



USDA Forest Service Northern Region Briefing Paper

Date: May 5, 2022

Topic: Utility Corridor Stage II Fire Restriction Exemption Process

Issue: Clarification is required on the process for Stage II Fire Restriction exemptions identified in 36 CFR 261.50(e) for utility corridor work.

Concerns: Current NRCG guidance incorrectly specifies that a permit is required to exempt prohibited activities under Stage II Fire Restrictions but does not correctly cite the special use authorization as the *existing permit* and legal document governing activities on NFS lands. The current NRCG template serves as the application and exemption permit in one document. The current NRCG “permit” template is not valid.

Proposed Action: A better defined process has been identified that segregates the application from the “permit” for Stage II exemption and identifies the special use authorization as the “permit” under which activities are allowed as specified under 36 CFR 261. This process also recommends the use of a Risk Assessment Worksheet (RAW) as a decision support tool when analyzing exemption requests. Templates developed for new process include:

- A stand-alone Stage II Exemption Application template
- A stand-alone Stage II Exemption Letter template that provides response to the exemption request and identifies the special use authorization as the governing document for activities conducted on NFS lands
- Risk Assessment Worksheet which provides decision support for Stage II exemption requests
- Inspection Form

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