



**FOREST SERVICE HANDBOOK
NATIONAL HEADQUARTERS (WO)
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**FSH 2709.11 - SPECIAL USES HANDBOOK
CHAPTER 40 - SPECIAL USES ADMINISTRATION**

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Associate Deputy Chief, NFS

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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 2709.11-2010-1 to chapter 50.

New Document	id_2709.11-2010-2	3 Pages
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Digest:

45.51b - Establishes criteria for evaluating proposals for still photography and commercial filming in congressionally designated wilderness areas.

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45.51b - EVALUATION OF PROPOSALS

A special use permit may be issued (when required by sections 45.51a and 45.52a) to authorize the use of National Forest System lands for still photography or commercial filming when the proposed activity:

1. Meets the screening criteria in 36 CFR 251.54(e);
2. Would not cause unacceptable resource damage;
3. Would not unreasonably disrupt the public's use and enjoyment of the site where the activity would occur;
4. Would not pose a public health and safety risk; and
5. Meets the following additional criteria, if the proposed activity, other than noncommercial still photography (36 CFR 251.51), would be in a congressionally designated wilderness area:
 - a. Has a primary objective of dissemination of information about the use and enjoyment of wilderness or its ecological, geological, or other features of scientific, educational, scenic, or historical value (16 U.S.C. 1131(a) and (b));
 - b. Would preserve the wilderness character of the area proposed for use, i.e., would leave it untrammeled, natural, and undeveloped and would preserve opportunities for solitude or a primitive and unconfined type of recreation (16 U.S.C. 1131(a));
 - c. Is wilderness-dependent, i.e., a location within a wilderness area is identified for the proposed activity and there are no suitable locations outside of a wilderness area (16 U.S.C. 1133(d)(6));
 - d. Would not involve use of a motor vehicle, motorboat, or motorized equipment, including landing of aircraft, unless authorized by the enabling legislation for the wilderness area (36 CFR 261.18(a) and (c));
 - e. Would not involve the use of mechanical transport, such as a hang glider or bicycle, unless authorized by the enabling legislation for the wilderness area (36 CFR 261.18(b));
 - f. Would not violate any applicable order (36 CFR 261.57); and
 - g. Would not advertise any product or service (16 U.S.C. 1133(c)).