



**ORDER**  
**FIRE AREA CLOSURE**  
**FREMONT-WINEMA NATIONAL FOREST**  
**Order Number 2012-02-04**

Pursuant to Title 36, Code of Federal Regulations §261.50 (a) and (b), the following act is prohibited on National Forest System lands and roads within the following described area on the Lakeview Ranger District, Fremont-Winema National Forest, as described in attached Exhibit A.

**PROHIBITION:** (1) GOING INTO OR BEING UPON AN AREA.

36 C.F.R. §261.52(e)

**The area described below will be closed to public access/entry due to hazards and hazardous situations created within the Dog Mountain / Dog Lake area as a result of the Barry Point Fire. This prohibition will become effective immediately upon the time and date of the signature on this Order and will remain in effect until further notice.**

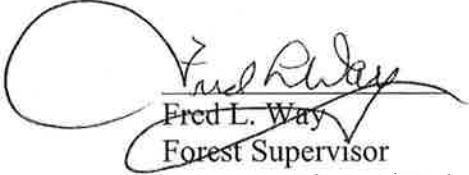
**AFFECTED AREA: Point of Beginning** – From the junction of Andy Hill Road and Oregon State Highway 140, south on Andy Hill Road to Water Users Lane; then east on Water Users Lane to Diamond Road; then south on Diamond Road to its junction with Westside Road; then south on Westside Road to the Oregon/California state line; then west along the Oregon/California state line to Forest Service Road (FSR) 4808; then north on FSR 4808 to its junction with FSR 4017; then west on FSR 4017 to its junction with FSR 3940; then north on FSR 3940 to its junction with FSR 4026; then north on FSR 4026 to its junction with FSR 3752; then north on FSR 3752 to its junction with FSR 3924; then northeast on FSR 3924 to its junction with FSR 3940; then north and east on FSR 3940 to its junction with Oregon State Highway 140 in Drews Valley; then east on Oregon State Highway 140 to the point of beginning at the junction of Oregon State Highway 140 and Andy Hill Road. Portions or all of the following National Forest System roads that delineate this area closure are also closed to the public. These roads are: FSR 4808, 4017, 3940, 4026, 3752, 3924, and 3940.  
**Refer to attached map (Exhibit A).**

**This ORDER supersedes Order Nos. 2012-02-02 and 2012-02-03**

Pursuant to Title 36 C.F.R. §261.50(e), the following are exempt from this Order:

- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission.
- (2) Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
- (3) Owners or lessees of land in the affected area.

Done in Lakeview, Oregon at 6:07 (am/pm) on this 11<sup>th</sup> day of August, 2012.

