



**FOREST SERVICE HANDBOOK
ALASKA REGION (REGION 10)
JUNEAU, ALASKA**

FSH 2709.11 – SPECIAL USES HANDBOOK

CHAPTER 30 – FEE DETERMINATION

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Regional Forester

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New Document	R10 2709.11-2015-1	Pages 17
Superseded Document(s) by Issuance Number and Effective Date	2709.11_30 – 2014-3	Pages 17

Digest:

30 - Makes minor technical corrections throughout and updates fees with the Implicit Price Deflator and Consumer Price Index - Urban Index.

37.21 – Updates fee information.

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30.1 - Authority

The authorized officer must determine and collect in advance an annual fee for special use authorizations, except as provided for by statute or regulations or when specifically authorized by the Secretary of Agriculture. See FSM 2701 and FSH 2709.11, section 30.1 of the parent text for statutory authorities, regulations, and provisions which govern the establishment and collection of fees.

31 - ESTABLISHING FEES

31.03 - Policy

Review fees periodically, such when an authorization is re-issued or amended, or at set times within a long-term authorization. At a minimum, fees for each authorization should be reviewed every five years, unless otherwise specified in the authorization. Adjust fees when appropriate, in accordance with the terms and conditions of the authorization, or as established in the Alaska Region Land Use Fee Schedule.

31.4 - Documentation

The Alaska Native Claims Settlement Act of 1971 (ANCSA), as amended, requires that proceeds from lands withdrawn for selection by an ANCSA corporation be deposited into an escrow account for payment to the corporation upon conveyance of the land. Similarly, the Alaska National Interest Lands Conservation Act (ANILCA) requires that 90% of the proceeds from lands selected by the State of Alaska be held for payment to the State upon conveyance of the land. Both of these requirements apply to special use authorizations, including permits, easements, and rights-of-way.

Check land status records and consult with the Alaska Lands Team to determine if the authorized area is on lands that have been withdrawn for selection by an ANCSA Native corporation or on lands that have been selected by the State of Alaska. If either situation applies, plan to deposit proceeds into an escrow account and ask for assistance from Forest Budget staff. For additional information see the Region 10 Supplement FSH 6509.11k, Chapter 80 and the Region 10 supplement for FSH 5509.11, chapter 40.

31.5 - Fees Established by Field Units

Minimum fees are the lowest fees established for a particular use. Minimum fees shown in section 31.5, exhibit 01 are comparable to the flat rates used by similar State, Federal or Private/Corporate land managers across the Alaska Region. The minimum annual fee for any special-use authorization shall be \$109.01, unless otherwise specified in section 31.5, exhibit 01,

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or unless a higher established fee is stated in FSM 2721, FSH 2709.11, chapter 30, or elsewhere. When a higher minimum fee has been established, the higher fee shall prevail.

Minimum fees are not subject to partial (semi-annual or quarterly) payment procedures, or proration for portions of a year. Minimum fees may be waived in full if the holder qualifies under waiver criteria in 36 CFR 251.57(b) and FSH 2709.11, section 31.

See section 31.5, exhibit 01 for the Alaska Region Land Use Fee Schedule. Fees in this schedule are adjusted annually by the Implicit Price Deflator-Gross National Product (IDP-GNP) to reflect current market values. Based on a market review conducted in 2009, the general market has been relatively static to moderately increasing for the past several years. The base year was established in CY2009. Major changes were not warranted in fees; however, the fees were rounded to the nearest \$10 beyond indexing. The fees have been updated for 2016 using the IDP-GNP.

Certain land use fees may be prorated. Determine land use fees beginning on the first day of the month following the effective date of the authorization through the last day of the month when the authorization terminates. For example, if an authorization became effective January 10 and terminated September 16, the rental period would be February 1 through September 30, or eight months. Minimum fees may not be prorated.

The authorized officer must apply the fee schedule to each use. Deviation from the specified fee requires written rationale submitted to the Director of Recreation, Lands, and Minerals. Upon receipt of the staff comments, the authorized officer may exercise due discretion in establishing the fees.

