



ORDER NO.2008-13

**ORDER OF THE FOREST SUPERVISOR  
RESTRICTING ENTRY, TO WIT:  
PROTECTED PLANT SPECIES AREA  
WHITE MOUNTAIN NATIONAL FOREST – NEW HAMPSHIRE and MAINE**

Under the authority of the Act of Congress dated June 4, 1897, as amended (16 U.S.C. 551), and pursuant to the Secretary of Agriculture's Regulations set forth as 36 CFR Part 261, Subpart B (36 CFR 261.50(a) and (b)), the following acts and omissions are prohibited on the Saco Ranger District, and Pemigewasset Ranger District, Coos County, New Hampshire. Said areas being described and designated as shown on the map set forth in Exhibit A, which is attached hereto and made a part hereto:

1. Going into or being upon the said area. (36CFR 261.53(a))

**THESE RESTRICTIONS ARE NECESSARY FOR PUBLIC SAFETY AND TO PROTECT NATIONAL FOREST PROPERTY. THEY ARE IN ADDITION TO THE GENERAL PROHIBITIONS SET FORTH IN 36 CFR PART 261. THE PROHIBITION WILL BE IN EFFECT FROM THE DATE OF THIS ORDER UNTIL SPECIFICALLY WITHDRAWN BY TERMINATION ORDER OF THE FOREST SUPERVISOR.**

Pursuant to the provisions of 36 CFR 261.50(e), the following persons are exempt from this order:

1. Persons with permit specifically authorizing the otherwise prohibited act or omission (36 CFR 261.50(e)(1)); and,
2. Any Federal, State, or local officer, or member of any organized rescue or fire fighting force in the performance of an official duty (36 CFR 261.50(e)(4));

**Violation of these prohibitions is punishable by a fine of not more than \$5000.00 for an individual or \$10,000.00 for an organization, or imprisonment for not more than six (6) months, or both (16 U.S.C., 18 U.S.C. 3559 and 3571).**

Dated this 4<sup>th</sup> day of May 2009 at Laconia, New Hampshire.

*/S/ Thomas G Wagner*  
Thomas G. Wagner  
Forest Supervisor  
White Mountain National Forest

# ATTACHMENT 1

## Explanatory Notes:

- An area approximately 1.5 acres in size which is located on the East side of Crawford Notch path. 2 miles south of Lake of the Clouds Hut. The site is further defined by a low stone wall surrounding it. The site is in tract #14, Town of Sargent's Purchase, Coos County, New Hampshire as shown in Attachment 1. Note that the use of Crawford path is not affected by this closure.

## Rationale for continued *Potentilla Robbinsiana* Protection

The Alpine Zone on the Forest receives thousands of visitors each year going to such places as the summits of the Presidential peaks, AMC huts and other shelters, trail connections and destinations.

The nature of the vegetation of the Alpine Zone is that of a fragile biotic community that has been subjected to damage and use from those crossing throughout area. Part of this Alpine Zone vegetation is the rare *potentilla robbinsiana* plant. Although the plant has recovered to a certain extent use in the area still poses a threat to its existence and therefore this order prohibiting use in the plant's habitat would help protect it.

## **EXHIBIT A**

### **Map of Mt. Washington T&E Plant Habitat Entry Closure**

**White Mountain National Forest  
2008-13  
Mt Washington T&E Plant Species  
Implementation and Enforcement Plan**

**Public Notice**

1. Copies of approved order and attachments shall be made available to the public at District Ranger Stations and the Office of the Forest Supervisor.
2. Contents of the order shall be posted on the Forest Website.
3. Signs advising of restrictions shall be posted on informational bulletin boards.
4. Signs shall be posted in those areas identified by field personnel as being areas likely to be used by the public in violation of the closure order.

**Enforcement**

1. Patrols of the closure area shall be regularly conducted by Forest Protection Officers and occasionally by assigned Law Enforcement personnel.
2. Patrols shall verify appropriate signing is in place.
3. All violations of the closure order shall be documented using appropriate law enforcement forms (Incident report (5300-1 or Violation Notice 5300-4).
4. Officers shall exercise appropriate discretion in the issuance of warnings and violation notices.
5. Persistent and reoccurring violations shall be reported to the District Law Enforcement Officer.

Exhibit A

## Potentilla Closure