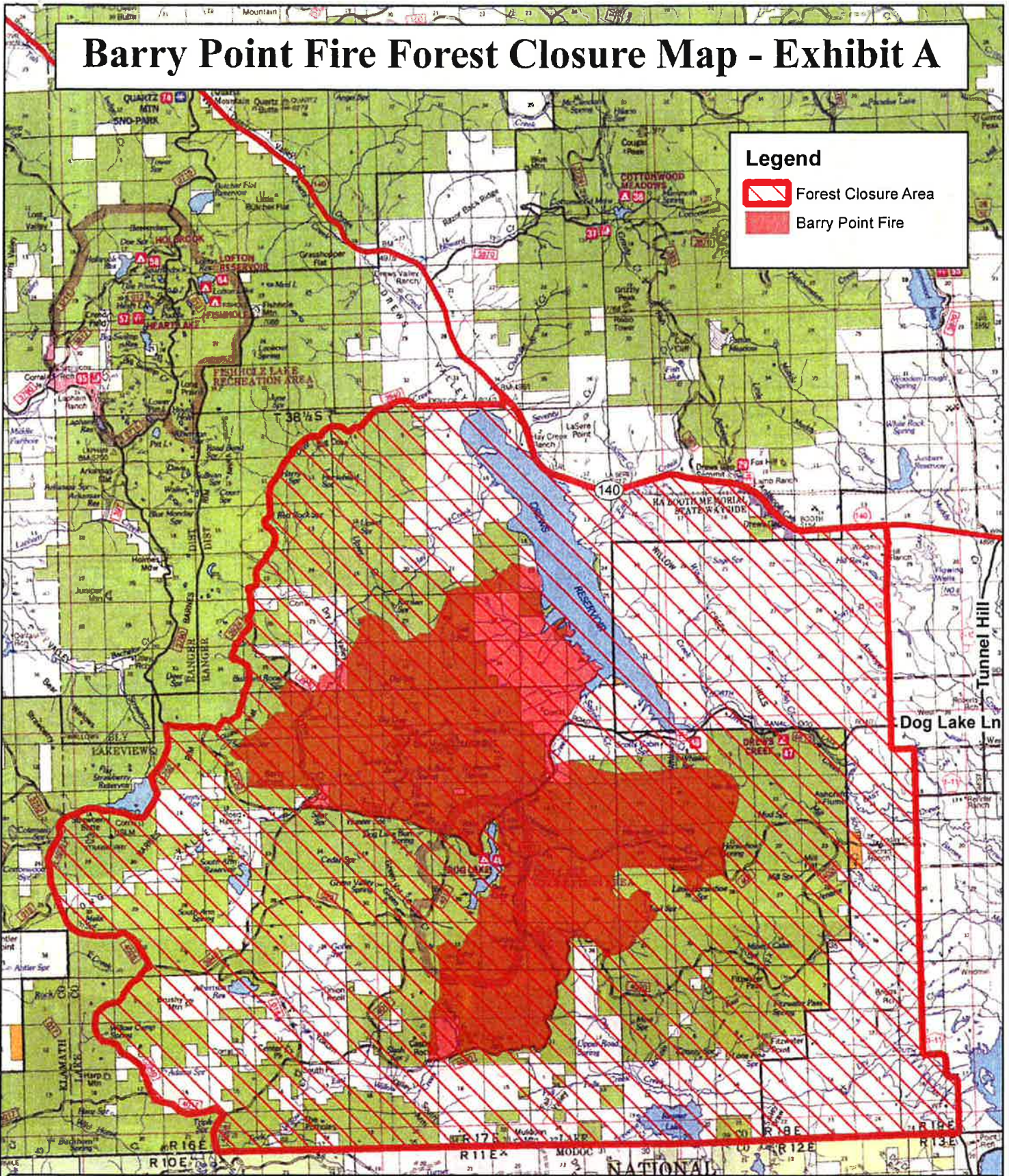
  
Fred L. Way  
Forest Supervisor  
Fremont-Winema National Forest

**Violations of this prohibition are punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment of not more than 6 months or both.**



*Order Number 2012-02-04*

*16 U.S.C. §551, 18 U.S.C. §3559 & §3571*

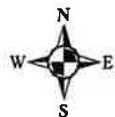
# Barry Point Fire Forest Closure Map - Exhibit A



**Legend**

-  Forest Closure Area
-  Barry Point Fire

3 1.5 0 3 Miles



Order Number 2012-02-04  
16 U.S.C. 551, 18 U.S.C 3559 & 3571



**ORDER**  
**National Forest System Roads**  
**FREMONT-WINEMA NATIONAL FOREST**  
**Order Number 2012-02-01**

Pursuant to Title 36, Code of Federal Regulations §261.50(b), the following act is prohibited on the following described National Forest System Roads located on the Lakeview Ranger District, Fremont-Winema National Forest, as described in attached Exhibit A.

**PROHIBITION:** (1) USING ANY MOTORIZED VEHICLE ON NATIONAL FOREST SYSTEM ROADS 36 C.F.R. §261.54(a)

The roads listed below will be closed to public motor vehicle use due to hazards or hazardous situations created within the Dog Mountain / Dent Creek area as a result of the Barry Point Fire. This prohibition will become effective immediately upon the time and date of the signature on this Order and will remain in effect until further notice.

**AFFECTED ROADS:**

**Forest Service Road (FSR) 3940** – (Also known as the **Dent Creek Road**), from its junction with FSR 3940398 (Township 39 south, Range 16 east, Section 11, WM), south to its junction with FSR 4017022 (Township 40 south, Range 16 east, Section 34, WM).

**Forest Service Road (FSR) 3752** – From its junction with FSR 4017 (Township 40 south, Range 17 east, Section 21, WM) northwest to its junction with FSR 3790 (Township 40 south, Range 16 east, Section 4, WM)

Refer to attached map (Exhibit A).

Pursuant to Title 36 C.F.R. §261.50(e), the following are exempt from this Order:

- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission.
- (2) Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
- (3) Owners or lessees of land in the affected area.