The established fees reflect the market for rural, remote properties. These fees should be re-evaluated for properties in proximity to communities that have access to amenities such as electricity, water, and sewer. In such cases, the established fees are on the very low end of the scale.

See FSH 2709.11, section 36 for direction regarding specific fee systems and schedules.

When WO direction in FSM 2720 was released in April 15, 2011 (2700-2011-2) it duplicated R10 use code 512 in SUDS. To resolve this issue a new R10 use code was assigned for commercial fishing camp use. The use code for R10 Commercial Fish Camp use is 515.

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32 - FEE ADMINISTRATION

32.2 - Payment of Fees

32.21 - Consolidated Payment

Advance payments save time and costs to the government, and are encouraged to the extent possible.

The lump-sum fee is the annual fee for the type of use, multiplied by the duration of the authorization, up to 5 years. Do not index for future years.

36 - FEE SYSTEMS AND SCHEDULES

36.2 - Communications Site Fee Schedule

1. Use code 805 (Local Exchange Network) refers to radio service that provides basic telephone service, primarily to rural communities. Local Exchange rates have been established and segregated by population strata.
2. The fee for use code 807 (Passive Reflector) is based on similar market fees on adjacent land ownerships. Use this fee for all passive reflectors, regardless of location.

36.4 - Linear Right-of-Way Fee Schedule

Use the fees for the Alaska Region for all National Forest System lands in Alaska except for lands located in the Municipality of Anchorage and Juneau Voting Districts 3 and 4.

Area	Fee/Acre
Alaska Region	\$63.22
Anchorage	\$177.10
Juneau, Voting Districts 3 & 4	\$1,345.17

36.8 – Subsistence Activities Fees

The Regional Forester has established a fee for cabins and temporary facilities used for subsistence use activities. The reduced fee is based on subsistence use rather than market value. The fee is adjusted annually by the Implicit Price Deflator – Gross National Product (IDP-GNP). See the Alaska Land Use Fee Schedule, 31.5 – Exhibit 01 for annual fee.

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Only the following use codes qualify for the reduced fee:

- 116 – ANILCA Shelter
- 121 – Isolated Cabin
- 374 – Cabin Predating ANILCA
- 513 – Commercial Fishing Cabin
- 515 – Commercial Fishing Camp

The policy for the above listed use codes remains the same. Refer to FSM 2700, FSH 2709.11 and FSH 2709.14 for more information.

1. To qualify for the reduced fee the following criteria must be met:
 - a. The permit holder must be a federally qualified subsistence user. A federally qualified subsistence user is a rural Alaskan resident qualified to harvest fish or wildlife on Federal public lands in the location of the cabin or temporary facility in accordance with the Federal Subsistence Management Regulations. These regulations are found in 36 CFR Part 242 – Subsistence Management Regulations for Public Lands in Alaska.
 - b. The cabin or temporary facility must be used in support of subsistence harvesting of fish and wildlife as authorized in the regulations at 36 CFR Part 242.
 - c. If the site and facilities are also used for commercial fishing under an Alaska limited entry set-net fishing license, the holder cannot generate more than \$15,000 in gross annual income, averaged over the previous five years, from the fishery associated with the cabin or camp.
2. To receive the reduced fee, the permit holder must submit a notarized certification that the above conditions have been met. (See 36.8 Exhibit 01) Eligibility for the reduced fee may be evaluated prior to permit expiration if warranted by changing conditions or new information. At minimum the holder's eligibility must be determined every five years or with the issuance of a new permit.
3. The following statement shall be added to the face of the permit:

“The holder of this permit is a Federally qualified subsistence user who is receiving a reduced fee for the authorized use as certified in attachment _____.”
4. To receive the reduced fee, the permit holder must submit the notarized certification (see 36.8 Exhibit 01) that:
 - a. The permit holder is a rural Alaskan resident who is federally qualified to harvest fish

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and wildlife for subsistence use in the location of the cabin or temporary facility as defined in 36 CFR Part 242 – Subsistence Management Regulations for Public Lands in Alaska.

b. The cabin or temporary facility is used for subsistence harvesting of fish and wildlife as defined in the regulations in 36 CFR Part 242.

c. The permit holder's income from commercial fishing under an Alaska limited entry set-net fishing license, for the same area as the authorized commercial cabin or temporary facilities, is \$15,000 or less per year, averaged over the previous five years .

