

**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
TERM SPECIAL USE PERMIT FOR RECREATION RESIDENCES
AUTHORITY: Act of March 4, 1915, 16 U.S.C. 497**

Authorization ID: ZIGXXXX

XXXXXX (the holders), of XXXXX are authorized to occupy a recreation residence on National Forest System lands for personal, noncommercial recreational use on the Zigzag Ranger District, Mt Hood National Forest, subject to the terms and conditions of this permit and its appendices. This permit covers .25 acres, hereinafter referred to as "the permit area" and described as:

- (1) Rd XX, Lot XX of the XXXXX Tract,; as shown on the recreation residence tract map on file in the office of the District Ranger.**
- (2) Sec. 11D, T. 3 S., R. 7 E., WILLAMETTE MERIDIAN, Tax lot XXXXX**

The following improvements, whether on or off the lot, are authorized in addition to the recreation residence in accordance with the attached Operation and Maintenance Plan (Appendix A):

OBTAIN WRITTEN AUTHORIZATION FROM THE FOREST SERVICE BEFORE PERFORMING ANY WORK ON THE LOT OR TO THE EXTERIOR OF THE CABIN OR OUTBUILDINGS

TERMS AND CONDITIONS

I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the Act of March 4, 1915, 16 U.S.C. 497, 36 CFR Part 251, Subpart B, as amended, Forest Service Manual (FSM) 1920, 1950, 2340, 2720, and 5410, Forest Service Handbook (FSH) 2709.11, Chapters 10-50, and FSH 5409.12, Chapter 60, and is subject to their provisions. Copies of these regulations and directives shall be provided by the authorized officer to the holder at no charge upon request.

B. AUTHORIZED OFFICER. The authorized officer for this permit is the Forest or Grassland Supervisor or a subordinate officer with delegated authority.

C. AUTHORIZED USE. This permit authorizes only noncommercial recreational use by the holder's immediate family and the holder's non-paying guests, other than incidental rental that has prior written approval from the authorized officer pursuant to clause VII.A.

D. TERM. This permit shall expire at midnight on 12/31/2028.

E. CHANGE IN ADDRESS, OWNERSHIP OF THE RECREATION RESIDENCE, OR THE TRUSTEE. The holder or the holder's executor or personal representative shall immediately notify the authorized officer of a change in the holder's permanent address or a change in the ownership of the recreation residence. If the permit is issued to a trust, the trustee shall immediately notify the authorized officer of a change in the trustee or revocation or termination of the trust.

F. AMENDMENT. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the authorized officer, such action is deemed necessary or desirable to incorporate new terms that may be required by law, regulation, the applicable land management plan, or projects and activities implementing a land management plan pursuant to 36 CFR Part 215.

G. COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL REQUIREMENTS. In exercising the privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements that apply to the permit area, to the extent they do not conflict with federal law, regulations, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

H. NON-EXCLUSIVE USE. The use and occupancy authorized by this permit are not exclusive. The Forest Service reserves the right of access to the permit area, including a continuing right of physical entry to the permit area for inspection, monitoring, or any other purpose consistent with any right or obligation of the United States under any law or regulation. The Forest Service reserves the right to allow others to use the permit area in any way that is not inconsistent with the holder's rights and privileges under this permit, after consultation with all parties involved.

II. IMPROVEMENTS

A. LIMITATIONS ON USE. This permit authorizes only occupancy of a recreation residence. Nothing in this permit gives or implies permission to build or maintain any structure or improvement or to conduct any activity, unless specifically authorized by this permit. Any use not specifically authorized by this permit must be proposed in accordance with 36 CFR 251.54. Approval of such a proposal through issuance of a new permit or permit amendment is at the sole discretion of the authorized officer. Improvements requiring specific approval shall include but are not limited to signs, fences, name plates, mailboxes, newspaper boxes, boathouses, docks, pipelines, antennas, water and sewer facilities, and storage sheds.

B. PLANS. All plans and revisions to plans for development, layout, construction, reconstruction or alteration of improvements on the authorized lot must be prepared by a licensed engineer, architect, or landscape architect, in those states in which such licensing is required, or other qualified individual acceptable to the authorized officer. These plans and revisions to these plans must be approved by the authorized officer before commencement of any work.

III. OPERATIONS

A. OPERATING PLAN. The holder shall prepare an operating plan in consultation with the authorized officer or the authorized officer's designated representative. The operating plan shall cover all activities authorized by this permit. The operating plan shall outline steps the holder will take to protect public health and safety and the environment and shall include sufficient detail and standards to enable the Forest Service to monitor the holder's activities for compliance with the terms and conditions of this permit. The operating plan shall be submitted by the holder and approved by the authorized officer or the authorized officer's designated representative prior to commencement of authorized activities and shall be attached to this permit as an appendix. The operating plan shall, at a minimum, address requirements for the following:

1. Maintenance of vegetation, tree planting, and removal of dangerous trees and other unsafe conditions.
 2. Maintenance of the authorized improvements.
 3. Size, placement and description of authorized signs.
 4. Removal of garbage.
 5. Fire protection.
 6. Identification of the person responsible for implementing the operating plan, if other than the holder, and a list of the name, address, and telephone numbers of persons to contact in the event of an emergency.
- The operating plan shall be revised as necessary when changes to the authorized use are approved by the authorized officer.

B. MINIMUM OCCUPANCY AND PROHIBITION ON FULL-TIME OCCUPANCY. The permitted improvements shall be occupied at least 15 days each year, unless otherwise authorized in writing, but shall not be used as a full-time residence. Use of the permitted improvements as a principal place of residence is prohibited and shall be grounds for revocation of this permit.

C. MAINTENANCE OF IMPROVEMENTS. The holder shall maintain the authorized improvements and National Forest System lands to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer.

D. INSPECTION OF THE PERMIT AREA. The holder is responsible for inspecting the permit area, authorized rights-of-way, and adjoining areas for dangerous trees, hanging limbs, and other evidence of hazardous conditions that could affect the authorized improvements or pose a risk to public safety. After obtaining written approval from the authorized officer, the holder shall remove these hazards at the holder's expense.