Done in Lakeview, Oregon at 2227 (pm), on this 7<sup>th</sup> day of August, 2012.

  
Fred L. Way  
Forest Supervisor  
Fremont-Winema National Forest

**Violations of this prohibition are punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment of not more than 6 months or both.**

**Order Number 2012-02-01**

**16 U.S.C. §551, 18 U.S.C. §3559 & §3571**



**ORDER**  
**National Forest System Roads**  
**FREMONT-WINEMA NATIONAL FOREST**  
**Order Number 2012-02-02**

Pursuant to Title 36, Code of Federal Regulations §261.50 (a) and (b), the following acts are prohibited on the following described National Forest System Roads and area located on the Lakeview Ranger District, Fremont-Winema National Forest, as described in attached Exhibit A.

- PROHIBITION:**
- (1) USING ANY MOTORIZED VEHICLE ON NATIONAL FOREST SYSTEM ROADS 36 C.F.R. §261.54(a)
  - (2) TO GO INTO OR BE UPON ANY AREA WHICH IS CLOSED FOR THE PROTECTION OF PUBLIC HEALTH OR SAFETY. 36 C.F.R. §261.53(e)

The roads listed below will be closed to public motor vehicle use due to hazards or hazardous situations created within the Dog Mountain / Dent Creek area as a result of the ~~Berry Point~~ **Berry Point** Fire. Dog Lake Campground is also closed to public entry. This prohibition will become effective immediately upon the time and date of the signature on this Order and will remain in effect until further notice.

**AFFECTED ROADS:**

**Forest Service Road (FSR) 3940** – (Also known as the **Dent Creek Road**), from its junction with FSR 3940398 (Township 39 south, Range 16 east, Section 11, WM), south to its junction with FSR 4017022 (Township 40 south, Range 16 east, Section 34, WM).

**Forest Service Road (FSR) 3752** – From its junction with FSR 4017 (Township 40 south, Range 17 east, Section 21, WM) northwest to its junction with FSR 3790 (Township 40 south, Range 16 east, Section 4, WM)

**Forest Service Road (FSR) 4017** - (Also known as the **Dog Lake Road**), from milepost 9 (Township 40 south, Range 17 east, Section 1, WM) west and southwest to its junction with FSR 4020 (Township 41 south, Range 17 east, Section 7, WM).

**Forest Service Road (FSR) 4017022** - In its entirety, from its junction with FSR 4017 (Township 40 south, Range 17 east, Section 29, WM) west to its junction with FSR 3940 (Township 40 south, Range 16 east, Section 34, WM)

**AFFECTED AREA:**

**Dog Lake Campground**

Refer to attached map (Exhibit A).



**SUB PART B ORDER  
PERMIT**

**FREMONT-WINEMA NATIONAL FOREST**

Pursuant to Title 36, Code of Federal Regulations, §261.50(e), the following person or persons have authorization to be exempt from the prohibition(s) listed in the following Order: Order number: 2012-02-02 Berry Point Fire Road Closure

**Person(s):** Employees and/or representatives of TH Lawson and Sons Logging, Collins Pine Company or any contractor/service utilized by them.

**Address:** Lakeview, Oregon

**Phone #:** Richard Lawson 541-219-1446  
Lee Fledderjohan 541-219-0519

**Vehicle Information:** Any and all vehicles associated with the above listed persons or companies.

**Purpose or Reason for the Permit, listing specific prohibitions that are exempt:**

To allow motorized vehicle use on **Forest Service Road 3940** for the purpose of accessing active timber sales, hauling of logs and/or equipment, movement of equipment in or out of the area, and servicing or repairing equipment.

**Copies of this permit are authorized and shall be carried in each vehicle accessing the closed road to be presented upon request.**

**This permit can be suspended or revoked at any time as fire conditions change.**

**Permit #: 2012-02-02-01**

**Issue Date:** August 9, 2012

**Expiration Date:** August 31, 2012

**Brian Watts**  
Incident Commander  
Berry Point Fire

**Fred Way**  
Forest Supervisor  
Fremont-Winema National Forest



Forest  
Service

Modoc  
National  
Forest

800 West 12<sup>th</sup> Street  
Alturas, CA. 96101  
(530) 233-5811  
TTY (530) 233-8708

File Code: 5310

Route To: File

Date: August 16, 2012

Subject: Barry Point Fire Emergency Closure

From: Kimberly Anderson, Forest Supervisor

A handwritten signature in black ink, appearing to be 'KA'.