5. For questionable submittals, the first attempt to resolve the certification issue will be through administrative procedures. Law enforcement action may be used after administrative procedures have not been successful.

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36.8 – Exhibit 01

Certification for Cabin or Temporary Facility Used for Subsistence Use Activities

(user note – attach to permit)

I certify the following statements are true.

I am a Alaskan rural resident who is federally qualified to harvest fish and wildlife for subsistence use in the location of my cabin or temporary facility as defined in 36 CFR Part 242 – Subsistence Management Regulations for Public Lands in Alaska.

My cabin or temporary facility, authorization number _____ is used for my subsistence harvesting of fish and wildlife as allowed for in the subsistence regulations.

For commercial fishing camp or commercial fishing cabin permit holders only:

I certify the following statement is true.

My gross annual income from commercial fishing under Alaska limited entry license no. _____ for the same area as the authorized commercial cabin or temporary facilities is \$15,000 or less per year, averaged over the previous five years.

Name Date

Street or P.O. Box

City, State, Zip Code

On _____, before me, a notary public in the State of _____
(Date)

_____, personally

appeared _____, known to me to be the person
(Holder)

who signed this certification as the holder.

Notary Public for the State of _____

My commission expires _____

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37 - OUTFITTER AND GUIDE FEES

37.2 - Commercial Services Not Associated With Public Service Site

37.21 - Fees

37.21a - Minimum Fee

The minimum fee for outfitting and guiding on National Forest System lands in the Alaska Region is \$109.01.

37.21c - Fee for Commercial Use

Flat fees for commercial outfitting and guiding uses in the Alaska Region are shown in section 37.21c, exhibit 01 of this supplement. Assess fees for any commercial use of National Forest System lands for outfitting and guiding, even if the use is or was unauthorized.

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31.5 - Exhibit 01

Alaska Region Land Use Fee Schedule

Use Code	Use	Definition ** Implicit in all definitions are that these uses occur in remote settings.	Regional Minimum Fee or CY 2016 Fee	Instructions
100	Privately Owned Improvements Authorized for Groups	Restrict to Organized Groups, or Semi-Public or Public Agency Groups		
111	Boat Dock and Wharf	Facilities that serve groups of boaters in remote site.	\$1,971.45	Recreational remote sites.
112	Club	Facilities that serve membership of private organizations.	\$1,971.45	
114	Shelter	Recreational shelter such as for trails and/or waiting sheds.	\$132.91	
116	ANILCA Shelter	Individual private use temporary facilities that fall under the provisions of Section 1316 of ANILCA.	\$465.17	For 3 months. Minimum fee is 3 months.
			\$155.06	Each additional month.
			\$930.36	Per 6 months. Maximum fee not to exceed 6 month fee.
			\$252.50	Must qualify for reduced subsistence fee as described in R10 FSH 2709.11, section 36.8
120	Non-Commercial, Privately Owned Improvements Authorized to Individuals	Privately owned facilities authorized to individuals for their own use.		
121	Isolated Cabin		\$930.36	Tongass National Forest (NF).
	Isolated Cabin		\$874.97	Chugach NF – Eyak River sites.
	Isolated Cabin		\$730.99	Chugach NF – Other sites forest wide.
			\$252.50	Must qualify for reduced subsistence fee as described in R10 FSH 2709.11, section 36.8

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31.5 - Exhibit 01 – Continued