E. REMOVAL AND PLANTING OF VEGETATION. This permit does not authorize the cutting of timber or other vegetation. Trees, shrubs, grasses, and other plants may be removed or destroyed only after the authorized officer or the authorized officer's designated representative has approved in writing and marked or otherwise identified what may be removed or destroyed. Timber cut or destroyed shall be paid for at current stumpage rates for similar timber in the National Forest. The Forest Service reserves the right to dispose of the merchantable timber to those other than the holder at no stumpage cost to the holder. Unmerchantable material shall be disposed of as directed by the authorized officer. Trees, shrubs, grasses, and other plants may be planted within the permit area with prior written approval of the authorized officer.

IV. RIGHTS AND LIABILITIES

A. LEGAL EFFECT OF THE PERMIT. This permit, which is revocable and terminable, is not a contract or a lease, but rather a federal license. The benefits and requirements conferred by this authorization are reviewable solely under the procedures set forth in 36 CFR Part 251, Subpart C, and 5 U.S.C. 704. This permit does not constitute a contract for purposes of the Contract Disputes Act, 41 U.S.C. 601. The permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

B. VALID OUTSTANDING RIGHTS. This permit is subject to all valid outstanding rights. Valid outstanding rights include those derived from mining and mineral leasing laws of the United States. The United States is not liable to the holder for the exercise of any such right.

C. ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS. The signatories of this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

D. RISK OF LOSS. The holder assumes all risk of loss to the authorized improvements. Loss to the authorized improvements may result from but is not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), avalanches, rising waters, winds, falling limbs or trees, and acts of God. If authorized improvements in the permit area are destroyed or

substantially damaged, the authorized officer shall conduct an analysis to determine whether the improvements can be safely occupied in the future and whether rebuilding should be allowed. If rebuilding is not allowed, the permit shall terminate.

E. SERVICES NOT PROVIDED. This permit is for the occupancy of land for the purposes stated in this permit and does not provide for the furnishing of road maintenance, water, fire protection, or any other such service by a government agency, utility, association, or individual.

F. DAMAGE TO UNITED STATES PROPERTY. The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States. Damage includes but is not limited to fire suppression costs, and all costs and damages associated with or resulting from the release or threatened release of a hazardous material occurring during or as a result of activities of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees on, or related to, the lands, property, and other interests covered by this permit. For purposes of clauses IV.F and section V, "hazardous material" shall mean any hazardous substance, pollutant, contaminant, hazardous waste, oil, and/or petroleum product, as those terms are defined under any federal, state, or local laws or regulations.

1. The holder shall avoid damaging or contaminating the environment, including but not limited to the soil, vegetation (such as trees, shrubs, and grass), surface water, and groundwater, during the holder's use and occupancy of the permit area. If the environment or any government property covered by this permit becomes damaged during the holder's use and occupancy of the permit area, the holder shall immediately repair the damage or replace the damaged items to the satisfaction of the authorized officer and at no expense to the United States.

2. The holder shall be liable for all injury, loss, or damage, including fire suppression or other costs in connection with rehabilitation or restoration of natural resources, associated with the holder's use and occupancy of the permit area. Compensation shall include but is not limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all associated administrative, legal (including attorney's fees), and other costs.

3. The holder shall be liable for damage caused by use of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees to all roads and trails of the United States that are open to public use to the same extent as provided under clause IV.F.1, except that liability shall not include reasonable and ordinary wear and tear.

G. HEALTH, SAFETY, AND ENVIRONMENTAL PROTECTION. The holder shall take all measures necessary to protect the environment, natural resources, and the health and safety of all persons affected by the use and occupancy authorized by this permit. The holder shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any physical or mechanical procedure, activity, event, or condition existing or occurring before, during, or after the term of this permit and arising out of or relating to any activity, event, or condition existing or occurring during the term of this permit that causes or threatens to cause a hazard to the health or safety of the public or the holder's employees or agents or harm to the environment (including areas of vegetation or timber, fish, or other wildlife populations, their habitats, or any other natural resources). The holder shall immediately notify the authorized officer of all serious accidents that occur in connection with these activities, events, or conditions. The holder has sole responsibility to protect the health and safety of all persons affected by the use and occupancy authorized by this permit. The Forest Service has no duty under the terms of this permit to inspect the permit area or operations of the holder for hazardous conditions or compliance with health and safety standards.

H. INDEMNIFICATION. The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder in connection with the use and occupancy authorized by this permit. This indemnification and hold harmless provision includes but is not limited to acts and omissions of the holder or the holder's family, guests, invitees, heirs, assignees, agents, employees, contractors, or lessees in connection with the use and occupancy authorized by this permit which result in (1) violations of any laws and regulations which are now or which may become applicable, including but not limited to those environmental laws listed in clause V.A of this permit; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous substance, pollutant, contaminant, oil in any form, or petroleum product into the environment. The authorized officer may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in addition to or as an alternative to monetary indemnification.

I. FLOOD DAMAGE. The lands covered by this permit are in a floodplain or floodway. This permit is issued with the specific understanding that if the authorized improvements are substantially damaged and made uninhabitable by a flood, the permit

shall terminate and the remaining improvements shall be removed within 90 days. If damage to the improvements is not substantial, they may be repaired and allowed to remain if they can be flood-proofed without affecting flows in the floodplain or floodway. No expansion of existing improvements or new improvements will be allowed in the floodplain or floodway. No claim shall be made against the United States for loss, damage, or termination of the permit due to a flood.

V. RESOURCE PROTECTION

A. COMPLIANCE WITH ENVIRONMENTAL LAWS. The holder shall in connection with the use and occupancy authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., the Oil Pollution Act, as amended, 33 U.S.C. 2701 et seq., the Clean Air Act, as amended, 42 U.S.C. 7401 et seq., the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. 9601 et seq., the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 et seq., and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq.

B. WATER POLLUTION. No waste or by-product shall be discharged into water if it contains any substance in concentrations which will result in harm to fish and wildlife, or to human water supplies. Storage facilities for materials capable of causing water pollution, if accidentally discharged, shall be located so as to prevent any spillage into waters or channels leading into water that would result in harm to fish and wildlife or to human water supplies.

C. ESTHETICS. The holder shall protect the scenic esthetic values of the permit area and the adjacent land to the greatest extent possible during construction, operation, and maintenance of the authorized improvements.

D. VANDALISM. The holder shall take reasonable measures to prevent and discourage vandalism and disorderly conduct and when necessary shall contact the appropriate law enforcement officer to address these problems.

