September 13, 2010

To: Vice Presidents, Deans, Directors and Department Heads

From: Daryl Monroe-Bilotti
Paralegal, Office of Legal Counsel

Re: Forest Service Special Use Permit

MSU has been granted a Special Use Permit to use the Gallatin National Forest and the Beartooth Ranger District of the Custer National Forest for university activities. The Permit requires that MSU provide certain advance notice of intended use of the forest for a) educational activities for which the student will receive credit; b) recreation activities or "courses" where no credit is provided and c) other special uses that may involve ground disturbance, natural resource consumption (e.g. cutting trees, removing artifacts) and/or development or occupancy of a site (e.g., weather stations, stream monitoring stations, communication sites and structures such as the "M").

I coordinate the paperwork necessary to obtain the required permits. If your department or program wishes to use the Gallatin National Forest and the Beartooth Ranger District of the Custer National Forest for educational or recreation activities at any time during the year, please complete the Operating Plan Form and return to me by e-mail to dbilotti@montana.edu. The Operating Plan is Exhibit B on the web Forest Service Use Policy, http://www2.montana.edu/policy/forest_service_use/. The deadline dates for itinerary submission to the Forest Service have changed, they are: December 15 for Spring and May 15 for Summer and Fall.

If your department or program wishes to use the forest for other special uses, please contact our office to coordinate the permit process. I am required to submit a master list of proposed uses to the Forest Service liaison. Please submit your plans electronically to me at dbilotti@montana.edu. I will submit plans to the Forest Service.

A few things to remember:

1. If you do not know the precise dates for use, you may provide a range of dates. We are asked to report actual use to the Forest Service each semester. For administrative purposes I will assume that the activity took place on the day listed unless I hear otherwise from you.

2. You can assume you have received the permit once you submit the information unless you are notified by me or a Forest Service representative.

3. If your activity involves the use of developed sites (campgrounds, rental cabins) for which there is a reservation required and/or fee charged, you are advised to make arrangements for the use of the developed site directly with the Forest Service office responsible for the site and submit the information to me for the permit. Each department is responsible for its own use fees for use of developed sites or other uses for which fees are charged.

Legal Counsel
211 Montana Hall
R0. Box 172420
Bozeman, MT 59717-2420

Tel (406) 994-4570
Fax (406) 994-1893
E-mail lesliet@montana.edu
4. Departments are encouraged to locate their field trips and activities outside of designated Wilderness (the Lee Metcalf and Absaroka Beartooth). If a trip is Wilderness dependent in some way the Forest Service may consider the request, but it is likely not to approve most Wilderness requests for trips—especially those that fall into the "recreational" category.

The federal regulations governing the U.S. Forest Service require that a permit be issued before institutions may take groups into the forest. We are hoping to work cooperatively with the Forest Service to assure that we can maintain maximum access to the forests and comply with the appropriate permitting regulations.

Please review the following Guidelines provided to us by Kimberly Schlenker, Wilderness/Recreation Program Manager, Gallatin National Forest:

**MSU Outfitter Guidelines/Tickler List**

The following topics need to be considered when people prepare requests for institutional outfitting on the Gallatin and Custer National Forests. These items represent a reminder list of possible conflicts or areas where we won’t be able to accommodate requests as submitted.

Wilderness trips are generally discouraged unless the activity is somehow dependent on a Wilderness Resource. Requests for activities within designated wilderness will be reviewed to see if there is an alternative non-wilderness location which could be substituted. Wilderness trips that are generally recreational in nature will not typically be approved.

All requests granted within wilderness must comply with party size limitations specific to that area (15 people max per party, and 15-25 head of livestock depending on location).

All activities must comply with Forest travel restrictions (e.g. motorized closures, big game winter range closures, etc.)

Requests to use any of the rental cabins on the Forest will be entertained on a first come first serve basis by the applicable ranger district, and will be assessed the normal rental fee regardless of the type of activity (for credit course work or otherwise).

Certain areas of the Forest are already experiencing over use problems, and requests for activities (particularly overnight use) in those areas will likely be denied. The following short list is not all inclusive but notes some problem areas:

**RESTRICTED AREAS – Category A1 or A2 use will not be authorized for the following areas:**

**Gallatin National Forest**

Gardiner ranger District (Beartooth Mtns/Plateau area in the Absaroka-Beartooth Wilderness):

- Russell Lake area – Trail #567
- Rock Island Lake area – Trail #565
- Fox Lake; west shore

Bozeman Ranger District:

- Lava Lake area – Cascade Creek Trail #77
Gallatin River – Restriction applies to rafting only

Hebgen Lake Ranger District

Avalanche Lake area – Trail #152
Blue Danube Lake area – West Fork Beaver Creek Trail #222
Hilgard Basin area – Sentinel Creek Trail #202, Hilgard Basin Trail #201

Custer National Forest

Beartooth Ranger District (in the Absaroka-Beartooth Wilderness):

East Rosebud Trail #15
Line Creek Plateau Trail #10

OTHER RESTRICTIONS ON AUTHORIZED ACTIVITIES

ROTC Exercises:

- Incendiary devices (smoke bombs, flash/bang hand grenades, or weapons) will not be allowed
- Use or landing of helicopters will not be allowed
- Digging of fox holes will not be allowed

Activities requested during spring break up wet seasons which will contribute to road or trail damage may be postponed or relocated to avoid resource damage.

All applicable laws, regulations, and special orders (e.g. weed free feed, camping restrictions, etc.) apply.

Requests to use developed facilities such as campgrounds will be evaluated and considered on a case-by-case basis. Where there is a fee for use of those facilities - those fees will be paid in addition to any fee associated with the special use permit.

The Gallatin NF will attempt to coordinate requests for activities on neighboring Forests, but may not always be able to secure approval.