



**FOREST SERVICE HANDBOOK  
NATIONAL HEADQUARTERS (WO)  
WASHINGTON, DC**

**FSH 2709.11 - SPECIAL USES HANDBOOK**

**CHAPTER 30 - FEE DETERMINATION**

**Interim Directive No.:** 2709.11-2009-3

**Effective Date:** November 23, 2009

**Duration:** This interim directive expires on December 31, 2010.

**Approved:** GLORIA MANNING  
Associate Deputy Chief, NFS

**Date Approved:** 11/13/2009

**Posting Instructions:** Interim directives are numbered consecutively by handbook number and calendar year. Post by document at the end of the chapter. Retain this transmittal as the first page(s) of this document. The last interim directive was 2709.11-2009-2 to chapter 30.

<b>New Document</b>	id_2709.11-2009-3	8 Pages
<b>Superseded Document(s) (Interim Directive Number and Effective Date)</b>	id_2709.11-2009-2, 11/19/2009	8 Pages

**Digest:**

This interim directive (ID) reissues ID 2709.11-2009-2, which corrects figure for FY 2010, Bracket 3 in exhibit 01, section 38.12.

This interim directive provides the 2010 schedules for cost recovery fees, the 2010 Adjusted Gross Revenue Brackets for the Ski Area Permit fees, and 2010 update for the IPD-GDP. Fee schedules issued in id\_2709.11-2008-5 remain in effect until December 31, 2009.

31.31 - Provides the CY 2010 update for Cost Recovery rates with exhibit 01, Processing Fee Schedule for FLPMA and MLA Rights-of-Way, and exhibit 02, Monitoring Fee Schedule for FLPMA and MLA Right-of-Way. The CY 2010 rate update to the Forest Service Handbook, required by 36 CFR 251.58(i), reflects the 1.6 percent increase from the CY 2009 rates, based on the IPD-GDP yearly update found in section 36.41.

**FSH 2709.11 - SPECIAL USES HANDBOOK  
CHAPTER 30 - FEE DETERMINATION**

**Digest--Continued:**

36.41 - Provides the CY 2010 update to exhibit 01, Cumulative Implicit Price Deflator-Gross Domestic Product, and exhibit 02, Linear Right-of-Way Fee Schedule. Exhibit 01 updates the Implicit Price Deflator-Gross National Product for 2009 (for use in calculating CY 2010 land use and cost recovery fees). Exhibit 02 directs users to the www location that contains the final fee schedule. This fee schedule, developed by the Bureau of Land management (BLM) is used by the Forest Service (FS) to determine linear Rights-of-Way fees.

38.12 - Provides the 2009 update to exhibit 01, Adjusted Gross Revenue (AGR) Brackets and Associated Percentage Rates for Use in Determining Ski Area Permit Fee (SAPF) and updates the Consumer Price Index (CPI) for 2009 (for the purpose of calculating the Holders FY 2010 land use fees). This exhibit supersedes 38.12, exhibit 01 found in id\_2709.11-2008-5. See section 38.12 parent text for details on fee calculation.

**FSH 2709.11 - SPECIAL USES HANDBOOK  
CHAPTER 30 - FEE DETERMINATION**

**Table of Contents**

**31 - ESTABLISHING FEES ..... 4**  
    31.31 - Cost Recovery..... 4

**36 - FEE SYSTEMS AND SCHEDULES ..... 6**  
    36.41 - Determination of Fee ..... 6

**38 - SKI AREA PERMIT FEES ..... 8**  
    38.12 - Fee Calculation ..... 8

**FSH 2709.11 - SPECIAL USES HANDBOOK  
 CHAPTER 30 - FEE DETERMINATION**

**31 - ESTABLISHING FEES**

**31.31 - Cost Recovery**

**31.31 - Exhibit 01**

**Processing Fee Schedule for Applications**

Category	Hours	Processing Fee CY 2009*	Processing Fee CY 2010*
1. (Minimal Impact)	Estimated work hours are $>1 \leq 8$ .	\$109	\$111
2.	Estimated work hours are $> 8 \leq 24$ .	\$386	\$392
3.	Estimated work hours are $> 24 \leq 36$ .	\$726	\$738
4.	Estimated work hours are $> 36 \leq 50$ .	\$1,040	\$1,057
5. Master Agreements.	Varies.	As specified in the Agreement.	As specified in the Agreement.
6.	Estimated work hours are $>50$ .	Full reasonable costs, except MLA Full actual costs (MLA)	Full reasonable costs, except MLA Full actual costs (MLA)

\* Pursuant to 36 CFR 251.58(g), no processing fee shall be charged for:

- Applications that require 1 hour or less for the agency to process.
- Applications for recreation special uses that require 50 hours or less to process.
- Applications for a noncommercial group use (36 CFR 251.51).
- Applications to exempt a noncommercial activity from a closure order, except for applications for access to non-Federal lands within the boundaries of the National Forest System granted under section 1323(a) of ANILCA (16 U.S.C. 3210(a)).
- Applications for water systems authorized by section 501(c) of FLPMA (43 U.S.C. 1761(c)).
- Applications submitted by a Federal agency under authorities other than Title V of FLPMA (43 U.S.C. 1761–1771); the MLA (30 U.S.C. 185); the NHPA (16 U.S.C. 470h-2); or the Act of May 26, 2000 (16 U.S.C. 4601–6d).