Use Code	Use	Definition ** Implicit in all definitions are that these uses occur in remote settings.	Regional Minimum Fee or CY 2016 Fee	Instructions
130	Concessions Involving Privately-Owned Improvements			
131	Private Lodging	Condominiums-financed on NFS lands originally authorized for private use or private privileges.	\$,3,322.68	Better sites. For new authorizations consult Forest Program Manager.
140	Concessions Involving Government-Owned Improvements			
141	Concession Campground	Includes camping and picnicking when these activities are the primary uses. Included are areas developed by non-Federal public agencies and permittee-operated sites.	\$3,322.68	For new authorizations consult Forest Program Manager.
200	Agriculture, Crops	Serve individual exclusive interest, not the public.		
211	Cultivation	Planting and harvesting traditional farm crops.	\$143.99 per acre	Up to 5 acres. If >5 acres consult Forest Program Manager.
216	Fish Hatchery	Hatching or rearing of fish for commercial or game management.	\$3,322.68	For new authorizations consult Forest Program Manager.
216b	Fish Net Pens	For the rearing of small fry.	\$830.67	Minimum fee is 3 months.
			\$276.89	For each additional month.
219	Mariculture Facilities	Farming marine products in saltwater, with facilities on the uplands.	\$1,971.45	For new authorizations consult Forest Program Manager.
220	Agriculture Improvements			
223	Agriculture Residence	Principal places of residence related directly to agriculture.	\$1,971.45	For new authorizations consult Forest Program Manager.

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31.5 - Exhibit 01 -- Continued

Use Code	Use	Definition ** Implicit in all definitions are that these uses occur in remote settings.	Regional Minimum Fee or CY 2016 Fee	Instructions
300	Sanitary Systems			
342	Liquid Waste Disposal Area	Non-hazardous liquid sewage and industrial waste collection and disposal facilities.	\$3,322.68	For new inquiries consult Forest Program Manager.
350	Community Residences			
351	Residence, Privately-Owned Building	Issue only for existing privately-owned residences.	\$1,971.45	Do not authorize new uses (FSM 2723.51).
352	Residence, Government-Owned Building	The use and occupancy of all or part of Government structures when the building would otherwise be unused; when the occupancy would afford protection to the structure; and when the Government has no further need for a building not yet scheduled for disposal.	\$1,971.45	For new authorizations consult Forest Program Manager.
353	Residence, Alaska Term Permit Act	Permits issued under the Alaska Term Permit Act of March 30, 1948 and other Alaskan laws that cover community residence permits.	\$1,971.45	If you are considering this use consult Forest Program Manager.
360	Service Uses			
362	Service Building	Other community service facilities, such as jails, police stations, firehouses, medical offices, and so forth.	\$3,322.68	For new authorizations consult Forest Program Manager.
366	Parking Lot		\$132.91	<2,000 sq. feet. If >2000 sq. feet and for all new uses consult Forest Program Manager.
370	Encroachments			
371	Cabin (invalid mining claim)	Arise through illegal use of buildings originally or ostensibly built for mining purposes under the 1872 Mining Law. Authorize use only as interim measure to resolve the encroachment and ensure that permits are of the shortest possible duration.	\$930.36	

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31.5 - Exhibit 01 -- Continued

Use Code	Use	Definition ** Implicit in all definitions are that these uses occur in remote settings.	Regional Minimum Fee or CY 2016 Fee	Instructions
372	Residence	Occurs through survey errors, improperly marked boundaries, and so forth. Quite often only a portion of the structure encroaches on NFS lands.		Call Regional Office or Forest Program Manager for advice.
374	Cabin Predating ANILCA	Cabins that were occupying NFS lands at the enactment of ANILCA but were not authorized under a special use permit.	\$930.36	No new uses should be authorized.
			\$252.50	Must qualify for reduced subsistence fee as described in R10 FSH 2709.11, section 36.8
420	Research	Sites for a variety of studies, research, training, cultural resources.		
421	Experimental and Demonstration	Temporary or permanent sites for monitoring or modifications to the area or a particular resource. Activities not related to Forest Service projects.	\$465.17	For 3 months. Minimum fee is 3 months.
			\$155.06	Each additional month. Maximum fee not to exceed 6 month fee.
			\$930.36	Per 6 months. Maximum fee not to exceed 6 month fee.
422	Research Study	Non-specific studies for a wide range of academic interests.	\$465.17	Per 3 months. Minimum use is 3 months.
			\$155.06	Each additional month. Maximum fee not to exceed 6 month fee.
			\$930.36	Per 6 months. Maximum fee not to exceed 6 month fee.

