



## FOREST SERVICE HANDBOOK PACIFIC NORTHWEST REGION (REGION 6) PORTLAND, OREGON

### FSH 2709.11 – SPECIAL USES HANDBOOK

### CHAPTER 40 – SPECIAL USE ADMINISTRATION

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For the Regional Forester

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Posting Instructions: Supplements are numbered consecutively by Handbook number and calendar year. Post by document; remove the entire document and replace it with this supplement. Retain this transmittal as the first page(s) of this document. The last supplement to this Handbook was R6/PNW FSH 2709.11-2011-2 to Chapter 50.

<b>New Document</b>	R6 Supplement 2709.11-2012-1 to Chapter 40	13 Pages
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#### **Digest:**

Adds Section 46, Energy Generation and Transmission to Regional Directives.

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## **41 – RECREATION SPECIAL USES**

### **41.2 – Individual Use [Reserved]**

#### **41.23 – Recreation Residence Use**

1. Objectives. Following are the Region 6 objectives for administration of recreation residences.
  - a. Provide recreation opportunities for families and guests.
  - b. Work in partnership with permit holders to maximize recreation benefits to the forests.
  - c. Be consistent with Forest Plans. Integrate administration and use of recreation residences with other resource programs.
  - d. Retain the natural environment.
  - e. Minimize alteration of the landform. Keep developments as unobtrusive as possible.
  - f. Provide for the safety of the permit holder and the public.
2. Policy. Authorized Officers shall use these standards and guidelines to administer recreation residence permits and evaluate proposals for modifications of permitted improvements.

The construction, reconstruction, and maintenance standards define the appearance and structure that represent the recreation cabin experience in the northwest forest environment. It is recognized that many cabins now exceed or deviate from these standards. Existing improvements that exceed these standards, unless otherwise directed here, can currently remain. As opportunities develop during replacement, maintenance, and change of ownership of improvements, forests should bring improvements into compliance with these standards.

3. Construction/Reconstruction Standards.
  - a. Plans and Procedures:
    - (1) All building plans must be approved by the Authorized Officer before the commencement of any work.
    - (2) County and State building codes must be followed, and County building permits must be obtained when required.

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(3) In the event of new construction/reconstruction, the facility must be located within the lot boundary. If there is a question of the lot line locations, lot boundaries may be reestablished by a survey conducted by a licensed surveyor. If the Forest Service is unable to do this due to lack of funding or other contingency, the permit holder may complete the survey under approval and direction of the Forest Service.

(4) Construction or reconstruction must begin within 1 year of the date of approval. Two years are allowed for the completion of projects such as a new cabin or additions to existing structures. If construction or reconstruction does not begin within the 1 or 2 year period from the approval date, the approval is void. The plan may be resubmitted, but approval must be subject to review under policies and guidelines in place at that time.

b. Construction standards for all improvements:

(1) Architectural design of all buildings should aim at simplicity, good proportions, and compatibility of the natural setting. All additions and exterior building improvements must match the original buildings as much as practical.

(2) Metal buildings shall not be permitted.

(3) Mobile homes shall not be authorized for a dwelling or other building needs.

(4) Exterior building colors shall harmonize with the surroundings without strong contrast between walls and trim. Earth tones and forest colors shall be used to blend with the natural environment. Darker greens and browns are recommended; subdued greys are also acceptable. Bright colors, such as white, red, blue, yellow, orange, turquoise, or purple, shall not be used for buildings or trim. When at all possible, an entire building should be painted one color with appropriate trim. All colors must be approved in advance by the Authorized Officer.

(5) All roofs shall be designed to support the local snow load. The entire roof shall be one material. Roll roofing is not acceptable. The roof shall have adequate pitch to support the roofing materials. Roof colors shall be darker tones. Approved colors may be required, preferably greens, browns, or greys, and should harmonize with the color of the building's finish. Metal roofs must be treated with a factory applied permanent coating in a color approved by the Authorized Officer.

