

the proposed date of meeting. The position of any member of the board who fails to attend two successive meetings, unless he is prevented by circumstances over which he has no control, may in the option of the board be declared vacant. Any vacancy in the board shall be filled in the same manner as herein prescribed for the original appointment. A majority of the members of the board shall constitute a quorum for the transaction of business and a majority vote of the members present at a meeting shall constitute a decision of the board.

Appeal to the board from any administrative order, action, or decision of forest officers pertaining to the grazing of livestock on a national forest or forests within the jurisdiction of the board may be taken by any recorded applicant, permittee, or recognized advisory board of a duly recognized livestock association. Decisions of the board will be final unless a minority opinion, which shall be a complete statement of the points to which dissent is made and the reasons therefor, is filed with the regional forester by one or more members of the board or the appellant within 20 days from the date of the board's decision, in which event the regional forester will review the case and render a decision. If dissatisfied with the regional forester's decision the board, or the dissenting members thereof, or the appellant, may then appeal in the manner prescribed by Regulation A-10.

Reg. G-22. (A) Any person desiring to hunt or take game or nongame animals, game or nongame birds, and fish, upon any National Forest lands or waters embraced within the boundaries of a military reservation or a national game or bird refuge, preserve, sanctuary, or reservation established by or under authority of an Act of Congress, shall procure in advance a permit from the Forest Supervisor. The permit shall be issued for a specified season, shall fix the bag or creel limits, and shall prescribe such other conditions as the Regional Forester may consider necessary for carrying out the purposes for which such lands have been set aside or reserved.

(B) Forest officers will cooperate with persons, firms, corporations, or State and county officials in the protection, administration, and utilization of game and nongame animals, game and nongame birds, and fish, upon National Forest lands of the character referred to in paragraph (A) hereof. The Chief of the Forest Service may authorize the acceptance of contributions from cooperators for the payment of expenses incurred in carrying out the provisions of this regulation.

(C) When necessary for the protection of the Forest or the conservation of animal life, the Chief of the Forest Service may sell, barter, exchange, or donate game and nongame animals. When the interests of game conservation will be promoted thereby, the Chief of the Forest Service may accept donations of game and nongame animals, game and nongame birds, and fish, or the eggs of birds and fish.

LANDS

Reg. L-1. All uses of National-forest lands and resources, except those provided for in regulations governing the disposal of timber and grazing of livestock, will be designated "special uses." Permits for the excavation of antiquities under the act of June 8, 1906 (34 Stat. 225), and for the lease of lands under the act of February 28, 1899 (30 Stat. 908), may be granted only by the Secretary of Agriculture. All other permits for special uses may be granted by the Chief of the Forest Service, or by the regional forester, supervisor, or ranger as instructed by the Chief of the Forest Service, and subject to such conditions as to area, time, charges, and other requirements as may be provided by these regulations and the instructions issued thereunder.

All special-use permittees must comply with all State and Federal laws and all regulations of the Department of Agriculture relating to the National forests, and conduct themselves in an orderly manner.

A special-use permit may be terminated, with the consent of the permittee, or because of nonpayment of fees due, by the officer by whom it was issued or by his successor, but may be revoked only by the Secretary of Agriculture or by

an officer of the Forest Service superior in rank to the one by whom the permit was issued. Appeals from action relating to special-use permits may be taken as provided in Regulation A-10. (See administrative section of the manual.)

A permit may be transferred with the approval of the officer who granted it, or his successor. Hotels and resorts may be sublet with the approval of the regional forester.

Public-service enterprises, such as hotels and resorts operating under either term or terminal special-use permits, must conform to such requirements respecting rates and services as the Secretary of Agriculture may make in the interest of the public.

Rights of way for power-transmission lines and for telephone and telegraph lines granted under the act of March 4, 1911 (33 Stat. 1253), shall be subject to the conditions that the grantee shall execute such stipulations for the protection of the national forest, pay such charge, furnish such facilities to Forest Officers, and/or permit such reasonable use of its poles and lines for official purposes, as may be required by the regional forester.

Reg. L-2. Special-use permits for the following purposes will be issued without charge:

(A) Excavation of antiquities under the act of June 8, 1906.

(B) Public uses by any department or branch of the Federal or State Governments, including municipalities when no profit is to be derived from said uses.

(C) Cemeteries, churches, and schools.

(D) Lands occupied for semipublic purposes by associations or organizations where such lands are open to the use of the public upon a noncommercial or nonprofit-making basis, including lands occupied by shelter huts, community houses, camp grounds, etc., open to free use by the public.

(E) Cabins for the use of miners, prospectors, trappers of predatory animals, stockmen in connection with grazing permits, and other permittees for temporary use in connection with other authorized uses, provided that cabins used during the entire year as headquarters will be classified as residences and charged for accordingly.