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31.5 - Exhibit 01 -- Continued

Use Code	Use	Definition ** Implicit in all definitions are that these uses occur in remote settings.	Regional Minimum Fee or CY 2016 Fee	Instructions
430	Training			
431	Military Training Area	Federal and State military training activities and sites.	\$3,322.68	Up to 2 acres. If > 2 acres and for new uses consult Forest Program Manager.
432	Education Center	Education facilities that are not physically part of a community school system.	\$1,971.45	Up to 2 acres. If > 2 acres and for new uses consult Forest Program Manager.
500	Industry Camps			
511	Construction Camps and Residences	Camps, cabins, or residences to house personnel employed in road, logging, and other industries. This designation also includes prisons camps.	\$3,322.68	Up to 2 acres. If > 2 acres and for new uses consult Forest Program Manager.
513	Commercial Fishing Cabin (or Warehouse)	Authorization pre-dates ANILCA and the authorized site and facilities are directly and necessarily related to commercial fishing. Permit holder must have Alaska limited entry permit.	\$930.36	
			\$252.50	Must qualify for reduced subsistence fee as described in R10 FSH 2709.11, section 36.8
514	Temporary Camps	Temporary camps, tent platforms for trapping, ADF&G, and other commercial uses.	\$465.17	Minimum fee for up to 3 months
			\$155.06	Each additional month. Maximum fee not to exceed 6 month fee.
			\$930.36	Per 6 months. Maximum fee not to exceed 6 month fee.
515	Commercial Fishing Camp	Authorized site and facilities are directly and necessarily related to commercial fishing. Permit holder must have Alaska limited entry permit. Authorized facilities are temporary in nature.	\$465.17	Minimum fee for up to 3 months.

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31.5 - Exhibit 01 -- Continued

Use Code	Use	Definition ** Implicit in all definitions are that these uses occur in remote settings.	Regional Minimum Fee or CY 2016 Fee	Instructions
	Commercial Fishing Camp		\$155.06	Each additional month. Maximum fee not to exceed 6 month fee.
			\$930.36	For Per 6 months. Maximum fee not to exceed 6 month fee.
			\$252.50	Must qualify for reduced subsistence fee as described in R10 FSH 2709.11, section 36.8
520	Storage			
521	Warehouse and Storage Yard	Storage areas with some improvements constructed on them. The stored items usually consist of equipment or material goods.	\$3,322.68	Up to 2 acres. If > 2 acres and for new authorizations consult Forest Program Manager.
522	Stockpile Site	Bulk storage of sand or gravel, and so on. Site does not have significant improvements associated with the storage use.	\$3,322.68	Up to 2 acres. If > 2 acres and for new authorizations consult Forest Program Manager.
523	Crab Pot Storage	Storage area for commercial fishing gear.	\$143.99	<2,000 sq feet. If >2,000 sq. feet and for all new authorizations consult Forest Program Manager.
530	Manufacturing			
531	Processing Plant	Buildings and other structures needed for the manufacture or packing of a product. Examples include canning or packing plants, factories, and sawmills.	\$3,322.68	Up to 2 acres. If > 2 acres and for new authorizations consult Forest Program Manager.
533	Batch and Mixing Plant	Facilities for preparation of road construction materials, usually project-related. Most are of a short-term nature.	\$3,322.68	Up to 2 acres. If > 2 acres and for new authorizations consult Forest Program Manager.