(6) The minimum setback from lot line boundaries is 5 feet. The Authorized Officer may require additional setbacks appropriate to the setting.

(7) When feasible, all water, power, or other utility transmission lines shall be buried. Where practical, water systems, including wells, shall be incorporated into building design, and screened from public view or buried.

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(8) One sign may be permitted for each residence. Rustic, routed type signs on boards approximately 18 inches by 8 inches by 2 inches in thickness are recommended. The Authorized Officer may permit directional signing to residences as is considered appropriate and needed.

(9) Yard lights that are desired for safety or security and are approved by the Authorized Officer shall be mounted on buildings. All yard light electrical lines shall be buried. No automatic safety lights are allowed.

(10) Fences should not be permitted unless specifically included in management objectives for each area of recreation residences (tract). All fences must be approved by the Authorized Officer.

(11) In general, gates are not acceptable. In unique situations identified in the tract objectives, and on a case-by-case basis, gates may be authorized by the Authorized Officer. Chain and cable gates are not permitted.

(12) Where practical, propane tanks shall be incorporated into building design or screened from public view. The location and shielding of these tanks and fuel lines shall be in accordance with State and other agency laws and regulations. Encourage tank colors that blend with the natural environment.

(13) Satellite dishes are not in keeping with the natural environment and should not be approved. The Authorized Officer can require removal of existing dishes upon issuance of a permit to a new owner of the facilities.

(14) Whip antennas and wire antenna arrangements may be permitted when they can be emplaced inconspicuously. Large, visible installations must be removed upon transfer of the permit. Antennas should be located on outbuildings or the residence. One antenna may be allowed per dwelling.

(15) Fire rings, normally of a temporary nature, may be permitted at the discretion of the Authorized Officer. No new, permanent, outdoor fireplaces should be allowed. Existing, permanent, outdoor fireplaces should be removed when they fall into disrepair or upon transfer of the permit.

(16) Saunas may be permitted provided that they are installed in either the dwelling or in the storage utility building. Another structure to serve these uses must not be permitted.

c. Construction standards for specific improvements:

(1) Dwellings.

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- (a) The following standards apply to existing and proposed dwellings:

No more than one dwelling per site shall be built.

Decks shall not be more than 400 square feet in total. They shall be designed for local snow load and to be visually pleasing. Decks may be left unpainted after initial construction, but once they are painted or stained, the finish must be maintained.

Porches and patios shall be limited to 25 percent of the total square footage of the building. They should not be enclosed without prior approval of the Authorized Officer. If enclosed, the porch is included in the square footage of the dwelling.

Nonconspicuous hot tubs may be approved within the residence or on a porch or deck attached to the residence. All electrical and plumbing lines must be hidden from view. Any request will include drainage proposals. If necessary, a dry well must be installed to prevent unacceptable drainage onto the ground or into surface water sources.

- (b) The following standards apply when construction is proposed for an addition to a dwelling, reconstruction of a dwelling, replacement, such as would result from a natural catastrophe that destroyed a structure, or from an owner's proposal to raze a structure and build a new one.

The maximum size dwelling allowed is 1,200 square feet measured on the outside of the foundation, plus a loft. The loft size shall not be included in the total square footage of the building, nor shall an open deck or porch. Square footage in a loft should be two thirds or less of the ground floor square footage. The loft shall be open without intervening partitions or bathroom. The area of an enclosed porch attached to a dwelling must be included in the maximum 1,200 square foot standard.

On reasonably level lots, homes shall be no more than 26 feet from the ground to the peak of the roof (no more than one story and a loft above ground level). A full second story is not permissible. A recreation residence on steeply sloping ground may be more than one story provided that it does not extend more than one floor above the highest elevation of the lot.

- (2) Guest Cabins.

- (a) Construction of additional guest cabins or sleeping quarters is not permitted. In those cases where more than one dwelling currently occupies a single site, allow the use to continue in accordance with the authorization. However, correct such deficiencies built without prior approval, upon transfer of ownership of improvements outside of the family (husband and wife).