E. PESTICIDE USE. Pesticides may not be used outside of buildings to control undesirable woody and herbaceous vegetation (including aquatic plants), insects, rodents, or fish without the prior written approval of the authorized officer. A request for approval of planned uses of pesticides shall be submitted annually by the holder on the due date established by the authorized officer. The report shall cover a 12-month period of planned use beginning 3 months after the reporting date. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time an annual report was submitted. Only those materials registered by the U.S. Environmental Protection Agency for the specific purpose planned shall be authorized for use on National Forest System lands. Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers.

F. ARCHAEOLOGICAL-PALEONTOLOGICAL DISCOVERIES. The holder shall immediately notify the authorized officer of all antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered in connection with the use and occupancy authorized by this permit. The holder shall leave such discoveries intact and in place until directed otherwise by the authorized officer. Protective and mitigative measures specified by the authorized officer shall be the responsibility of the holder.

G. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION. If the holder inadvertently discovers human remains, funerary objects, sacred objects, or objects of cultural patrimony on federal or tribal lands, the holder shall immediately cease work in the area of the discovery and shall make a reasonable effort to protect and secure the items. The holder shall immediately notify the forest archaeologist by telephone of the discovery and shall follow up with written confirmation of the discovery. The activity that resulted in the inadvertent discovery may not resume until 30 days after the forest archaeologist certifies receipt of the written confirmation, if resumption of the activity is otherwise lawful, except that a recovery plan adopted as a binding agreement between the Forest Service and the affected Indian tribes may provide for earlier resumption of the activity.

H. PROTECTION OF HABITAT OF THREATENED, ENDANGERED, AND SENSITIVE SPECIES. The location of sites within the permit area needing special measures for protection of plants or animals listed as threatened or endangered under the Endangered Species Act (ESA), 16 U.S.C. 531 et seq., as amended, or as sensitive by the Regional Forester under FSM 2670, pursuant to consultation conducted under section 7 of the ESA, may be identified on the ground or shown on a separate map. The map shall be attached to this permit as an appendix. The holder shall take any protective and mitigative measures specified by the authorized officer. If protective and mitigative measures prove inadequate, if other sites within the permit area containing

threatened, endangered, or sensitive species are discovered, or if new species are listed as federally threatened or endangered under the ESA or as sensitive by the Regional Forester under the FSM, the authorized officer may specify additional protective and mitigative measures. Discovery of these sites by the holder or the Forest Service shall be promptly reported to the other party.

I. CLEANUP AND REMEDIATION

1. The holder shall immediately notify all appropriate response authorities, including the National Response Center and the Forest Service authorized officer or the authorized officer's designated representative, of any oil discharge or of the release of a hazardous substance in the permit area in an amount greater than or equal to its reportable quantity, in accordance with 33 CFR Part 153, Subpart B, and 40 CFR Part 302. For the purposes of this requirement, "oil" is defined by section 311(a)(1) of the Clean Water Act, 33 U.S.C. 1321(a)(1). The holder shall immediately notify the authorized officer or the authorized officer's designated representative of any release or threatened release of any hazardous material in or near the permit area which may be harmful to public health or welfare or which may adversely affect natural resources on federal lands.

2. Except with respect to any federally permitted release as that term is defined under section 101(10) of CERCLA, 42 U.S.C. 9601(10), the holder shall clean up or otherwise remediate any release, threat of release, or discharge of hazardous materials that occurs either in the permit area or in connection with the holder's activities in the permit area, regardless of whether those activities are authorized under this permit. The holder shall perform cleanup or remediation immediately upon discovery of the release, threat of release, or discharge of hazardous materials. The holder shall perform the cleanup or remediation to the satisfaction of the authorized officer and at no expense to the United States. Upon revocation or termination of this permit, the holder shall deliver the permit area to the Forest Service free and clear of contamination.

VI. BASE CABIN USER FEES AND DEBT COLLECTION

A. BASE CABIN USER FEE. The base cabin user fee shall be equal to 5% of the appraised market value of the recreation residence lot. The base cabin user fee for the first year of this permit shall be \$XXXX.00 and shall be due 30 days from bill issuance. For purposes of determining the base cabin user fee after the first year of this permit, the initial and any subsequent appraised value of the recreation residence lot shall be adjusted by the percentage of change in the Implicit Price Deflator-Gross Domestic Product (IPD-GDP) from the second quarter of the previous year to the second quarter of the current year. An annual adjustment to the base cabin user fee shall be no more than 5% in any year. When the annual percentage of change in the IPD-GDP would result in an annual adjustment of more than 5%, apply the amount of the adjustment in excess of 5% to the annual fee payment for the next year in which the percentage of change in the IPD-GDP is less than 5%.

B. NEW BASE CABIN USER FEE. The authorized officer shall notify the holder in writing at least 1 year before implementing a new base cabin user fee based on a subsequent appraisal performed pursuant to clause VI.D. The holder shall be required to pay the full amount of the new base cabin user fee if it results in an increase of 100% or less from the amount of the most recent base cabin user fee assessed the holder. When the new base cabin user fee results in an increase of more than 100% from the amount of the most recent base cabin user fee assessed the holder, one-third of the increase will be added to the base cabin user fee for the next 3 years. Annual adjustments also shall be included in the base cabin user fee as appropriate pursuant to clause VI.A.

C. BASE CABIN USER FEE IF A DECISION IS MADE NOT TO RENEW THE USE UPON EXPIRATION OF THE PERMIT

1. If a new recreation residence permit will not be issued upon expiration of this permit, the base cabin user fee for the 10th year prior to the date of converting the use and occupancy to an alternative public purpose will become the base fee for the remaining life of the use. The fee for each year during the last 10 years of the authorization shall be one-tenth of the base fee multiplied by the number of years remaining prior to the date of conversion.

2. When review of a decision to convert the recreation residence lot to an alternative public use shows that changed conditions warrant continuation of the recreation residence use beyond the conversion date and a new permit with a term of more than 10 years is issued, the holder shall pay the Forest Service the total amount of fees foregone for the 10-year period prior to the conversion date. This amount may be paid in

equal annual installments over a 10-year period. Any unpaid portion of this amount shall be charged to a purchaser of the authorized improvements.

3. When review of a decision to convert the recreation residence lot to an alternative public use shows that changed conditions warrant continuation of the recreation residence use beyond the conversion date and a new permit with a term of 10 years or less is issued, the fee for the new permit will be computed as if notice had not been given that a new permit would not be issued, reduced by 10 percent for each year the permit term is extended less than 10 years. For example, a new permit with a 6-year term results in a land use fee of 60 percent of the base cabin user fee.

