

OBTAINING A LANDS SPECIAL USE AUTHORIZATION

COLVILLE NATIONAL FOREST

Preparing your proposal

- The Open Season for submitting Lands Special Use proposals is October through November. Your proposal will be reviewed by the Forest Service in the following calendar year. Acceptance of proposals outside of the open season will be reviewed on a case-by-case basis, with priority given to proposals that serve an urgent public need.
- Application forms vary based on intended use. Be sure to use the correct form for the type of use that you are applying for (see website for links to forms). Provide as much detail as possible, including proposed dates of construction, duration of proposed use, equipment to be used, access needs, etc. The map that you provide should be clear and detailed. Provide township, range, and section on the map. Alternatively, provide two maps with one showing the general area in relation to major landmarks (towns, roads, etc.) and another map showing more detail of the proposed area. An electronic version is preferred.
- Evaluate options to have your proposed use on private land. If the use can reasonably be accommodated or obtained on private land, the Forest Service will not accept your proposal.
- If the proposal is from a business or non-profit entity, the name and address on the application needs to match how the entity is registered with the Washington Secretary of State's business registry. Business and corporate entities need to attach to their applications documentation of the corporate standing from the Washington Secretary of State's business registry, and a copy of the delegation of authority to sign the Forest Service authorization on behalf of the business or corporation.

Proposal Screening

- Completed proposals will be screened using the screening criteria outlined in Forest Service directives [link](#).
- There is no fee to have your proposal go through the first level of screening by the Forest Service.
- If the proposal passes the screening criteria, you will be notified the proposal is accepted. If it does not meet the screening criteria, it is incomplete, or lacks sufficient information for accurate screening, it will not be accepted and will be returned to you.
- The decision to not accept a proposal cannot be appealed.

Processing the Application: Environmental Review & Cost Recovery

- Once the proposal is accepted as an application, processing of the application can begin. This includes the environmental review followed by the actual permit or lease preparation. The line officer will provide the applicant with an estimated timeline for processing.
 - The required regulations that the Forest Service follows regarding environmental review are commonly referred to as NEPA (the National Environmental Policy Act). The amount of NEPA required varies depending on the complexity of the project. Some review can take less than a day and other projects can take years.
 - The line officer's decision on the environmental review determines if the application is approved or not. If it is approved, a permit or lease can be issued.
 - For most proposals to be processed, the Forest Service recovers the cost of the processing the application from the proponent. This cost will vary from a minimum fee of \$132 (2023 fees) to tens of thousands of dollars depending on the complexity of the proposal. The applicant is also 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.
 - The proponent knowingly accepts the risk and financial investment understanding that the project may
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not be approved through the NEPA process.

- If a proposal is approved and the project requires government oversight beyond routine permit inspection, such as construction of a new facility, the proponent will be required to pay a monitoring fee. This cost will vary depending on the complexity of the project.

Permit/Lease Preparation and Land Use Fees

- If the application is approved, the Forest Service will prepare the special use authorization. The terms and conditions outlined in the clauses are standardized and are not negotiated.
- Operating Plans: Most permits have operating plans which are appendix to the permit. This document is typically prepared by the applicant and reviewed by the Forest Service. This is where the unique elements of the proposed use are detailed. Examples of elements covered include best management practices for erosion control, operating season, guest fees, safety plans, sign plans and staffing.
- Map: A professionally prepared map is an appendix to the permit or lease. The applicant is responsible for the preparation of the final map.
- Cost recovery for monitoring: If the authorized use involves activities such as construction, vegetation modification or ground disturbance, the Forest Service will need to monitor the project. As with cost recovery for processing the application, the same criteria are in place for monitoring projects. The funds must be in place prior to on the ground work beginning.
- Insurance is required in most permits. Bonding may be required.
- Land Use Fees-Most special use permits require a yearly fee for the use of National Forest System Lands and is 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 applicable to the type of use. Most permit fees are calculated as percent of revenue or acres of land occupied.
- Permit issuance: The above documents (Permit, operating plan, map, and, if applicable cost recovery for monitoring) are compiled into a packet that will be signed by both the Forest Service authorized officer and the applicant. The Forest Service will confirm receipt of all applicable fee payments prior to executing the permit. After permit execution, the permit has been issued, and the use can begin as outlined in these documents.

This follows national directives which can be found in Forest Service directives. Link: <http://www.fs.usda.gov/im/directives/>

