

# Obtaining a Special-Use Authorization with the Forest Service

## *The Application Process*

U.S. Department of Agriculture  
Forest Service

### **Forest Service Special-Uses Program**

The Forest Service manages 191.6 million acres of national forests and grasslands that comprise the National Forest System (NFS). Today, our growing population and mobile society have created a demand for a variety of uses of these federal lands. Often these diverse needs require specific approval. The Forest Service provides services that support our national policy and federal land laws. The Agency's special-uses program authorize uses on NFS land that provide a benefit to the general public and protect public and natural resources values. Currently there are over 72,000 authorizations on the national forests and grasslands for 200 types of uses.

Each year, the Forest Service receives thousands of individual and business applications for authorization for use of NFS land for such activities as water transmission, agriculture, outfitting and guiding, recreation, telecommunication, research, photography and video productions, and granting road and utility rights-of-ways. The Forest Service carefully reviews each application to determine how the request affects the public's use of NFS land. Normally, NFS land is not made available if the overall needs of the individual or business can be met on nonfederal lands.

#### **·What are special-use authorizations?**

A special-use authorization is a legal document such as a permit, lease, or easement, which allows occupancy, use, rights, or privileges of NFS land. The authorization is granted for a specific use of the land for a specific period of time.

## **When do I need an authorization?**

1. If you will need to occupy, use, or build on NFS land for personal or business purposes, whether the duration is temporary or long term.
2. If there is a fee being charged or if income is derived from the use.
3. If an activity on NFS land involves individuals or organization with 75 or more participants or spectators.

## **Application Process**

### **Is my proposal appropriate?**

1. Your request must be consistent with federal, state, and local laws, regulations, and special orders that apply to the national forests.
2. Your request must be consistent with the Forest Plan that established standards and guidelines for management of the land where the activity will take place. A copy of the forest plan is available at your local Forest Service office and in many libraries.
3. Your request must not endanger public health or safety.
4. Your request must not require exclusive or perpetual use or occupancy.
5. Your request cannot conflict or interfere with administrative use by the Forest Service, other authorized existing uses, or uses of adjacent nonfederal lands.
6. The applicant must not owe any fees to the Forest Service from a prior or existing special-use authorization.
7. No gambling or providing of sexually oriented commercial services can be authorized on NFS land, even if permitted under state law.
8. No military or paramilitary training or exercises can be authorized on NFS land, unless it is federally funded.
9. No disposal of solid waste or storage or disposal of radioactive or other hazardous substances can be authorized on NFS land.

## **How do I apply?**

1. Contact a Forest Service office and request an application. You will receive an application, depending upon your requested use. Application information is also available on the special uses home page at <http://www.fs.fed.us/recreation/permits>
2. Prior to submitting the proposal, you are required to arrange a preapplication meeting at the local Forest Service office where the use is being requested. A staff member will discuss your proposal, potential land use conflicts, application procedures and qualifications, probable time frames, fees and bonding requirements, additional coordination with other agencies, environmental reports, and field reviews.
3. Most commercial uses require additional information with the application. You may need business plans, operating plans, liability insurance, licenses/registrations, or other documents. A commercial use is when an applicant intends to make use of NFS lands for business or financial gain.
4. Complete and submit the application form, including supporting documents, to the local Forest Service office. An incomplete proposal could delay the processing.

## **How do I answer all the questions?**

**Name and Address** - Include the full name(s) to be used. If the application includes real property, the name(s) on the legal document must match the application.

**Applicant's Agent** - This person must be at least 21 years old and may or may not be the same as the applicant. Documentation should be included to verify that this person may sign on behalf of the applicant.

**Project Description** - Include enough detail to enable the Forest Service to determine feasibility, environmental impacts, benefits to the public, the safety of the request, lands to be occupied or used, and compliance with applicable laws and regulations.

**Environmental Protection Plan** - Include proposed plans for environmental protection and rehabilitation during construction, maintenance, removal, and reclamation of the land.

**Map** - Provide a detailed map (U.S. Geological Survey quadrangle or equivalent) or plat (survey or equivalent) showing the requested use in relation to NFS land, identification of applicant's property (if applicable), scale, map legend, legal description, and a north arrow.

**Technical and Financial Capability** - Provide documentation to assure the Forest Service you are capable of constructing, operating, maintaining, removing the use off NFS land, and reclaiming the land after the authorization terminates.

**Alternatives** - You must first consider using nonfederal land. Lower costs or fewer restrictions are not adequate reasons for use of NFS lands. Provide alternative locations for the proposal in your application.

**What does an authorization cost?**

**Rental Fee** - This is an annual rental fee based on the fair market value for the uses authorized and is payable in advance. Fees are established by appraisal or other sound business management principles.

**Other Associated Costs** - You may be responsible for providing information and reports necessary to determine the feasibility and environmental impacts of your proposal; compliance with applicable laws and regulations; and terms and conditions to be included in the authorization.

**Your local Forest Service office:** Electronic Directory by [State or Name](#)

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