4. If the authorized officer determines that the recreation residence lot cannot be safely occupied because of an act of God or other catastrophic event, the base cabin user fee obligation of the holder shall terminate as of the date the act or event occurred. A prorated portion of the annual base cabin user fee reflecting the remainder of the current billing period from the date the act or event occurred shall be refunded to the holder, provided that if the holder is authorized to occupy an in-lieu lot, the prorated amount shall be credited to the annual base cabin user fee for the permit for the in-lieu lot.

D. APPRAISALS

1. Appraisals to ascertain the market value of the recreation residence lot shall be conducted by the Forest Service at least every 10 years. The next appraisal shall be procured by the Forest Service in time to implement the base cabin user fee by 01/01/2011.

2. Appraisals shall be prepared consistent with FSM 5410 and FSH 5409.12, Chapter 60.

3. If dissatisfied with an appraisal report used by the Forest Service to determine the base cabin user fee, the holder must notify the authorized officer within 60 days of the holder's intent to obtain a second appraisal report. If a request for a second appraisal report is submitted, the holder has one year following receipt of the notice of the determination of a new base cabin user fee to obtain, at the holder's expense, a second appraisal report using the same typical lot and date of value as the original appraisal report and based on all other relevant factors. The appraiser selected by the holder shall have qualifications equivalent to the appraiser who conducted the original appraisal and must be approved in advance by the assigned Forest Service review appraiser. The second appraisal report shall meet the appraisal guidelines enumerated in FSH 5409.12, Chapter 60. The holder's appraiser shall notify the Forest Service review appraiser of any material differences of fact or opinion between the initial and second appraisal reports. If the holder chooses to have the second appraisal report reviewed by the Forest Service, the holder shall submit a request for review by a Forest Service appraiser within 60 days of receipt of the second appraisal report. Within 60 days of receipt of the request, the authorized officer shall:

- a. Review the initial and second appraisal reports and their corresponding review reports;
- b. Determine a new base cabin user fee in an amount that is equal to the base cabin user fee determined by the initial or second appraisal or within the range of values, if any, between the initial and second appraisals; and
- c. Notify the holder of the new base cabin user fee.

E. FEE PAYMENT ISSUES

1. Crediting of Payments. Payments shall be credited on the date received by the deposit facility, except that if a payment is received on a non-workday, the payment shall not be credited until the next workday.

2. Disputed Fees. Base cabin user fees are due and payable by the due date. Disputed fees must be paid in full. Adjustments will be made if dictated by an administrative appeal decision, a court decision, or settlement terms.

3. Late Payments

(a) Interest. Pursuant to 31 U.S.C. 3717 et seq., interest shall be charged on any base cabin user fee not paid within 30 days from the date it became due. The rate of interest assessed shall be the higher of the Prompt Payment Act rate or the rate of the current value of funds to the Treasury (i.e., the Treasury tax and loan account rate), as prescribed and published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Interest on the principal shall accrue from the date the fee is due.

(b) Administrative Costs. If the account becomes delinquent, administrative costs to cover processing and handling the delinquency shall be assessed.

(c) Penalties. A penalty of 6% per annum shall be assessed on the total amount that is more than 90 days delinquent and shall accrue from the same date on which interest charges begin to accrue.

F. NONPAYMENT. Failure of the holder to make timely payments, pay interest charges, or any other charges when due shall be grounds for revocation of this permit.

G. ADMINISTRATIVE OFFSET AND CREDIT REPORTING. Delinquent fees and other charges associated with the permit shall be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq. and common law. Delinquencies are subject to any or all of the following:

1. Administrative offset of payments due the holder from the Forest Service.
2. If in excess of 60 days, referral to the Department of the Treasury for appropriate collection action as provided by 31 U.S.C. 3711(g)(1).
3. Offset by the Secretary of the Treasury of any amount due the holder, as provided by 31 U.S.C. 3720 et seq.
4. Disclosure to consumer or commercial credit reporting agencies.

VII. RENTAL, NON-TRANSFERABILITY, AND SALE

A. INCIDENTAL RENTAL. With prior written approval from the authorized officer, the holder may rent the recreation residence covered by this permit for a limited number of short, specific periods for recreational purposes, provided the rental does not change the character or use of the authorized improvements from noncommercial to commercial. The rental agreement must be in writing and must provide that the holder remains responsible for compliance with all the terms of this permit. A copy of the rental agreement shall be provided to the authorized officer.

B. NONTRANSFERABILITY. This permit is not transferable. A purchaser or transferee of the recreation residence covered by this permit must apply for and obtain a new permit from the Forest Service.

C. PROSPECTIVE PURCHASERS AND TRANSFEREES. When the holder is contemplating a sale of the recreation residence authorized by this permit, the holder shall notify the authorized officer and provide a copy of this permit to the prospective purchaser or transferee. The holder shall not represent that the Forest Service will issue a new permit to the prospective purchaser or transferee. Any purchaser or transferee must apply for and obtain a new permit from the Forest Service.

VIII. REVOCATION, SUSPENSION, AND TERMINATION

A. REVOCATION AND SUSPENSION. The authorized officer may revoke or suspend this permit in whole or in part:

1. For noncompliance with federal, state or local law.
2. For noncompliance with the terms and conditions of this permit.
3. For abandonment or other failure of the holder to exercise the privileges granted.
4. With the consent of the holder.
5. For specific and compelling reasons in the public interest.

Prior to revocation or suspension, other than immediate suspension under clause VIII.C, the authorized officer shall give the holder written notice of the grounds for revocation or suspension. In the case of revocation or suspension based on clause

VIII.A.1, 2, or 3, the authorized officer shall give the holder a reasonable period, not to exceed 90 days, to cure any noncompliance.

B. REVOCATION FOR SPECIFIC AND COMPELLING REASONS IN THE PUBLIC INTEREST

1. If during the term of this permit the authorized officer determines that specific and compelling reasons in the public interest require revocation of this permit, this permit shall be revoked after 180 days written notice to the holder, provided that the authorized officer may prescribe a shorter notice period if justified by the public interest. The Forest Service shall then have the right to relocate the holder's improvements to another lot, to remove them, or to require the holder to relocate or remove them, and the Forest Service shall be obligated to pay an equitable amount for the improvements or for their relocation and damages resulting from their relocation that are caused by the Forest Service. If that amount is fixed by mutual agreement between the authorized officer and the holder, that amount shall be accepted by the holder in full satisfaction of all claims against the United States under this clause. If mutual agreement is not reached, the authorized officer shall determine the amount to be paid, which shall become part of the revocation decision.

