

more cabins authorized in accordance with the program.

**(14) Tract association**

The term “tract association” means a cabin owner association in which all cabin owners within a tract are eligible for membership.

**(15) Typical lot**

The term “typical lot” means a cabin lot, or a group of cabin lots, in a tract that is selected for use in an appraisal as being representative of, and that has similar value characteristics as, other lots or groups of lots within the tract.

(Pub. L. 106-291, title VI, §604, Oct. 11, 2000, 114 Stat. 1014.)

**§ 6204. Administration of recreation residence program**

The Secretary shall ensure, to the maximum extent practicable, that the basis and procedure for calculating cabin user fees results in a fee for an authorization that reflects, in accordance with this chapter—

- (1) the market value of a lot; and
- (2) regional and local economic influences.

(Pub. L. 106-291, title VI, §605, Oct. 11, 2000, 114 Stat. 1015.)

**§ 6205. Appraisals**

**(a) Requirements for conducting appraisals**

In implementing and conducting an appraisal process for determining cabin user fees, the Secretary shall—

- (1) complete an inventory of improvements that were paid for by—
  - (A) the agency;
  - (B) third parties; or
  - (C) cabin owners (or predecessors of cabin owners),

during the completion of which the Secretary shall presume that a cabin owner, or a predecessor of the owner, has paid for the capital costs of any utility, access, or facility serving the lot being appraised, unless the Forest Service produces evidence that the agency or a third party has paid for the capital costs;

- (2) establish an appraisal process to determine the market value of the fee simple estate of a typical lot or lots considered to be in a natural, native state, subject to subsection (b)(4)(A) of this section;

- (3) enter into a contract with an appropriate professional appraisal organization to manage the development of specific appraisal guidelines in accordance with subsection (b) of this section, subject to public comment and congressional review;

- (4) require that an appraisal be performed by a State-certified general real estate appraiser, selected by the Secretary and licensed to practice in the State in which the lot is located;

- (5) provide the appraiser with appraisal guidelines developed in accordance with this chapter;

- (6) notwithstanding any other provision of law, require the appraiser to coordinate the appraisal closely with affected parties by seek-

ing information, cooperation, and advice from cabin owners and tract associations;

(7) require that the appraiser perform the appraisal in compliance with—

- (A) the most current edition of the Uniform Standards of Professional Appraisal Practice in effect on the date of the appraisal;

- (B) the most current edition of the Uniform Appraisal Standards for Federal Land Acquisitions that is in effect on the date of the appraisal; and

- (C) the specific appraisal guidelines developed in accordance with this chapter;

(8) require that the appraisal report—

- (A) be a full narrative report, in compliance with the reporting standards of the Uniform Standards of Professional Appraisal Practice; and

- (B) comply with the reporting guidelines established by the Uniform Appraisal Standards for Federal Land Acquisitions; and

- (9) before accepting any appraisal, conduct a review of the appraisal to ensure that the guidelines made available to the appraiser have been followed and that the appraised values are properly supported.

**(b) Specific appraisal guidelines**

In the development of specific appraisal guidelines in accordance with subsection (a)(3) of this section, the instructions to an appraiser shall require, at a minimum, the following:

**(1) Appraisal of a typical lot**

**(A) In general**

In conducting an appraisal under this section, the appraiser—

- (i) shall not appraise each individual lot;
- (ii) shall appraise a typical lot or lots, selected by the cabin owners and the agency in a manner consistent with the policy of the program; and

- (iii) shall be provided, and give appropriate consideration to, any information contained in the inventory of improvements relating to the lot being appraised.

**(B) Estimate of market value of typical lot**

**(i) In general**

The appraiser shall estimate the market value of a typical lot in accordance with this chapter.

**(ii) Equivalence to legally subdivided lot**

In selecting a comparable sale under this chapter, the appraiser shall recognize that the typical lot will not usually be equivalent to a legally subdivided lot.

**(2) Exception for certain sales of land**

In conducting an appraisal under this chapter, the appraiser—

- (A) shall not select sales of comparable land that are sales of land within developed urban areas; and

- (B) should not, in most circumstances, select a sale of comparable land that includes land that is encumbered by a conservation or recreational easement that is held by a government or institution, except land that is limited to use as a site for 1 home.