(F) Corrals, stock tanks, shelters, dipping vats when no toll is charged, drift, division, pasture, or other fences required for the proper management of permitted stock which are subject to free use by all authorized permittees and do not give control of range to the exclusion of any stock entitled to its use.

(G) Logging railroads, flumes, tramways, inclosures, saw-mills, kilns, and other improvements necessary to the manufacture of lumber or other products from timber obtained principally from the national forests.

(H) Conduits, dams, reservoirs, pumping stations, or any water development projects for municipal, domestic, irrigation, mining, railroad, stock-water, or other purpose of public value. (Where the use of watersheds involves special forms of administration or utilization of forest production, specific agreements with equitable provisions for compensation will be required.)

(I) Telephone lines with free use and free connection by Forest Service. Telegraph lines with free use of poles for attaching thereon Forest Service telephone lines.

(J) Roads and trails which are free public highways, and airports and air navigation facilities which are open to the free use of the public.

(K) Stone, earth, and gravel used for projects constructed under permits; or for the construction or maintenance of public roads and trails; or by bona fide settlers, miners, and prospectors for building purposes by such persons.

(L) Fish hatcheries of a noncommercial nature.

(M) Camp-fire permits on forests when required.

(N) Sewage systems.

(O) Signs (see instructions.)

(P) Use or occupancy of land in a national forest created under the authority of section 9 of the act of June 7, 1924, where needed cooperation will thus be secured in promoting the production of timber.

Reg. L-3. Special-use permits, except as provided in Regulation L-2, or otherwise authorized by the Secretary of

Agriculture, shall be conditioned upon the payment of an annual charge. The rates of charge and maximum limitations of area shall be prescribed by the Chief of the Forest Service, except for the use of lands under the act of February 28, 1899, for hotels and dwellings adjacent to mineral and medicinal springs which shall be determined by the Secretary of Agriculture.

In case of sale of improvements and reissuance or transfer of permit to the purchaser, any payments made upon the original permit may apply on the new permit, in the discretion of the forest officer issuing the permit.

REG. L-4. A group of special-use permittees who occupy national forest lands for summer homes or other residential purposes, not directly connected with timber sales, grazing permits, or water-power development, which has been accorded recognition under the provisions of Regulation A-9, may be given permits to erect, provide, and maintain special improvements or service essential to the common good. Permits so issued may, in the discretion of the regional forester, provide by stipulation and agreement embodied therein that if the total cost of the improvements and service provided and maintained thereunder is met by the association, no part being contributed by the United States except free-use material, all persons authorized to occupy the area for such summer home or residential purposes and thus share in the benefits from the improvements or service authorized by the permits, shall thereafter be required to pay into the treasury of the association their pro rata share of the cost. Similar permits may be issued for Government-owned improvements with the payment provision limited to cost of maintenance or necessary extensions or betterments.

REG. L-5. In serious emergencies for the protection of life or property, national forest lands may be occupied or used, without previous permits, provided a permit for the special use involved is subsequently secured at the earliest opportunity.

REG. L-6. Lands purchased under the provisions of the act of March 1, 1911, are not subject to location or entry under the general mining laws. Preliminary prospecting for mineral on such lands may be carried on without permit, but no extensive excavations shall be made, structures erected, or mineral removed, nor can any exclusive rights be acquired except under permits issued under special regulations approved by the Secretary of Agriculture, which required the payment of fees, rentals, and royalties commensurate with the value of the mineral resources.

REG. L-7. The right of way over national forest land for any State or county highway or road which is a part of the approved system of public roads shall be two chains in width for roads of class 1 or class 2, and one chain in width for roads of class 3 or other county roads of a secondary character; the center line of the highway or road to be the center line of the right of way except where otherwise provided by permit. National forest lands within the limits of such right of way shall continue to be administered by the Forest Service, but their use for highway or road purposes shall be the dominant use, and no occupancy for other purposes shall hereafter be authorized by the forest supervisor or regional forester unless approved and concurred in by the appropriate State or county officials, but if agreement can not be reached regarding other forms of use or occupancy regarded by the regional forester as essential to the proper use and management of the national forest the matter shall be submitted to the Secretary of Agriculture for final decision.

Approval by the Secretary of Agriculture of a forest highway construction program is ipso facto an authorization for the occupancy of national forest lands by the highways included in such construction program, but where a permit for a project included within a forest highway program is desired by a State or county as a means of meeting legal or fiscal requirements, or as a basis for the execution of road contracts, such permit shall be issued by the regional forester and shall contain such conditions or be supported by such stipulations as may be necessary adequately to protect national forest interests.