2. If revocation in the public interest occurs after the holder has received notification that a new permit will not be issued following expiration of this permit, the amount of damages shall be adjusted as of the date of revocation by multiplying the replacement cost by a fraction which has as the numerator the number of full months remaining in the term of the permit as of the date of revocation (measured from the date of the revocation notice) and as the denominator the total number of months in the original term of this permit.

C. IMMEDIATE SUSPENSION. The authorized officer may immediately suspend this permit in whole or in part when necessary to protect public health or safety or the environment. The suspension decision shall be in writing. The holder may request an on-site review with the authorized officer's supervisor of the adverse conditions prompting the suspension. The authorized officer's supervisor shall grant this request within 48 hours. Following the on-site review, the authorized officer's supervisor shall promptly affirm, modify, or cancel the suspension.

D. APPEALS AND REMEDIES. Written decisions made by the authorized officer relating to administration of this permit are subject to appeal pursuant to 36 CFR Part 251, Subpart C, as amended. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service, other than as provided in clause VIII.B.

E. TERMINATION. This permit shall terminate when by its terms a fixed or agreed upon condition, event, or time occurs without any action by the authorized officer. Examples include but are not limited to expiration of the permit by its terms on a specified date and termination upon a change in ownership of the authorized improvements. Termination of this permit is not subject to administrative appeal and shall not give rise to any claim for damages by the holder against the Forest Service.

1. **Termination Upon Change in Ownership.** If the holder through voluntary sale, transfer, enforcement of contract, foreclosure, or other legal proceeding ceases to be the owner of the authorized improvements, this permit shall terminate. If the person who acquires title to the improvements is qualified to be a holder under applicable regulations and Forest Service directives, that person shall be granted a new permit for the remainder of the term of this permit.

2. **Termination of a Permit Issued to a Husband and Wife or an Individual Upon Their Death**

a. **Married Couple.** If the holder of this permit is a married couple and one spouse dies, the permit shall remain in effect, without amendment or revision, in the name of the surviving spouse.

b. **Individual or Surviving Spouse.** If the holder of this permit is an individual or a surviving spouse and the holder dies, this permit shall terminate. Pending settlement of the holder's estate, an annual renewable permit, using form FS-2700-4, shall be issued to the executor or personal representative of the holder's estate. Upon settlement of the estate, the authorized officer shall issue a new permit, updated as necessary to reflect Forest Service policy changes, to a qualified heir or devisee for the remainder of the term of this permit. To qualify, an heir or a devisee must be one individual 21 years of age or older or a husband and wife who have title to the recreation residence authorized by this permit, as shown by a court order, bill of sale, recorded will, or other legally sufficient documentation.

IX. CONTINUATION OF THE AUTHORIZED USE UPON EXPIRATION OF THE PERMIT

A. CONSISTENCY DETERMINATION. A decision to issue a new permit or convert the permit area to an alternative public use upon expiration of this permit requires a determination of consistency with the applicable land management plan (the plan).

1. Where continued use is consistent with the plan, the authorized officer shall issue a new permit, in accordance with applicable requirements for environmental analysis.
2. If, as a result of an amendment or revision of the plan, the permit area is allocated to an alternative public use, the authorized officer shall conduct site-specific environmental analysis to determine the range and intensity of the alternative public use.
 - a. If the environmental analysis results in a decision that the authorized use may continue, the holder shall be notified in writing, this permit shall be modified as necessary, and a new permit shall be issued upon expiration of this permit.
 - b. If the environmental analysis results in a decision that the authorized use shall be converted to an alternative public use, the holder shall be notified in writing and given at least 10 years continued occupancy. The holder shall be given a copy of the environmental analysis and decision document.
 - c. If a land use decision relating to the permit area and its supporting environmental documentation are more than 5 years old, the decision and supporting documentation shall be reviewed at least 2 years prior to permit expiration. If the review indicates that the conditions resulting in the decision are unchanged, the decision may be implemented. If the review indicates that conditions have changed, new environmental analysis shall be conducted to determine the proper course of action.

B. NEW TERMS AND CONDITIONS. In issuing a new permit, the authorized officer shall include terms and conditions that reflect new requirements imposed by current federal and state land use plans, laws, regulations, or other management decisions.

C. NEW PERMIT TO ACCOMMODATE 10-YEAR CONTINUED OCCUPANCY. If the 10-year continued occupancy given a holder who receives notification that a new permit will not be issued would extend beyond the expiration date of the current permit, a new term permit shall be issued for the remaining portion of the 10-year period.

X. RIGHTS AND RESPONSIBILITIES UPON REVOCATION OR TERMINATION WITHOUT RENEWAL

A. REMOVAL OF IMPROVEMENTS. Except as provided in clause VIII.B, upon revocation of this permit or termination of this permit without renewal of the authorized use, the authorized officer has the discretion to require the holder to sell or remove all structures and improvements, except those owned by the United States, within a reasonable period prescribed by the authorized officer and to restore the site to the satisfaction of the authorized officer. If the holder fails to sell or remove all structures or improvements within the prescribed period, they shall become the property of the United States and may be sold, destroyed, or otherwise disposed of without any liability to the United States. However, the holder shall remain liable for all costs associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the permit area.

B. OFFER OF AN IN-LIEU LOT. Upon revocation (other than revocation for noncompliance) or upon notification that a new permit will not be issued after expiration of this permit, the authorized officer may offer an in-lieu lot, if available, to the holder for building or relocating a recreation residence. An in-lieu lot must be in a location that is consistent with the applicable land management plan in the same National Forest as the authorized improvements or in an adjacent National Forest. An offer of an in-lieu lot must be accepted within 90 days or within 90 days of final disposition of administrative appeal of the revocation decision, termination when rebuilding is not allowed, or notification that a new permit will not be issued upon permit expiration, whichever is later, or the offer will expire.

XI. MISCELLANEOUS PROVISIONS

A. MEMBERS OF CONGRESS. No member of or delegate to Congress or resident commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use provides a general benefit to a corporation.

B. SUPERSEDED PERMIT. This permit replaces a special use permit issued to: XXXXXXXX, ZIGXXXXXXXX, on XXXXXXXX.

C. DISCLAIMER REGARDING TITLE. Issuance of this permit shall not be construed as an admission by the United States as to the title to any of the authorized improvements. The United States disclaims any liability for issuance of a permit in the event of disputed title.