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31.5 - Exhibit 01 -- Continued

Use Code	Use	Definition ** Implicit in all definitions are that these uses occur in remote settings.	Regional Minimum Fee or CY 2016 Fee	Instructions
550	Arts			
551	Still Photography	1 to 10 persons on site.	\$143.99	Per day.
		11 to 30 persons on site.	\$210.43	Per day.
		Over 30 persons on site.	\$343.34	Per day.
552	Commercial Filming	1 to 10 persons on site.	\$210.43	Per day.
		11 to 30 persons on site.	\$276.89	Per day.
		31 to 60 persons on site.	\$697.76	Per day.
		Over 60 persons on site.	\$764.23	Per day.
700	Transportation			
711	Aircraft Facilities	Sites used for the takeoff and landing of aircraft, and related facilities.	\$3,322.68	Up to 2 acres. If > 2 acres and for new authorizations consult Forest Program Manager.
712	Hangar and Service Facility	Structures related to airport where the airport itself is not on NFS land.	\$3,322.68	Up to 2 acres. If > 2 acres and for new authorizations consult Forest Program Manager.
720	Marine			
721	Mooring Point	Minor uses along waterways for securing boats or other water craft to the land. No improvements at such sites.	\$109.01	Minimum fee.
722	Boat Dock, Wharf, Pier	Improvements used for securing watercraft. Range from minor pilings for log raft operations to larger pier facilities.	\$3,322.68	Up to 2 acres. If > 2 acres and for new authorizations consult Forest Program Manager.
725	Navigation Aid	Beacon, buoy marker, and others. Generally non-electronic signaling or locating devices assisting operators of water craft to determine their positions.	\$109.01	Minimum fee.

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31.5 - Exhibit 01 -- Continued

Use Code	Use	Definition ** Implicit in all definitions are that these uses occur in remote settings.	Regional Minimum Fee or CY 2016 Fee	Instructions
800	Communications Use	See FSH 2709.11, Section 36.2		Consumer Price Index-Urban (CPI-U) index factor.
805	Local Exchange Network	Radio service that provides basic telephone service primarily to rural communities.		
		1 to 100 people served.	\$162.74	
		101 to 500 people served.	\$477.39	
		501 to 1,000 people served.	\$792.06	
		Over 1,000 people served.	Full Common Carrier fee	
807	Passive Reflector	Non-powered reflector devices to bend or ricochet electronic signals point-to-point.	\$1,291.15	All passive reflectors, regardless of location.
900	Water (non-power generating), Water Transmission			
923	Water Diversion, Weir	Private residence or similar insignificant use.	\$109.01	For less than <1,000 sq. ft. If >1,000 sq. ft. and for new authorizations consult Forest Program Manager.
941	Stream Gauging Station	Non-navigable freshwater.	\$109.01	For less than <1,000 sq. ft. If >1,000 sq. ft. and for new authorizations consult Forest Program Manager.

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37.21c - Exhibit 01

Alaska Region - Flat Fee Schedule for 2016

Activity	2016 Flat Fees
General Recreation	\$5.45
Road-Based Nature Tours	\$5.45
Remote-Setting Nature Tours	\$5.45
Flight-Seeing Landing Tours	\$5.45
Helicopter Landing Tours	\$5.45
Non-motorized Freshwater Boat Trips	\$5.45
Dog Sled Tours	\$5.45
Camping	\$5.45
Road-Based Wildlife Viewing	\$5.45
Remote Wildlife Viewing	\$5.45
Visitor Centers	\$1.65
Over-Snow Vehicle Tours	\$10.91
Heli-Skiing Tours	\$10.91
Freshwater Fishing	\$10.91
Waterfowl and Small Game (Including Wolf) Hunting	\$10.91
Brown Bear: Per Hunt (includes Day Use and Camping)	\$359.74
Black Bear: Per Hunt (includes Day Use and Camping)	\$163.52
Elk: Per Hunt (includes Day Use and Camping)	\$218.02
Moose: Per Hunt (includes Day Use and Camping)	\$218.02
Mountain Goats: Per Hunt (includes Day Use and Camping)	\$218.02
Dall Sheep: Per Hunt (includes Day Use and Camping)	\$218.02
Deer: Per Hunt (includes Day Use and Camping)	\$109.01
Delivery and/or Pick-Up of Motorized and Non-motorized Equipment, Such as Kayaks, Over-Snow Vehicles, and Camping Equipment, to National Forest System lands	\$10.91 Total per day – no limit on equipment numbers, or numbers of trips