For highway or road projects which are not parts of an approved forest highway program permits from the regional

forester will be required. Before construction is initiated a plat showing the definite location of the proposed highway or road shall be filed with the forest supervisor, who will determine the effect of the project upon national forest interests and the changes in location or other features necessary adequately to safeguard such interest, and will transmit the plat and his report thereon to the regional forester. If changes recommended by the supervisor are approved by the regional forester but cannot be adjusted satisfactorily with the proponents of the road, an appeal may be taken under the provisions of Regulations A-10. If the proposed location and other features of the project are approved by the regional forester, a permit shall be issued, without charge, containing such conditions or supported by such stipulations as may be necessary for the protection of the national forest lands.

Trails may be constructed without formal permit if done with the consent and under the supervision of a forest officer, except that in the national forests in Alaska such consent and supervision will not be required. No toll shall be charged for the use of roads or trails over national forest lands, and the same shall be open to free public use unless otherwise specifically authorized by the Secretary of Agriculture, but a road built under permit at private expense to promote the construction of an important project may be temporarily closed to public use by order of the regional forester if its unrestricted use is dangerous to public safety or unduly interferes with the primary purposes for which it was built.

Roads traversing national forest lands, which are not parts of State or county highway systems and which are constructed and maintained wholly at the expense of the Federal Government and its private cooperators, may, in the discretion of the regional forester, be designated by him as special service roads, and upon roads so designated the operation of commercial automobile stages or motor trucks for the regular transportation of either passengers or freight, except as authorized by permit issued by the regional forester, is prohibited, but such prohibition shall not apply to occasional use by taxicabs or by automobiles or motor trucks owned or hired by persons for personal use or the transportation of their personal effects.

REG. L-8. Persons who have title to or have leased from the owners unfenced lands within the national forests may, upon waiving their right to the exclusive use of such private land and allowing it to remain open to other stock grazed on national forest lands under permit, be permitted without charge to inclose and use not to exceed 640 acres of national forest land when such an arrangement will be advantageous to the administration of the national forest and the grazing value or capacity of the land to be inclosed does not exceed that of the private land.

The application must be accompanied by a personal certificate of title showing the description and ownership of the land, and, if leased from an owner, a copy of the lease, and must describe the national forest land it is desired to occupy. Permits will be subject to the same restriction as those issued under other regulations.

REG. L-9. The term "special-use permits" under the act of March 4, 1915, cannot exceed 5 acres in area nor 30 years in duration. They may be granted to responsible persons or associations desiring to occupy lands in the national forests for the purpose of constructing thereon summer homes, hotels, stores, or other structures needed for recreation or public convenience, either by the regional foresters or by forest supervisors to whom the regional forester, by letter, has extended specific authority to personally approve term permits within certain prescribed limitations of time, place, or value.

REG. L-10. Any individual, firm, or corporation which, under authority of a special-use permit, has constructed upon national forest lands within the Territory of Alaska permanent and substantial improvements for purposes of trade, manufacture, or other productive industry, with reasonable prospects of the establishment of a permanent industry, may apply for the elimination from the national forests of the lands so occupied in order that such lands may be entered by the applicant under the provisions of

section 10 of the act of May 14, 1898 (30 Stat. 413). If, upon investigation, it is determined by the Secretary of Agriculture that permanent and substantial improvements designed for trade, manufacture, or other productive industry, exceeding in value the estimated value of the lands for national forests, have, in fact, been lawfully constructed with reasonable prospects of establishing a permanent industry, the elimination from the national forests of the lands so occupied, not exceeding a total of 80 acres in any single area, will be recommended.

MANAGEMENT OF MUNICIPAL WATERSHEDS

REG. L-11. When necessary for the protection of water supplies of towns, cities, or irrigation districts, the Secretary of Agriculture will enter into formal agreements with the properly authorized officials of the town, city, irrigation district, or private corporation, or with the owners of privately owned lands within the watershed, to restrict the use of the national forest lands from which the water supplies are derived. The forms of use to be restricted, the nature and extent of the restrictions, the special protective measures which may be necessary or desirable; the assistance to be given the Forest Service in the enforcement thereof by the town, city, district, private corporation, or owners of land, and the payments, if any, which shall be made to compensate the United States for losses of revenue resulting from the restrictions, will all be clearly and specifically defined in the agreement.

LAND CLASSIFICATION

REG. L-12. New areas of public lands added to the national forests will without delay be classified in accordance with the requirements of the act of August 10, 1912 (37 Stat. 269).