C. RULES OF CONSTRUCTION

1. If there is a conflict between the foregoing standard printed clauses and any clauses added to the permit, the standard printed clauses shall control.
2. If this permit is issued to a trust and there is a conflict between any of the terms and conditions of this permit and the terms of the trust documents or state law applicable to the trust, the terms and conditions of this permit shall control.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

ACCEPTED:

Holders –

DATE

APPROVED:

District Ranger – Bill Westbrook

DATE

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond, to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

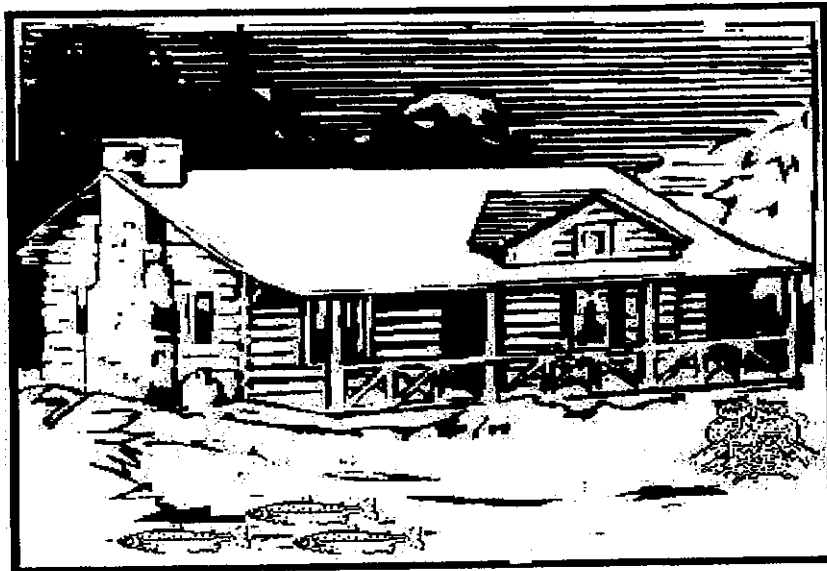
To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

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Recreation Residence Special Use Permit Appendix A

Zigzag Ranger District Recreation Cabin Program Operations and Maintenance Plan



Effective January 1, 2009

<http://www.fs.fed.us/r6/mthood/summerhomes>

Information and forms posted on the website will be updated as changes in policy or direction occur. Please check the website for updated forms, requirements and information.

Zigzag Ranger District Recreation Cabin Program Operations and Maintenance Plan

OPERATION AND MAINTENANCE PLAN PROCEDURES

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 or on an individual permit, can currently remain but will be brought into compliance with these standards as replacement, maintenance, and change of ownership occur.

Part I: Responsible person(s) and other contacts

1. The permit holder is responsible for implementing the provisions of this plan, and for ensuring that all cabin guests and any hired workers or contractors comply with the provisions of the special use permit and this Operation and Maintenance Plan.
2. The permit holder will provide the Forest Service with his/her current address and telephone contact information.
3. The permit holder will provide the Forest Service with contact information of individuals to be notified in case of emergency at the cabin, such as break-ins or damage due to windstorms.

Part II: Inspections

1. Annual self-inspections by permit holders are required and are due by July 15 of each year. Permit holders should use the Recreation Cabin Permit Holder Inspection Form to document their inspection. The form is available on the Summerhome website (www.fs.fed.us/r6/mthood/summerhomes), or by calling the Zigzag District Information Office at 503-622-3191.
2. The Forest Service will conduct Compliance Inspections at each recreation cabin and lot at least once every five years. Permit holders are responsible for complying with specific items listed on the inspection form within the specified timeframes. The permit holder should contact the permit administrator to request a time extension if necessary.

Part III: Site Plan Maps

1. Permit holders must update their site plan map whenever changes are made to lot improvements, including: below-ground and above-ground improvements, such as power lines and waterlines, propane tanks, septic systems and drain fields, in-ground cisterns or holding tanks, and any other improvements.

Part IV: General Standards for Improvements

A. Cabins and outbuildings

1. Recreation cabins and outbuildings should be designed to meet simple and rustic standards and to be compatible with the natural setting. All additions and exterior improvements must match the original buildings as much as practical. This includes siding, windows, doors, roofing, and general architectural style.
2. Exterior 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. The process description and form for requesting color approval are located on the Zigzag Summerhome website.
3. The maximum allowed cabin footprint is 1,200 square feet measured on the outside of the foundation. A loft may also be allowed. Neither the loft size nor an open deck or porch will be included in the total square footage of the building. The area of an enclosed porch attached to a cabin must be included in the maximum 1,200 square foot standard. Loft square footage should be two thirds or less of the ground floor square footage. The loft shall be open without intervening partitions or bathroom.
4. Not every cabin will be approved at the 1,200 maximum square footage, depending upon environmental and other factors.
5. 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. Basements are not allowed. Crawlspace and below deck areas may not be converted to storage or living spaces.
6. 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 of greens or browns and should harmonize with the cabin siding. Written authorization for roof material and color is required from the authorized officer prior to implementation. Metal roofs are generally not approved for tracts or cabins that are eligible for inclusion on the National Register of Historic Places.
7. Metal buildings and in many cases, metal roofs, shall not be permitted.

8. Mobile homes or modular structures shall not be authorized for use on a recreation cabin lot.

B. Outbuildings

1. Only one storage building and one outside toilet will be allowed. Buildings in excess of one storage building and one outside toilet will be phased out as opportunity allows: (1) change of ownership; (2) expiration of the permit; (3) a request for new construction; or (4) destruction of the structure. All outbuildings on the lot must be authorized on the face of the permit.
2. Authorized storage buildings should be low profile, measuring no more than 12 feet from ground level to peak with a footprint no greater than 130 square feet measured on the exterior of the outbuilding. Outbuilding piers, supporting overhangs and coverings are included in the 130 square foot permitted size total. Outbuilding plans must be approved in writing by the authorized officer before construction occurs.
3. Existing guest cabins must be converted to storage structures or removed. Exceptions may be made for the preservation of National Register eligible historic sleeping cabin features on a summer home lot at the discretion of the authorized officer.
4. Outbuildings cannot be used to expand the living space of a cabin. Nor can they be converted into sleeping quarters, guest cabins or office spaces. As such, furniture such as beds, desks and chairs are not allowed in outbuildings.