- (b) Conversion of storage or other outbuildings to sleeping quarters or guest cabins is not permitted.

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- (3) Outbuildings.
  - (a) Only one storage building and one outside toilet should be allowed.
  - (b) Permit only those structures identified in the authorization. Buildings in excess of one storage building and one outside toilet may be phased out as opportunity allows. Opportunities that will provide for removal of excess structures are: (1) change of ownership; (2) expiration of the permit; (3) a request for new construction; or (4) destruction of the structure.
  - (c) Authorized storage buildings should be low profile, one story structures, no more than 130 square feet measured on the exterior of the foundation.
  - (d) In addition to a storage building, an outdoor toilet may be permitted as long as it does not exceed 40 square feet measured on the exterior of the foundation. Toilet buildings no longer in use should be removed by the permit holder.
4. Off-lot improvements.
  - a. Generally, off-lot improvements should not be permitted. However, unique conditions in local situations may be considered by the Authorized Officer for allowing specific improvements.
  - b. Docks should be authorized with a separate permit. Normally, and preferably, issue such permits to associations or groups of homeowners.
5. Maintenance Standards.
  - a. All roofs shall be kept reasonably clear of debris.
  - b. Sheet plastic shall not be used on any buildings for walls, roofing, screening, or protection from the elements. Seasonal plastic storm windows are acceptable.
  - c. Attachments or nails are not allowed on trees. Such attachments include, but are not limited to: gates, yard lights, powerlines, fences, benches, signs, clotheslines, and wires. Clotheslines should be temporary in nature and removed when the residence is not in use.
  - d. Maintenance of roads providing access to recreation residence areas is normally the responsibility of the permit holders being served by the road.
  - e. Lawns or planting of ornamental shrubs, trees, or flowers which are not native to the area are not compatible with goals for natural settings and therefore should not be permitted. It is permissible to plant a variety of native species as desired in natural

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arrangements. Existing lawns should be phased out as directed in the individual operation and maintenance plans.

6. Occupancy Standards.

a. Renting may be approved by the Authorized Officer, so long as the amount of rental income collected may equal but not exceed the holder's annual costs for the cabin. Annual costs include expenses for upkeep and maintenance that routinely occur on an annual basis. At a minimum, annual reports on rental use are required. Any use above this level would be considered commercial use in violation of permit terms and conditions. Rentals must be approved in advance by the Authorized Officer.

b. No animals, other than common household pets, shall be kept upon the premises. Pets shall not be left unattended. No permanent pet enclosures shall be allowed.

c. Tents and recreational vehicles (RV) may be used to expand the capacity of a residence on a short term basis, provided the vehicle or tent is kept on the lot. In these cases "short term" is defined as holiday weekends, family reunions, and other social occasions and should not exceed 2 weeks. Recreational vehicles could be the sole means of transportation to reach a recreational residence. In such cases, the RV should be utilized as a vehicle and not as additional sleeping quarters. No motorhomes, trailers, or similar items should be stored at the recreation cabin.

d. Access and parking needs for cabin use and the goal to keep vehicles unobtrusive in the natural setting should be considered when developing Operation and Maintenance plans for individual permits and for tract planning.

7. Site Plan Maps. Site plan maps should be developed for each lot. All improvements should be identified and located on the map. Include below-ground and above-ground improvements, such as power lines and waterlines.

8. Inspections. Inspections shall be completed according to parent text direction. A standard form may be used.

Self inspection is a technique that may be used to meet the inspection requirements. Where possible, use associations to perform self inspections.

Inspections must be completed when a permit is issued to a new party. These inspections must be performed by the Authorized Officer or a designated representative of the Authorized Officer. Deficiencies should be corrected before issuance of the permit to the new party. Items requiring complex or time consuming work to correct may be completed after issuance of a permit to a new party, but must be scheduled for completion within a documented timeframe.



