

(4) Cabin

The term “cabin” means a privately built and owned recreation residence that is authorized for use and occupancy on National Forest System land.

(5) Cabin owner

The term “cabin owner” means—

(A) a person authorized by the agency to use and to occupy a cabin on National Forest System land; and

(B) an heir or assign of such a person.

(6) Cabin user fee

The term “cabin user fee” means a special use fee paid annually by a cabin owner to the Secretary in accordance with this chapter.

(7) Caretaker cabin

The term “caretaker cabin” means a caretaker residence occupied in limited cases in which caretaker services are necessary to maintain the security of a tract.

(8) Current cabin user fee

The term “current cabin user fee” means the most recent cabin user fee that results from an annual adjustment to the base cabin user fee in accordance with section 6207 of this title.

(9) Lot

The term “lot” means a parcel of land in the National Forest System—

(A) on which a cabin owner is authorized to build, use, occupy, and maintain a cabin and related improvements; and

(B) that is considered to be in its natural, native state at the time at which a use of the lot described in subparagraph (A) is first permitted by the Secretary.

(10) Natural, native state

The term “natural, native state” means the condition of a lot or site, free of any improvements, at the time at which the lot or site is first authorized for recreation residence use by the agency.

(11) Program

The term “program” means the recreation residence program established under the authority of section 497 of this title.

(12) Secretary

The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(13) Tract

The term “tract” means an established location within a National Forest containing 1 or 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 rep-

resentative 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.)

REPEAL OF SECTION

Pub. L. 113–291, div. B, title XXX, §3024(k), Dec. 19, 2014, 128 Stat. 3766, provided that, effective on the date of the assessment of annual permit fees in accordance with section 6214(f) of this title (as certified to Congress by the Secretary of Agriculture), this section is repealed.

§ 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.)

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§ 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;