C. Decks and Porches

1. Decks are defined as unroofed structures, generally raised above ground level. 400 square feet is the maximum combined size that will be allowed for all decks at a cabin. In some cases, authorization of the maximum of 400 square feet will not be granted. The outer edge of the deck must be set back at least five feet from the edge of a hillside. Deck size, material and configuration must be approved in writing by the authorized officer.
2. Porches and patios (roofed structures, generally not raised above ground level) 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.

D. Hot Tubs and Saunas

1. Hot tubs installation must be approved by the authorized officer. Hot tub citing and installation requirements and the form for requesting the authorization of a hot tub are available on the Summerhome website: www.fs.fed.us/r6/mthood/Summerhomes.

2. If a sauna is approved by the authorized officer, it must be installed in either the dwelling or in the storage utility building, and not in another structure.

E. Signing

1. One sign may be permitted for each cabin. Rustic, routed type signs on boards approximately 18 inches by 8 inches by 2 inches in thickness may be approved. No signs may be attached directly to trees.
2. Permit holders will maintain a lot number mounted on a post or in conjunction with a name sign at the intersection of their driveway with the main access road to their cabin.

F. Other Improvements

1. Septic systems and drain fields may be approved after environmental review. The timeline for this review is 45 to 60 days. In limited cases, existing septic systems and drain fields that do not meet current code may be conditionally accepted on the permit with replacement being required in the future.
2. 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. All projects that involve ground disturbance require prior approval from the Forest Service.
3. The majority of the recreation cabins on the Zigzag District are served by the Lady Creek or the Rhododendron Water Systems. Permit holders who wish to install an alternate system must obtain written approval from the authorized officer and a State-issued water right before proceeding.
4. Yard lights for safety or security must be approved by the Authorized Officer. Such lights shall be mounted on buildings or treated posts/poles. All yard light electrical lines shall be buried (prior approval is required). No lights that illuminate automatically with darkness are allowed. Motion activated sensors are allowed but must be turned off when the cabin is not in use.
5. Fences are allowed only in to provide protection against a steep drop-off or cliff, and only with written authorization from the authorized officer.
6. Gate installation is approved on a case-by-case basis. They must be approved in writing by the Authorized Officer prior to installation. Chain and cable gates are not permitted. Gate and lock specifications and requirements are available from the permit administrator.

7. Where practical, propane tanks shall be incorporated into building design or screened from public view in accordance with State and other agency laws and regulations.
8. Small satellite dishes may be approved on a case-by-case basis. The Authorized Officer can require removal of existing dishes upon change of cabin ownership.
9. Inconspicuous whip antennas and wire antennae may be approved. They will be required to be placed on outbuildings or the cabin in an approved location. Only one antenna will be allowed per dwelling.
10. A temporary firewood rack may be approved by the authorized officer.
11. 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. Exceptions may be made for the preservation of unique historic fireplace features on a summer home lot at the discretion of the authorized officer. All fire rings must be located on the lot.
12. Generally, off-lot improvements will not be permitted, including fire rings and streamside benches and tables, and use areas. However, unique conditions in local situations may be considered by the Authorized Officer for allowing specific improvements.

Part V: Plans and Procedures for Construction and Reconstruction

1. **All work to the exterior of the cabin or outbuilding, or to the lot, must be approved in writing by the authorized officer.** All plans and proposals must be submitted in writing to the permit administrator. Requests will be processed in the order they are received. Environmental and Archaeological evaluations will often need to be completed before authorization to proceed can be granted.
2. The timeline for project approval is generally 45 to 60 days. Simple requests, such as for paint color approval will generally be responded to within one to two weeks.
3. Permit holders should request project approval using the Project Request Form available on the Summerhome website at www.fs.fed.us/r6/mthood/summerhomes or by calling the Zigzag District Information Office at 503-622-3191.
4. County and State building codes must be followed, and County building permits must be obtained when required. The permit holder will provide the permit administrator with copies of any building permits, electrical permits or

other authorizations issued by other agencies for proposed or approved projects.

5. Improvement 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 at the expense of the permit holder.
6. Projects such as a new cabin or additions to existing structures must be completed within two years or 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.

Part VI: Maintenance Standards

1. Permit holders will maintain the lot in a sanitary and orderly manner and the cabin and outbuilding in good condition.
2. All roofs shall be kept reasonably clear of debris.
3. Sheet plastic and blue tarps shall not be used on any buildings for walls, roofing, screening, or protection from the elements. Seasonal plastic storm windows are acceptable.
4. Attachments or nails are not allowed on trees. Such attachments include, but are not limited to gates, yard lights, power lines, fences, benches, signs, clotheslines, dog runs and wires. Clotheslines and dog runs should be temporary in nature and removed when the cabin is not in use.
5. Maintenance of roads and/or driveways providing access to recreation cabin areas is normally the responsibility of the permit holders being served by the road. The Forest Service will provide a permit and specifications to permit holders or the permit holder association for road work in the recreation cabin tracts. Gravel and other material used for surfacing must be certified to be weed-free.
6. The permit holder shall dispose of all garbage and refuse in an appropriate manner off National Forest land. Garbage may not be left outside the cabin or in an outbuilding when the cabin is not being used. Food garbage should not be stored outside the cabin or outbuilding even on an over-night or temporary basis in order to avoid attracting bears and other animals.
7. Miscellaneous Items Stored or Installed on the Lot:
 - Building supplies and materials must be removed from the lot within two weeks of project completion.
 - No more than two cords of firewood may be stored on the lot outside of a woodshed or storage building. One cord is 4' x 4' x 8'. Wood piles may

be covered by earth tone tarps (green or brown). Blue tarps are not allowed.

- Items such as wheelbarrows, wagons/carts, tools, and toys must be stored inside the cabin or outbuilding when the cabin is not in use.
- Playground equipment must be authorized before it is installed. Such structures will only be approved if they blend in with the forest setting and are easily removable wood structures that are rustic in appearance.
- Decorative yard items such as plastic flowers, plastic animals, wooden signs, figurines, or show lawn ornaments are not authorized and must be removed.