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## **46 - ENERGY GENERATION AND TRANSMISSION**

### **46.1 – Facilities That Qualify for Financing under the Rural Electrification Act**

### **46.2 - Energy Policy Applicable to New Energy and Transmission Project Proposals on National Forest System (NFS) Lands in the Pacific Northwest Region.**

1. The purpose of this policy is to encourage development of renewable energy and transmission projects on suitable NFS lands that are consistent with existing Land Resource Management Plan (LRMP) direction, and programmatic amendments identified in the Programmatic Environmental Impact Statement, “Designation of Energy Corridors on Federal Land in the 11 Western States,” November 2008.
2. Protect and maintain all National Forest resources as defined by the Multiple Use Sustained Yield Act of 1960 affected by energy and transmission project development by requiring authorizing documents to contain mitigation measures commensurate with project related effects to those resources. The process for development of such mitigation measures is described in Section 46.3.
3. The Regional Energy Team (RET) shall help Line Officers who are responsible for implementing policy. The role of the RET is to provide advisory and technical assistance to establish and maintain a consistent, efficient and transparent process for timely review and decision making related to new energy project proposals. This process shall include the following components:
  - a. Documenting consistency of energy project proposals on National Forest System lands with LRMPs, direction, policy and laws. (36 CFR 21.54.)
  - b. Helping to ensure appropriate consistency and defensibility of mitigation requirements across the Region.
  - c. Completing suitability assessments using existing information and varying scales appropriate for different energy project types to determine where potential energy projects are consistent with the land allocations in existing LRMPs. Projects proposed in areas found to be suitable will pass the screening criteria found at 36 CFR 251.54 (e)(ii).
4. Focus limited Forest Service resources on projects which have a high likelihood of being approved via the Project Screening Process described in 36 CFR 251.54 based on the outcome of the suitability analysis.

### **46.3 - Energy Mitigation Policy**

1. Energy Mitigation Policy Goals:

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- a. Develop mitigation measures that are consistent for all types of energy projects and commensurate with project impacts.
  - b. Develop a well-documented record of evidence supporting such mitigation measures.
2. Objectives of the Energy Mitigation Policy:
- a. Identify mitigation measures that are commensurate with project-related effects to NFS resources resulting from the construction and operation of an energy project when mitigation for such impacted resources is required by the LRMP and other applicable laws, regulations and policies.
- Mitigation measures are those which address continuing or new environmental impacts to NFS resources caused by construction, operation, maintenance, or removal of an energy project. Such measures may include protection, enhancement or acquisition of offsite resources to offset impacts to on site resources by an energy project. Such mitigation measures will be evaluated in the National Environmental Policy Act (NEPA) process and considered by the authorized officer in reaching a decision regarding authorization of the proposed project. Where the Forest Service is not the lead agency or final decision maker, the Forest Service authorized officer shall provide such measures to the lead agency.
- b. Condition permits, leases, letters of consent and licenses with those identified mitigation measures to achieve consistency with applicable LRMP direction.
  - c. The project record, summarized and incorporated by reference in the NEPA document, shall support the need for and adequacy of the selected mitigation measures.
3. Approach to Identifying Mitigation Measures
- a. Mitigation measures shall be identified by applying the Council of Environmental Quality mitigation criteria (40 CFR 1508.20) described below (in order of priority):
    - (1) Avoid the impact altogether by not taking a certain action or parts of an action.
    - (2) Minimize impacts by limiting the degree or magnitude of the development action and its implementation.
    - (3) Rectify the impact by repairing, rehabilitating, or restoring the affected environment.
    - (4) Reduce or eliminate the impact over time by preservation and maintenance operations during the life of the development action and by monitoring and taking

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appropriate corrective measures (e.g., longer term horizon, can include scheduling of rectifying measures).

(5) Compensate for the impact by replacing or providing comparable substitute resources or environments.