**FSH 2709.11 - SPECIAL USES HANDBOOK  
 CHAPTER 30 - FEE DETERMINATION**

**31.31 - Exhibit 02**

**Monitoring Fee Schedule for Authorizations**

Category	Hours	Monitoring fee CY 2009*	Monitoring fee CY 2010*
1. (Minimal Impact)	Estimated work hours are $>1 \leq 8$ .	\$109	\$111
2.	Estimated work hours are $> 8 \leq 24$ .	\$386	\$392
3.	Estimated work hours are $> 24 \leq 36$ .	\$726	\$738
4.	Estimated work hours are $> 36 \leq 50$ .	\$1,040	\$1,057
5. (Master Agreements)	Varies.	As specified in the Agreement.	As specified in the Agreement.
6.	Estimated work hours are $>50$ .	Full reasonable costs, except MLA Full actual costs (MLA)	Full reasonable costs, except MLA Full actual costs (MLA)

\* Pursuant to 36 CFR 251.58(g), no monitoring fee shall be charged for:

- Authorizations that require 1 hour or less for the agency to monitor.
- Authorizations for recreation special uses that require 50 hours or less to monitor.
- Authorizations for a noncommercial group use (36 CFR 251.51).
- Authorizations to exempt a noncommercial activity from a closure order, except for authorizations for access to non-Federal lands within the boundaries of the National Forest System granted under section 1323(a) of ANILCA (16 U.S.C. 3210(a)).
- Authorizations for water systems authorized by section 501(c) of FLPMA (43 U.S.C. 1761)).
- Authorizations issued to a Federal agency under authorities other than Title V of FLPMA (43 U.S.C. 1761–1771); the MLA (30 U.S.C. 185); the NHPA (16 U.S.C. 470h-2); or the Act of May 26, 2000 (16 U.S.C. 460 1-6d).

**FSH 2709.11 - SPECIAL USES HANDBOOK  
CHAPTER 30 - FEE DETERMINATION**

**36 - FEE SYSTEMS AND SCHEDULES**

**36.41 - Determination of Fee**

**36.41 - Exhibit 01**

**Cumulative Implicit Price Deflator-Gross Domestic Product (IPD – GDP)**

Note: The IPD-GDP is no longer used for the linear rights-of-way fee schedule. It is published here for reference and use in other fee systems. Recreation Residences (33.13), Cost Recovery (36 cfr 251.58(i))

<u>Year</u>	<u>Percent Change</u>	<u>Adjustment Factor</u>
1996 (1997 fees)	+2.050	1.021
1997 (1998 fees)	+2.393	1.024
1998 (1999 fees)	+0.390	1.004
1999 (2000 fees)	+1.253	1.013
2000 (2001 fees)	+2.000	1.020
2001 (2002 fees)	+2.351	1.024
2002 (2003 fees)	+1.098	1.011
2003 (2004 fees)	+1.500	1.015
2004 (2005 fees)	+2.200	1.022
2005 (2006 fees)	+3.200	1.032
2006 (2007 fees)	+3.900	1.039
2007 (2008 fees)	+3.100	1.031
2008 (2009 fees)	+1.900	1.019
2009 (2010 fees)	+1.600	1.016

**FSH 2709.11 - SPECIAL USES HANDBOOK  
CHAPTER 30 - FEE DETERMINATION**

**36.41 - Exhibit 02**

**Linear Right-of-Way Fee Schedule**

Note: Refer to the parent text of this handbook, section 36.4, for direction on use of the fee schedule in special use authorizations for linear rights-of-ways.

Since 1987 the Forest Service and the Bureau of Land Management (BLM) jointly developed and maintained identical Rights-of-Way fee schedules. With the implementation of the updated Fair Market Value schedule required by Section 367 of the Energy Policy Act of 2005 the BLM is responsible for the development and updates to the schedule.

The current Rights-of-Way fee schedule is published on the BLM Homepage on the Internet at <http://www.blm.gov>

The Forest Service maintains a link to the fee schedule on the Special Uses page, in the Fee section, found at [http://www.fs.fed.us/specialuses/special\\_energy.shtml](http://www.fs.fed.us/specialuses/special_energy.shtml)

**FSH 2709.11 - SPECIAL USES HANDBOOK  
 CHAPTER 30 - FEE DETERMINATION**

**38 - SKI AREA PERMIT FEES**

**38.12 - Fee Calculation**

**38.12 - Exhibit 01**

**Adjusted Gross Revenue (AGR) Brackets and Associated Percentage Rates  
 for Use in Determining Ski Area Permit Fee (SAPF)**

Revenue Brackets (updated annually by CPI*) and Percentage Rates				
Holder FY	Bracket 1 (1.5%)	Bracket 2 (2.5%)	Bracket 3 (2.75%)	Bracket 4 (4%)
FY 2007 CPI: 1.041	All revenue below \$4,000,000	\$4,000,000 to <\$20,004,000	\$20,004,000 to \$66,680,000	All revenue over \$66,680,000
FY 2008 CPI: 1.024	All revenue below \$4,096,000	\$4,096,000 to <\$20,484,000	\$20,484,000 to \$68,280,000	All revenue over \$68,280,000
FY 2009 CPI: 1.056	All revenue below \$4,325,000	\$4,325,000 to <\$21,631,000	\$21,631,000 to \$72,104,000	All revenue over \$72,104,000
FY 2010 CPI: 0.979	All revenue below \$4,234,000	\$4,234,000 to <\$21,177,000	\$21,177,000 to \$70,590,000	All revenue over \$70,590,000

\*The Washington Office, Director of Recreation, Heritage, and Wilderness Resources, updates the revenue brackets annually, based on the Consumer Price Index, (CPI-U), Table A which is published monthly at <http://www.bls.gov>. The CPI is revised and issued annually in section 97.

The bracket update is accomplished by using the change in the CPI-U for "All Urban Consumers" index for the month of July and is based on the percentage increase or decrease for the preceding calendar year. This index base period is 1982-84=100. For example, the 2010 adjustment uses the change between July 2008 and July 2009, "Not Seasonally Adjusted" values.