Part VII: Occupancy Standards

1. Incidental renting of recreation cabins may be allowed for up to 30 days per year or six weekends, whichever occurs first, when approved in advance by the Authorized Officer. Any use above this level would be considered commercial use in violation of permit terms and conditions. The permit holder is responsible to ensure that renters comply with all terms and conditions of the Operation and Maintenance Plan. The application for authorization to rent-out a recreation cabin and further information is available on the Summerhome website: www.fs.fed.us/r6/mthood/summerhomes.
2. Permit holders must notify the permit administrator upon placing their cabin on the market for sale and must provide a copy of the Forest Service pre-sale inspection and the permit and Operation and Maintenance Plan to realtors and interested buyers or their real estate agents. One "For Sale" sign may be placed at the driveway entrance and another sign next to cabin.
3. No advertising is allowed in the recreation cabin tracts, including signing posted by contractors that are working on recreation cabins.
4. The Forest Service will not normally approve plowing of Forest Service roads due to resource and other concerns. Permit holders who wish to obtain a permit to plow in the recreation cabin tracts must first obtain a plowing permit from the authorized officer.
5. No animals, other than common household pets, shall be kept upon the premises. Pets must not be left unattended. Permanent pet enclosures are not allowed.
6. Tents, canopies, and recreational vehicles (RV) may be used on the lot on a short-term basis such as holiday weekends, family reunions, and other social occasions not to exceed two weeks. No motor homes, trailers, or similar items should be stored at the recreation cabin or within the tract.

7. Use of internal combustion power equipment is discouraged within the recreation cabin tracts. When this type of equipment is used, it must be during daylight hours only, and must not impact other users of the National Forest.

Part VIII. Natural Resource Standards (vegetation, soils, wildlife and water)

1. Lawns and/or ornamental shrubs, trees, or flowers non-native to the area are not permitted. Native species may be planted (contact the Zigzag District for a list of true area native species before planting). Existing lawns and non-native plantings must be removed and the area rehabilitated. The Zigzag Ranger District can provide information on native plants that are appropriate for rehabilitating lawns and bare areas around recreation residences.
2. Permit holders will take measures to eradicate and control the presence of invasive species on their lot.
3. Cutting, trimming, or removing streamside vegetation for any purpose, including for "view" improvement, is prohibited.
4. Large trees, streamside vegetation and woody debris must be left in place to provide shade and protection to the stream.
5. It is not permissible to remove logs or woody debris from streams, or to use debris, rocks or any other material to create artificial dams in streams.
6. Lot vegetation must be maintained to resemble the natural forest conditions. The removal or damaging of any trees or other vegetation is not allowed unless provided for by written authorization from the Forest Service.
7. Bird and animal feeders, including salt licks, are not permitted on recreation cabin lots.
8. Parking areas must be limited in nature. The permit holder may be required to reduce the size of excessively large parking areas as identified by the authorized officer.
9. Vehicles must be kept on existing driveways and parking areas. Vehicles should not be driven over or parked on vegetated areas.
10. Permit holders will take measures to prevent erosion from occurring from their lot by covering exposed soil with weed-free mulch or by planting native vegetation (contact District Office for allowable native plant list).
11. The use of pesticides, including poison meant for rodents, is not allowed on National Forest Lands. Permit holders may use limited amounts of pesticides in the interior area of the cabin only.

12. No waste or byproducts shall be discharged that might result in substantial harm to fish and wildlife, or to human water supplies.
13. Storage facilities for materials capable of causing water pollution if accidentally discharged shall be located in a manner to prevent any spillage into waters or channels leading into water.
14. Permit holders will pump and inspect the septic tanks/systems that serve their cabins on a regular basis and will ensure that these systems are in good working order.

Part IX: Hazard Tree and Safety Standards

1. The permit holder is responsible to inspect the lot for dangerous trees or other hazards that may be present, and to request to remove or mitigate the hazard. The process and form for requesting hazard trees removal is available on the Summerhome website: www.fs.fed.us/r6/mthood/Summerhomes. The permit holder is responsible for removing or mitigating the hazard tree or other hazard after receiving written approval from the Forest Service.
2. The Forest Service will consider the assessment of a qualified silviculturalist or other knowledgeable professional trained in the area of tree defect and disease in determining the degree of hazard that an identified tree poses.
3. The permit holder must follow Forest Service written instructions on the disposition of a hazard tree that has been approved for removal once it is on the ground. Generally, the tree must be left on the ground, uncut, as large woody debris for the benefit of wildlife and watershed values.
4. In the event that a tree has fallen on a cabin or outbuilding, the permit holder may remove the tree without written authorization from the Forest Service, but must notify the Forest Service regarding the incident, and obtain instructions and authorization for the disposition of the wood.

Part X: Fire Safety Standards

1. It is the permit holder's responsibility to manage slash and other fire hazards on their recreation cabin lot. Permit holders must practice the following fire precautions:
 - a. Maintain spark screens that comply with current applicable codes on all chimneys.
 - b. Keep roofs reasonably free from leaves, branches and other debris.
 - c. Keep crawl spaces and above and below ground deck areas free of burnable materials.
 - d. Store combustible and flammable material in an appropriate manner.
 - e. Observe all fire restrictions.

- f. Keep campfires small, and in established fire pits located in safe areas.
 - g. No fireworks shall be used or stored on the land and/or structures covered under this permit, or on any National Forest System lands.
 - h. Clear readily-burnable vegetation such as dry grass, dead vegetation and forest needles ten feet away from the cabin and outbuildings.
 - i. Pile and burn slash annually (see below).
- 2. Campfires: The Forest Service will attempt to notify permit holders by mail when campfire closures within the Zigzag Ranger District are in effect. Permit holders may also call the Ranger District Information Office at 503-622-3191 to check on campfire closure status. Campfire closures on state or county lands do not apply to National Forest land.
 - 3. Permit holders must remove or burn yard debris (slash) such as fallen branches on an annual basis. Permit holders should establish a single burn pile per lot, placed away from trees, overhanging branches and other burnable materials or vegetation. The permit administrator will assist permit holders in the identification of a safe burning area if requested.
 - 4. Slash burning requires a burning permit from the Hoodland Rural Fire Department (503-622-3256).
 - 5. Power equipment: This includes, but is not limited to, internal combustion engines such as chainsaws, power tools and generators. This type of equipment should be used during daylight hours only and in a manner that does not impact other users of the National Forest. All power equipment must have an approved and properly installed spark arrestor.
 - 6. Power equipment operators must comply with Industrial Fire Precaution Level (IFPL) requirements such as observing allowable hours of operation. Information about the IFPL and the current level is available at www.fs.fed.us/mthood/fire or by calling the Zigzag Information Office at 503-622-3191.