

## PART 2 1 2—ADMINISTRATION OF THE FOREST DEVELOPMENT TRANSPORTATION SYSTEM

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**AUTHORITY** §§ 212 1 to 212 7 issued under sec 1 30 Stat 35 as amended sec 205 72 Stat 907 16 USC 551 23 USC 205

**Source** §§ 212.1 to 212.7 appear at 24 F.R 10255

### § 212 1 Definitions

For the purpose of this part the following terms respectively shall mean

(a) *Chief* The Chief Forest Service Department of Agriculture

(b) *Regional forester* A regional forester of the Forest Service

(c) *Forest development transportation plan* The plan for the system of access roads trails and airfields needed for the protection administration and utilization of the national forests or the development and use of resources upon which communities within or adjacent to the national forests are dependent

(d) *Forest development transportation facility* An access road trail or airfield wholly or partly within or adjacent to and serving a national forest which has been included in the forest development transportation plan

(e) *Forest development road and trail funds* Funds authorized or appropriated for the purpose of carrying out the provisions of section 205 of the Act of August 27 1958 (72 Stat 907) 23 USC 205

(f) *Road and trail 10 percent funds* Funds transferred from the permanent appropriation 'Roads and Trails for States under the Act of March 4 1913 (37 Stat 843) as amended 16 USC 501

(g) *Federal airport funds* Discretionary funds available for airfields in national forests under section 6(b)(3) of the Act of May 13 1946 (60 Stat 173) as amended 49 USC 1105(b)(3)

(h) *Construction* The supervising inspecting actual building and all expense incidental to the construction or reconstruction of a forest development transportation facility including locating surveying and mapping (including the establishment of temporary and permanent geodetic markers in accordance with the specifications of the Coast and Geodetic Survey in the Department of Commerce) costs of rights-of-way and elimination of hazards

(i) *Maintenance* The upkeep of the entire forest development transportation facility including surface and shoulders parking and side areas structures and such traffic-control devices as are necessary for its safe and efficient utilization

(j) *Preliminary engineering* All work and expense of preparing for the construction or reconstruction of a forest development transportation facility including (1) engineering and economic investigations studies and reports (2) reconnaissance surveys (3) preliminary surveys (4) preliminary location surveys (5) soils foundations and materials investigations surveys and tests (6) preliminary and final designs (7) preliminary and final plans drawings specifications and estimates of quantities and cost (8) final location surveys staked on the ground, and (9) rights-of-way surveys plans and descriptions

(k) *Construction engineering* All work and expense of setting out controlling inspecting and measuring the construction or reconstruction of a forest development transportation facility including (1) construction surveys to establish line and grade for the work to control the work and to measure quantities, (2) redesigning adjusting and changing the plans specifications and materials to meet conditions (3) inspecting directing and controlling operations for compliance with plans and specifications (4) inspecting testing and accepting materials and equipment to be installed in the work and (5) inspecting measuring and accepting completed work

### § 212 2 Allocation

Funds for forest development transportation facilities shall be allocated according to relative needs in the various

national forests taking into consideration the existing transportation facilities value of timber or other resources served relative fire danger and comparative difficulties of construction

#### § 212 3 Forest development transportation plan

A plan shall be made for each national forest and experimental area administered by the Forest Service. It shall be prepared maintained revised and reported on in accordance with procedures prescribed by the Chief

#### § 212 4 Program of work

A program shall be made for all of the work to be done on the forest development transportation system each fiscal year. It shall be prepared modified and reported on in accordance with procedures prescribed by the Chief

#### § 212 5 Cooperative agreements

Cooperative agreements for all projects which involve financial contributions from cooperators shall be negotiated approved and executed in accordance with procedures prescribed by the Chief. Work shall not be started on such a project until the cooperative agreement has been approved and executed

#### § 212 6 Construction and maintenance

(a) Construction and maintenance work on forest development transportation facilities with appropriated funds shall be directed to what is necessary and economically justified for protection administration development and multiple-use management of the federally owned lands and resources served

(b) Preliminary engineering and the construction and maintenance of forest development transportation facilities shall be performed by force account or let to contract unless otherwise approved by the Chief. The contract method shall be employed for roads and trails in accordance with section 205(c)

of the Act of August 27 1958 (72 Stat 907) 23 USC 205 and for all other facilities when it is advantageous and in the interest of the Government

(c) No construction work shall be started by force account or let to contract until all necessary rights-of-way have been secured and approved by the Attorney General and cooperative agreements if any approved and executed

#### § 212 7 Records and accounting

(a) As soon as practicable after the end of each fiscal year the regional forester shall submit a report to the Chief showing the work accomplished in each State on forest development transportation facilities and the obligations incurred and disbursements made therefor

(b) The Chief and each regional forester shall maintain an accurate fiscal record of the status of funds for forest development transportation facilities and of all allocations, obligations and disbursements thereof

(c) Cooperative funds contributed in advance by cooperators shall be deposited in the United States Treasury to the credit of the Forest Service Cooperative Fund authorized by the Act of June 30 1914 (38 Stat 430) as amended, 16 USC 498 which deposits will be made available for expenditure from the appropriation "Cooperative Work Forest Service" and shall be audited disbursed and recorded in the same manner as funds under section 205 of the Act of August 27 1958 (72 Stat 907) 23 USC 205. If a State county or other governmental agency is unable to contribute in advance but is able to pay its share subsequent to performance of the work, the subsequent payment will be deposited to the credit of the Forest Service appropriation from which the expenditures were made. Cooperative expenditures made by cooperators shall be audited and disbursed as provided in the cooperative agreements