SETTLEMENT

REG. L-13. National forest lands are not subject to settlement under the homestead law unless and until they have been listed and formally declared open to entry. All national forest lands classified under the act of August 10, 1912, as being chiefly valuable for agriculture will be listed promptly with the Secretary of the Interior for homestead entry under the act of June 11, 1906.

REG. L-14. On receipt of a request for the listing of lands under the act of June 11, 1906, the forest supervisor will ascertain whether the land has been classified under the act of August 10, 1912. If the land has been classified as chiefly valuable for agriculture and has been listed under the act of June 11, 1906, the applicant will be informed accordingly, and referred to the appropriate local land office. If it has been classified as not chiefly valuable for agriculture the applicant will be advised that the land cannot be listed under the act of June 11, 1906. Such action will be final unless a request for review of the classification, in the manner provided by the instructions on that subject, is filed with the forest supervisor within a reasonable time after receipt of his advice that the land is classified as nonlistable.

REG. L-15. Lands within projects which are in process of classification under the act of August 10, 1912, and lands previously classified as not chiefly valuable for agriculture, is found to be in fact agricultural and listable in character, ordinarily will be listed without the naming of a preferred applicant so that all qualified citizens may enjoy equal opportunity to make entry and no misuse of official information may occur; but if, in the judgment of the Secretary of Agriculture, an applicant possesses substantial equities in the lands to be listed, not established by willful or intentional violation of laws or regulations, or has rendered a substantial public service by presenting previously unknown facts resulting in the correction of an error in classification, such person will be named as the preferred applicant in the listing letter.

REG. L-16. All applications by Indians for allotment of lands within the national forests, under section 31 of the act of June 25, 1910 (36 Stat. 863), which are submitted to the Secretary of Agriculture, in order that he may determine whether the land applied for should be made subject to appropriation by allotment, must be made in the form prescribed

by the regulations of the Secretary of the Interior governing Indian allotments on national forests.

CLAIMS

REG. L-17. No forest officer shall request a homestead entryman to relinquish his claim or suggest for any reason whatsoever that such a course is desirable. If any homestead entryman voluntarily offers to relinquish his claim, the forest officer may suggest that the relinquishment be transmitted to the local land office, but shall not encourage this to be done. Forest officers who receive by mail relinquishments from claimants must return the same, with the suggestion in every case that if the entryman desires to relinquish he should send the relinquishment to the local land office. No forest officer shall be a party to a compromise whereby any claims or trespass case is settled by requiring the claimant to relinquish a claim to the United States.

When relinquishments are offered which cover lands needed for administrative purposes, and when it is desired to pay the claimant for improvements thereon, a recommendation, accompanied by the reasons in each specific case, shall be submitted to the Chief of the Forest Service, who may authorize the purchase of the improvements upon the filing of the relinquishment in the local land office.

REG. L-18. Whenever the Secretary of Agriculture shall determine that the use of any portion of the surface of the lands included in a mining location within a national forest is required for the administration, protection, or improvement of the national forest, and may be so used without interfering with the development of the mineral resources of such claim, such lands shall, prior to the allowance of mineral entry, be subject to use by the United States, or its permittees, for the purposes named.

RECREATION

REG. L-19. Public camp grounds established upon National forest lands which are improved by the Forest Service, either from appropriations made for such purposes or in co-operation with other public or private agencies, are for transient use by the traveling public and shall not be occupied for extended periods except under special-use permit issued by the forest supervisor. When the public interest so requires, the regional forester may fix a maximum number of days during which any person or group of persons may occupy a designated camp ground, notice of which shall be given by a sign posted within said camp ground, and occupancy of the camp ground for a period in excess of that established by the regional forester is prohibited.

EXPERIMENTAL FORESTS AND RANGES

The Chief of the Forest Service shall determine, define, and permanently record a series of areas of national forest land to be known as experimental forests sufficient in number and extent adequately to provide for the experimental work necessary as a basis for forest production or forest and range production in each forest region, these areas to be dedicated to and used for research; also where necessary a supplemental series of areas for range investigations to be known as experimental ranges; and a series to be known as natural areas sufficient in number and extent adequately to illustrate or typify virgin conditions of forest or range growth in each forest or range region, to be retained in a virgin or unmodified condition for the purposes of science, research, and education; and a series of areas to be known as primitive areas, and within which will be maintained primitive conditions of environment, transportation, habitation, and subsistence, with a view to conserving the value of such areas for purposes of public education and recreation. Within any areas so designated, except for permanent improvements needed in experimental forests and ranges, no occupancy under special-use permit shall be allowed, or the construction of permanent improvements by any public agency be permitted, except as authorized by the Chief of the Forest Service or the Secretary.

TRESPASS

REG. T-A. Interfering on lands of the United States within a national forest, by intimidation, threats, assault, or other-