expiration

The cessation or termination of a special-use authorization upon reaching the end of the specified period of occupancy or use.

FSH

Forest Service Handbook.

FSM

Forest Service Manual.

holder or permittee

The person or entity to whom a special-use authorization is issued.

in-lieu lots

Lots located on the National Forest, where displaced residents may establish new recreation residences.

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land/water interface

The strip of land bordering on and directly influenced by a stream, river, or lake. The interface has high recreational value because it offers views of the water, water in motion may be heard, and access to the water is relatively unrestricted.

mitigation

Actions taken to avoid, minimize, reduce, eliminate, or rectify the adverse impacts of a practice.

open space

Land adjacent to recreation facilities that is kept free of any major development.

Permit Holder

Any applicant who has received a special use authorization (see FSM 2705). A recreation residence permit holder must be an individual, a married couple, or a designated representative of a formally established living or family trust. The holder of the permit must be able to demonstrate ownership of the authorized improvements. When the holder is a designated representative of a family trust or living trust, the holder must be able to demonstrate ownership of the authorized improvements in the name of the trust which they are representing.

persons-at-one-time (PAOT)

A term used to measure recreation capacity, which means the number of people that can use a facility or area at one time. PAOT capacity represents the design capacity for a facility or the theoretical maximum capacity over a period of time.

private use sites

Recreation sites developed and operated for use exclusively by private groups, organizations, or individuals. These include clubs, private camps, and recreation residences.

privately provided recreation sites (private sector)

Recreation sites developed and operated under permit by private parties or groups. These sites may be developed for private, public, or semi-public uses. (See definitions for private, public, and semi-public use sites.)

public space

Space in recreation areas dedicated to public use, such as picnicking, sun bathing, beaching of boats, access to fishing, strolling, bird watching, photography, etc. Development consists of minimal facilities such as parking lots, trails, and signing.

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public use sites

In general, those recreation sites developed for use of the general public, such as campgrounds, picnic sites, and boating sites. Ski areas, resorts, and other privately provided sites open to the public also fit into this category.

publicly provided recreation sites (public sector)

Recreation sites and facilities developed and managed by the Forest Service. Examples are campgrounds, picnic areas, and boat launch ramps.

recovery

Cancellation or non-renewal, for other purposes, of special use permits such as resorts, recreation residences, and organization camps. The improvements would be removed and the land used for other activities (e.g., campgrounds, picnic areas, waterfront access).

recreation residence

A privately owned dwelling within an established recreation residence tract on National Forest System land, authorized for maintenance and use under a special use permit. A recreation residence is to be used by permittees, their families, and guests for enjoyment of related National Forest lands and recreation resources. It is not intended for use as a primary or permanent residence.

recreation visitor day (RVD)

Twelve hours of recreation use in any combination of persons and hours, i.e., one person for 12 hours, three persons for 4 hours, etc.

renewal

The issuance of a new special-use authorization, usually upon the expiration of a previous authorization.

scoping process

Process used to identify issues and concerns that are within Forest Service authority to resolve. May be in-house, public, or both.

semi-public sites

Those recreation sites providing facilities and services to a segment of the public, generally through development of camps by non-profit organizations, institutions, sites, or other agencies (e.g., Boy Scouts, Girl Scouts, city recreation departments).

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special-use authorization

A permit, temporary permit, lease. Or easement that allows occupancy, use, rights, or privileges of National Forest Systems land.

suspension

The temporary withholding, either entirely or partially, of occupancy or use privileges granted under a special-use authorization.

termination

Termination is the situation where the permit is no longer in existence and the permitted activity is no longer authorized. A permit terminates or is terminated as the result of a specific event, condition, or action, or by mutual agreement.

water influence zone

Area oriented to outdoor water recreation.

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Appendix A

APPLICATION TO SUBLEASE A RECREATION RESIDENCE

To: (District Ranger)

I desire to sublease my recreational residence as follows:

Lot # ___ Tract _____ From: _____ To:
Rent charged (if any): \$ _____ per day () week ()

PERMITTEE STIPULATES

- (1) This sublease is incidental to my personal use and is not commercial.
- (2) The sublessee has been informed of area regulations and of the pertinent conditions of my permit.
- (3) The sublessee will have this application on the premises during occupancy.

Signed (Permittee): _____ Date:

SUBLESSEE STIPULATES:

I understand the conditions of subleasing this residence on National Forest land, and agree to comply with permit requirements.

Name of sublessee (print)

Legal residence (print)

Signed (Sublessee): _____ Date:

Subleasing of the above residence is approved under stated conditions.

By: _____ Date:
_____, District Ranger

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Appendix B

Permit Modification Process

Any modifications to your structures other than routine maintenance that is defined in and approved by your operating plan, requires written approval from the authorized officer. This approval will be in the form of an amendment to your permit.

Permit modification steps:

1. Contact your permit administrator to discuss the proposal.
2. On site visit with the permit administrator to review the proposal, determine if feasible and within Forest standards/guidelines. Other Forest resources specialists such as a landscape architect, hydrologist, or engineer may participate, as appropriate.
3. Submit plans for proposal. Plans must be prepared by licensed architect and contain sufficient detail to depict how the project will be constructed and what types of materials will be utilized.
4. NEPA compliance completed, including the following as appropriate:
 - Compliance with Section 106 of Historic Preservation Act
 - 404 Permit form Army Corp of Engineers, if project involves work in river/stream.
 - Biological Evaluation
5. NEPA Decision document signed by authorized officer.
6. Permit administrator prepares permit amendment, forwards to you for your acceptance of the terms & conditions contained in it.
7. Authorized Officer signs permit amendment, approving the project. Copy of approved amendment returned to you.
8. **You can now begin your project.**

Time frames for completing this process: Anywhere from 90 days for a simple project to a year or more for complex projects.

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Appendix C

Other Forest Service References

Forest Service Manual References:

- 2721.21 - Isolated Cabins
- 2721.23 - Recreation Residence
- 2721.23a - Administration
- 2721.23b - Applications
- 2721.23c - Permit Preparation
- 2721.23d - Fee Determination
- 2721.23e - Recreation Residence Continuance
- 2721.23f - In-Lieu Lots
- 2721.23g - Land Exchange
- 2721.23h - Cooperation and Issue Resolution
- 2721.23i - Noncompliance
- 2721.23j - Lot Restoration
- 2721.24 - Caretaker Residence