

Special Uses Screening Checklist

36CFR 251.54; FSH 2709.11 12.2 & 12.3; FSM 2703

Prior to further consideration, all special use proposals must first be screened using the criteria listed below as required in 36 CFR251.54.

FIRST LEVEL (INITIAL) SPECIAL USES SCREENING: Proposal proceeds to the second level of screening if the use meets the following minimum requirements (note, use must meet all requirements, otherwise, proposal will be rejected):

1. Use consistent with laws, regulations, orders, and policies establishing or governing NFS lands; other federal laws; and applicable State and local health and sanitation laws. AND
2. Use consistent or can be made consistent with standards and guidelines in applicable Forest Land and Resource Management Plan. (If proposal is inconsistent with the Forest Plan, discuss ways it could be altered to make it consistent, such as conducting the activity at a different time or location.) AND
3. Use will not pose a serious or substantial risk to public health or safety. AND
4. Use will not create an exclusive or perpetual right of use or occupancy. (Use would not in effect grant title (or create the appearance of) to Federal land, such as cemeteries, monuments, or other memorials, or some major capital improvements by municipal entities). AND
5. Use will not unreasonably conflict or interfere with administrative use by the Forest Service, other scheduled or authorized existing uses on or adjacent to non-National Forest System lands. AND
6. Proponent does not have any delinquent debt owed to the Forest Service under terms and conditions of a prior or existing authorization, unless such debt results from a decision on an administrative appeal or from a fee review and the proponent is current with the payment schedule. AND
7. Use does not involve gambling or providing of sexually oriented commercial services, even if permitted under State law. AND
8. Use does not include military or paramilitary training or exercises by private organizations or individuals, unless such training or exercises are federally funded. AND
9. Use does not involve disposal of solid waste or disposal of radioactive or other hazardous substances.

SECOND LEVEL SPECIAL USES SCREENING: Proposal is to be rejected if it is determined that it fails to meet any of the screening criteria listed below:

1. Use would be inconsistent or incompatible with the purposes for which the lands are managed, or with other uses. (Proponent must explain the selection of the location of the proposed use and why use of National Forest System lands is necessary and why private (or of other ownership) lands cannot be used.) OR

2. Use would not be in the public interest. (Proponent must demonstrate that he/she has selected NFS lands for reasons other than because it provides a lower cost or less restrictive location than can be obtained on non-NFS lands.) OR
3. Proponent is not qualified. OR
4. Proponent does not or cannot demonstrate the technical or economic feasibility of the proposed use or the financial or technical capability to undertake and to fully comply with the terms and conditions of the authorization. (Ascertain if the proponent has sufficient available funds or a firm commitment of funds to develop the proposed use to operational phase, to operate the use economically, and to maintain the use according to the terms and conditions of the authorization. Ascertain if the proponent has the necessary technical expertise available to evaluate, construct, maintain, operate, and remove the proposed use (including the ability to provide engineering designs and meet applicable codes and standards. Proponent must demonstrate the viability of the proposal thru a business plan, including an income and expense worksheet.) OR
5. There is no person or entity authorized to sign a special use authorization and/or there is no person or entity willing to accept responsibility for adherence to the terms and conditions of the authorization.

If a special use permit proposal passes the screening criteria above, it can then be further considered for granting as a special use permit.