Many impacts can be reduced or avoided when considered during the siting and design phase of an energy project. Land use impacts are related to the project footprint (e.g., land disturbance, habitat destruction, erosion, changes in runoff patterns, and hydrological alterations), project emissions (e.g., fugitive dust, sediment runoff, air releases, water releases), noise levels, visual impacts, and resource use (e.g., diversion of water).

#### 4. Mitigation Types

There are several types of mitigation measures that can be utilized to achieve the Energy Project Mitigation Policy objective. These mitigation types apply to the “rectify,” “reduce” and “compensate” criteria identified above.

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Mitigation Types by priority include:

- a. In-kind mitigation means resource mitigation measures that occur on-site which recreate similar structure and function to that existing prior to the development action on the project site.
- b. Out-of-kind mitigation means resource mitigation measures that occur on-site which result in different structure and function that may benefit resources other than those existing at the site prior to the development action.
- c. In-proximity mitigation means either “in-kind” or “out-of-kind” resource mitigation measures undertaken within or in proximity to areas affected by a development action, which means within the same home range or watershed, whichever will have the highest likelihood of benefiting the resources directly affected by the development.
- d. Off-proximity mitigation means either “in-kind” or “out-of-kind” resource mitigation measures undertaken outside the area that would constitute “proximity mitigation” but within the same physiographic province as the development action.

Examples of mitigation measures meeting these criteria may be found on the Regional Energy Team SharePoint site at [http://fsteams.fs.fed.us/r06\\_/R06-RET/default.aspx](http://fsteams.fs.fed.us/r06_/R06-RET/default.aspx).

5. Mitigation Tools (Methods)

Mitigation tools will be developed by natural and cultural resource area to provide Region-wide methods for addressing various project impacts such as, but not limited to clearing (linear or other types) and associated edge effects, diminishment of water flow, aesthetics, erosion, and project-induced recreation, based on Regionally defined standards for what data is necessary to employ identified methods (see below). These methods and associated data needs may vary with ecological types (e.g., east side vs. west side forest types, anadromous vs. resident fish habitat, etc.). Mitigation tool examples include the Habitat Evaluation Procedure (HEP) and Instream Flow Incremental Methodology (IFIM). Regional standard methods may be modified on project-specific basis in consultation with the Regional Energy Team.

6. Data Needs

The mitigation policy includes a data collection component. For every proposed energy project, the data set that are needed for each resource area will be identified to employ the methods described above. The function of these data is to provide the information (evidence) that will support mitigation measures. Where such data are on hand, no additional studies by project applicants will be necessary, where they are not, studies conducted by the project applicant shall be required to produce information to meet the

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defined basic data set. Such studies will be, by definition, limited to the information needed by the Forest Service to address project specific impacts.

7. Monitoring and Adaptive Management

Appropriate monitoring requirements shall be identified to ensure that mitigation measures are achieving the desired effect. In addition, adaptive measures may be identified to address situations where mitigation measures are not fully tested and may not achieve anticipated results. Implementation of monitoring requirements and adaptive management measures shall be included in authorizations issued by the Forest Service, or provided to the lead agency as mandatory Forest Service requirements. *See* CEQ Memorandum to Federal Agencies dated January 14, 2011.

**48 – COMMUNICATIONS**

**48.1 – Communication Uses**

4. Responsibility. The Forest Supervisor is responsible for formally designating communication sites and completing communication site plans for communication sites on National Forest System lands in Region 6.

6. Communications Site Designation and Planning. Communication site designation generally results in a land allocation for communication uses. Therefore, communication sites must be identified and designated in accordance with National and Regional land management planning policy (FSM 1920). Communication site designation must also comply with environmental analysis policy (FSM 1950) and special use policy (FSM 2703).

Communication sites must be designated and communication site plans prepared for these sites before issuing permits for communication uses at these locations. Limited exception to this direction for very minor development for single uses is available as described in parent text. More than one communication use at a site is cause to require its formal designation as a communication site in accordance with this direction.