

CUSTER NATIONAL FOREST
BEARTOOTH RANGER DISTRICT
RECREATION RESIDENCE OPERATIONS AND MAINTENANCE PLAN

Prepared by:
BEARTOOTH RANGER DISTRICT

_____ Date: _____
Jeff Gildehaus, Rec. Residence Administrator

Reviewed and Accepted by:
PERMITTEE

_____ Date: _____
Permit Holder

_____ Date: _____
Permit Holder

Approved by:
BEARTOOTH RANGER DISTRICT

_____ Date: _____
TRAUTE PARRIE, District Ranger

OPERATIONS AND MAINTENANCE PLAN

The following Operations and Maintenance Plan is made a part of the Holder's permit as provided in clause II of the special use permit.

1. This plan provides basic maintenance of vegetation, tree planting, and removal of dangerous trees and other unsafe conditions.
 - a. The damaging of trees and shrubbery is prohibited. Trees may not be hacked, cut, or damaged in any manner, nor may signs, wires, or other materials be nailed to trees.
 - b. Removal of streamside vegetation is prohibited. Limited removal of vegetation is allowed to enhance streamside views with prior Forest Service review and approval.
 - c. The Holder will help protect designated wildlife logs or snags.
 - d. The Holder will contact the District for a hazard tree assessment on any tree that may present a hazard on the lot. The Forest Service will then provide approval to remove the tree or an explanation as to why the tree does not pose a significant hazard.
 - e. In the event that a flood or continued erosion of a streambank occurs, the Forest Service must review and approve any work to correct the problem. Possible corrective action may include: the installation of instream structures, armoring the stream bank or moving the cabin further back on the lot.
 - f. Any corrective work to remove or minimize a hazard to the improvements will be at the Holder's expense.
2. Maintenance of the facilities.
 - a. The Holder shall maintain the improvements in a reasonable state of repair. This would include painting or cleaning the exterior, installing/maintaining skirting, and repairing dry rot problems that cause structural problems or that visually detract from the structure. Paint or stain improvements would be in colors acceptable to the Forest Service. The Holder will assure hazards posed by improvements are removed. Burnable items will not be stored under crawl space. The outhouse will be sealed.

- b. The Holder may perform minor pruning of limbs of trees or bushes that intrude upon driveways, trails, or are adjacent to the cabin, woodshed or outhouse without Forest Service prior approval.
 - c. Present policy allows a residence, a woodshed and an outhouse if needed. If a Holder presently has more than these number of structures, they may remain as long as they are well maintained and used for an appropriate purpose i.e. utility storage, wood storage and not converted to sleeping quarters.
 - d. Driveways must be maintained in such a fashion that any resource damage (primarily erosion concerns) is kept to a minimal, acceptable level meeting Forest Service concerns.
 - e. All electrical lines from the residence (cabin) to outbuildings must be buried for visual and safety purposes.
 - f. If at some time in the future, the utility company which provides electricity to your cabin buries their main electrical transmission lines serving the tracts underground, the Holder agrees to have the service from the main line to their cabin buried. Adequate notification (at least one year) will occur to allow the Holder ample opportunity to prepare for this work.
 - g. Outdoor high intensity lights operated on an automatic basis will not be permitted. Such lights may be used provided they are operated on a manual basis and used only when the residence is in use. The Holder must provide a statement verifying that any such light is manually operated and used only when the residence is in use. Incandescent, directional floodlights may be used on an automatic basis for security purposes if the Holder desires. These lights must be directed at the improvements and not be allowed to light up general forested areas.
 - h. The Holder will maintain and update a current site plan map.
 - i. Fences are allowed only in areas where they provide protection against a steep drop off or cliff.
3. Construction or change to authorized improvements.

Compliance with the National Historic Preservation Act (16USC 470):

The National Historic Preservation Act (NHPA) regulations at 36 CFR 800.16(y) define permit re-issuance as an “undertaking” for the purposes of compliance with the Act. The exteriors of Recreation Residences eligible for, or listed in the National Register of Historic Places shall be maintained to preserve their historic and architectural values. Interior modifications to Recreation Residences are not subject to this direction. In keeping with the Secretary of the Interior’s Standards and Guidelines for the preservation of historic properties (those eligible for or listed upon the National Register of Historic Places) significant modifications are considered a potential adverse effect. The Forest Service as the permitting agency is required by law to

consult with the State Historic Preservation Officer (SHPO) and with the Advisory Council on Historic Preservation (ACHP) to seek ways to avoid, minimize, or mitigate adverse effects to historically significant Recreation Residence properties. Modifications to Recreation Residences must be completed in consultation with the Custer National Forest, Montana SHPO, and the Advisory Council on Historic Preservation as required by the NHPA regulations. All proposals for reconstruction, alteration, significant repair, and new construction affecting building exteriors, must adhere to the following steps:

