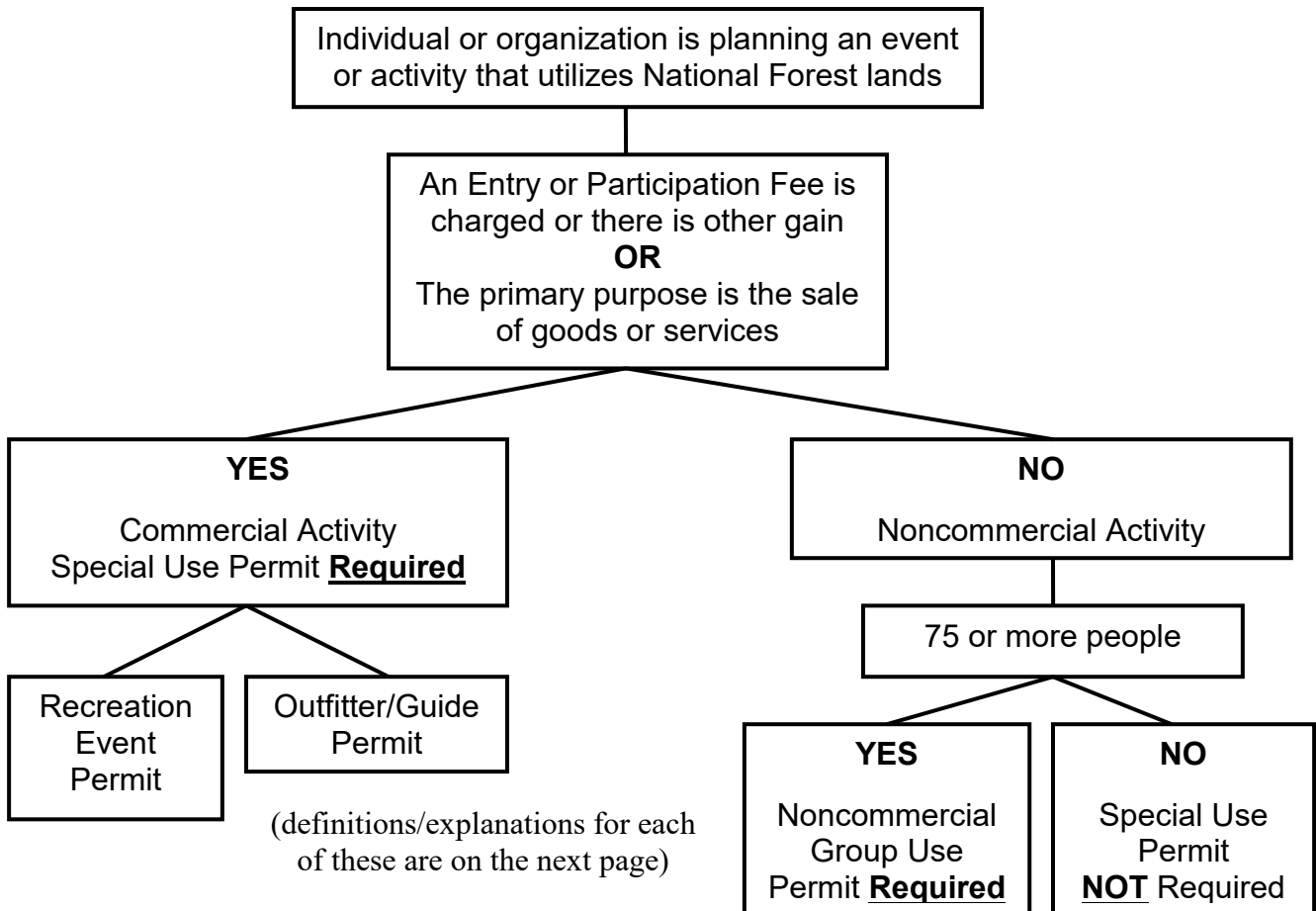


Recreation Special Use Permits – When a Permit is Needed

To provide for adequate protection of Forest resources and ensure appropriate compensation to the public for the privilege of the commercial use of their land, a Special Use Permit is required for all **commercial uses or activities**, and some noncommercial uses or activities, on National Forest lands.

Determination of Need for Special Use Permit



Legal Requirements – US Code of Federal Regulations

36 CFR 251.50 - Scope

(a) All uses of National Forest System lands, improvements, and resources, except those provided for in the regulations governing the disposal of timber and minerals and the grazing of livestock are designated “special uses”. Before engaging in a special use, persons or entities must obtain a special use authorization unless that requirement is waived by paragraph (c) of this section.

(c) A special use authorization is not required for **noncommercial** recreational activities

36 CFR 251.51 – Definitions

Commercial use or activity - any use or activity on National Forest System lands (a) where an entry or participation fee is charged, or (b) where the primary purpose is the sale of a good or service, and in either case, regardless of whether the use or activity is intended to produce a profit.

“Noncommercial” means that neither of the above conditions apply.

36 CFR 261.10 - Occupancy and Use

The following are prohibited:

- c. Selling or offering for sale any merchandise or conducting any kind of work activity or service unless authorized by Federal law, regulation, or special-use authorization.

Forest Service Manual 2700 – Special Uses Management

2721.81 – Recreation Event

This designation includes organized events of a temporary nature, such as animal, vehicle, or boat races; dog trials; fishing contests; rodeos; adventure games; and fairs.

2721.53 – Outfitter and Guide Service

This designation includes all commercial outfitting operations involving services for accommodating guests, transporting persons, and providing equipment, supplies, and materials. It also includes commercial guiding activities wherein the guide furnishes personal services or serves as a leader or teacher.

Examples include packing, hunting and fishing trips; raft, canoe, kayak, and boat trips; all-terrain vehicle and horse liveries; hiking; ski, jeep, snowmobile, mountain bike and boat tours and rentals; helicopter and cross-country skiing; rock climbing; etc.

2721.91 – Noncommercial Group Use

A noncommercial (see definition) activity on National forest System lands that involves a group of 75 or more people, either as participants or spectators.

Forest Service Special Uses Handbook 2709.14

53.1e – Definitions

Guiding Providing services or assistance (such as supervision, protection, education, training, packing, touring, subsistence, transporting people, or interpretation) for pecuniary remuneration or other gain to individuals or groups on National Forest System lands. The term “guide” includes the holder’s employees and agents.

Outfitting Renting on or delivering to National Forest System lands for pecuniary remuneration or other gain any saddle or pack animal, vehicle, boat, camping gear, or similar supplies or equipment. The term “outfitter” includes the holder’s employees and agents.