- a. Submit form: "Form for Proposing Site or Facilities Alterations or New Construction, to the District Ranger.
 - b. If the structure or site has been previously evaluated by the Forest Service and SHPO, and found to be "ineligible" (not historically significant), the Permit Administrator will work directly with the Permit Holder regarding the proposed work.
 - c. If the structure or site has not been previously determined to be "ineligible" by the Forest Service and SHPO, the Permit Administrator will notify the Forest Heritage Program leader (cultural resource specialist), who will consult with the SHPO to resolve the historic significance of the structure or site.
 - d. If the structure or site is found to be historically significant (eligible) both the Permit Administrator and the cultural resource specialist will work with the Permit Holder regarding the proposed modifications. The document "Recreation Residence Historic Context for Eight National Forests in Region 1" (May 2006), available from the Beartooth Ranger District upon request or found on the Gallatin National Forest website at: www.fs.fed.us/r1/gallatin/?page=recreation/information/recreation_residences will be used to assess the effects of proposed structural or site modifications, and to develop appropriate mitigation measures in consultation with the Montana SHPO and ACHP. The Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" provide definitive guidance in making additions and or modifications to historic structures.
4. Size, placement and descriptions of signs.
- a. All signs shall be of such color and design so they are unobtrusive to travelers in the area, new signs are limited to a maximum of 1' by 2'.
 - b. The Holder 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 residence
5. Removal of garbage or trash.
- a. The Holder shall dispose of refuse resulting from this use, including waste materials, garbage, and rubbish of all kinds. Refuse shall be disposed of at an appropriate dump site off National Forest land. The Holder shall guard the purity of streams and living waters.

6. Fire protection.

- a. No fireworks shall be stored or used on the land covered by this permit or in the structures thereon.
- b. Fireplaces and all wood burning appliances will be equipped with spark screens.
- c. The roof shall be kept reasonably clear of leaves, twigs, and other debris.
- d. The Holder shall clear and keep cleared away from any structures all readily burnable vegetation such as dry grass, forest needles, and dead vegetation

7. Responsible person(s), other contact(s), and other owner(s)

- a. The name, address, and phone number of the person responsible for implementing the provisions of the plan, if other than the Holder will be provided to the Forest Service by the Holder.
- b. The Holder will also provide the Forest Service with a list of names, addresses, and phone numbers of persons to contact in the event of an emergency.
- c. Names, addresses, and phone numbers of any coowners will also be provided to the Forest Service by the Holder.
- d. No more than 4 individuals or families may share ownership of a cabin.

8. Maintenance and upkeep of the lot.

- a. The permitted area will be maintained to present a clean, neat and orderly appearance. Trash, debris, unusable machinery, improvements, etc., will be disposed of currently.
- b. The Holder agrees to haul from National Forest lands all slash, logs, stumps, and debris resulting from clearing the permitted area, as directed by the Forest Officer in charge.
- c. The lot will not be used to store building materials in excess of those needed for the next two years work or repair.
- d. No motorhomes, trailers, boats or other items will be stored on the lot. All terrain vehicles may be kept on site for the summer and removed for the winter. Snowmobiles may be kept on site for the winter and removed in the summer.
- e. Firewood will normally be stored within a woodshed, if one is available. If no woodshed is available and other constraints do not limit firewood location, firewood stacks will be limited to two locations, one near the cabin for easy access and a larger single pile. Black, brown, green or gray colored tarp or plastic may be used to cover these piles.

- f. Yard debris will be removed from the lot or burned at least every two years. There will be a single burn pile per lot, placed in a firesafe location, away from trees, overhanging branches and other burnable materials or vegetation.
- g. Established campfires will be located away from trees, overhanging branches or other burnable materials or vegetation. An area no less than three feet around the perimeter of the campfire will be cleared of forest needles, duff and other vegetation. Only one campfire location will be allowed per residence.
- h. The Holder will not establish lawns, plant flowers or ornamental shrubs. Indigenous or native plants may be used to enhance or restore a natural appearing forested setting.
- i. If a lawn or artificially landscaped area is present the Holder will over the next 5 years, plant indigenous or native plants to restore a more natural appearing forested setting.

9. Resource protection.

- a. No waste or byproducts shall be discharged if it contains any substances in concentrations which will result in substantial harm to fish and wildlife, or to human water supplies.
- b. 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.

10. Use of the facilities.

- a. The Holder may rent his improvements with prior Forest Service approval. A rental approval form will be provided upon request. Such rental must be incidental to the Holder's use, be for recreational purposes and will not exceed a time limit specified by the Forest Service. The Holder understands that responsibility for compliance to the terms of the permit will remain with the Holder.
- b. Upon placing the cabin on the market for sale the Holder will notify the Forest Service and request in writing that the Forest Service perform a transfer inspection. A copy of this inspection will be shared with potential buyers and real estate agents, if any, handling the listing.
- c. Upon listing the residence for sale, a sign may be placed at the driveway entrance to the road accessing that tract and another sign next to the residence for those instances where a driveway serves more than one residence.
- d. The Forest Service will not normally approve plowing of Forest Service roads. If plowing is desired the Holder will contact the Forest Service for review and possible approval of a snow plowing permit.

11. Compliance inspections, Inspection Report

- a. The Holder agrees that corrective work detailed in Forest Service compliance inspections (Inspection Report) will be completed by the scheduled completion date. If the Holder disagrees or has questions about specific items, the Holder must contact the Forest Service in order that the disagreement or item may be resolved. The Holder will consult and abide by the Glossary of Terms (used in the Inspection Report).

12. Area Access

- a. The Holder agrees to permit the free and unrestricted access to and upon the premises at all times for all lawful and proper purposes not inconsistent with the intent of the permit or with the reasonable exercise and enjoyment by the holder of the privileges thereof.
- b. Forest Service may use driveways or lots to access National Forest lands adjacent to the lot provided that the Forest Service will protect vegetation and protect the Holder's improvements or agree to restore improvements to original or better condition.