I have decided it is necessary to close the Barry Point Fire Area (including roads), as described in Order No. 09-12-02, until the Barry Point Fire is fully suppressed.

This closure is being implemented to protect public and firefighter safety during the Barry Point Fire Incident on the Modoc National Forest. The area will be closed to ensure that the public does not enter into an area that is currently threatened by fire. The roads will be closed due to hazardous conditions, such as low visibility, dust, narrow windy road conditions and increased fire operations traffic.

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because the project is within Category #1 of Section 32.12, Forest Service Handbook 1909.15, which includes Orders issued pursuant to 36 CFR Part 261. This regulation allows implementation of prohibitions or closure for short term resource protection or to protect public health and safety. This is not a project or activity implementing a land and resource management plan that is documented in a decision memo, decision notice, or record of decision. There are no extraordinary circumstances.

cc: Duane Jackson



**Order No. 09-12-02**  
**Modoc National Forest**  
**Barry Point Fire Emergency Closure**

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), and to provide for public safety, the following acts are prohibited within the Devils Garden Ranger District of the Modoc National Forest. This Order is effective from 3:00 p.m. on August 16, 2012, until the Barry Point Fire has been fully suppressed.

1. Going into or being upon National Forest System lands within the Barry Point Fire Closure Area. The Barry Point Fire Closure Area begins at the intersection of Forest Road No. 48N08 and the Oregon Border, then continues south along Forest Road No. 48N08 to its intersection with Forest Road No. 73, then continues south along Forest Road No. 73 to its intersection with Forest Road No. 46N12, then continues east along Forest Road No. 46N12 to its intersection with Forest Road No. 46N01, then continues east along Forest Road No. 46N01 to its intersection with Forest Road No. 46N01B, then continues east to its intersection with Forest Road No. 47N10, then continues south along Forest Road No. 47N10 to its intersection with Forest Road No. 46N05, then continues north along Forest Road No. 46N05 to its intersection with Forest Road No. 46N02, then continues north along Forest Road No. 46N02 to its intersection with Forest Road No. 73, then continues east along Forest Road No. 73 to its intersection with Forest Road No. 48N19, then continues north along Forest Road No. 48N19 to its intersection with the Oregon Border, then continues west along the Oregon Border back to the starting point, as shown on Exhibit A. 36 CFR 261.53(e).
2. Being on any National Forest System road within the Barry Point Fire Closure Area. 36 CFR 261.54(e).

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

1. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local officer or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Owners or lessees of private land in the Barry Point Fire Closure Area to the extent necessary to gain access to their land.
4. Persons who reside on private land in the Barry Point Fire Closure Area to the extent necessary to gain access to their residences.
5. Persons engaged in a business, trade, or occupation in the area.

These prohibitions are in addition to the general prohibitions found in 36 CFR Part 261, Subpart A.

A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Executed in Alturas, California this 16th day of August, 2012.



Kimberly Anderson  
Forest Supervisor  
Modoc National Forest





Forest  
Service

Modoc  
National  
Forest

800 West 12<sup>th</sup> Street  
Alturas, CA. 96101  
(530) 233-5811  
TTY (530) 233-8708

File Code: 5310

Date: August 16, 2012

Route To: File

Subject: Barry Point Fire Emergency Closure

From: Kimberly Anderson, Forest Supervisor

I have decided it is necessary to close the Barry Point Fire Area (including roads), as described in Order No. 09-12-02, until the Barry Point Fire is fully suppressed.

This closure is being implemented to protect public and firefighter safety during the Barry Point Fire Incident on the Modoc National Forest. The area will be closed to ensure that the public does not enter into an area that is currently threatened by fire. The roads will be closed due to hazardous conditions, such as low visibility, dust, narrow windy road conditions and increased fire operations traffic.

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cc: Duane Jackson



**Order No. 09-12-02**  
**Modoc National Forest**  
**Barry Point Fire Emergency Closure**

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), and to provide for public safety, the following acts are prohibited within the Devils Garden Ranger District of the Modoc National Forest. This Order is effective from 3:00 p.m. on August 16, 2012, until the Barry Point Fire has been fully suppressed.

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2. Being on any National Forest System road within the Barry Point Fire Closure Area. 36 CFR 261.54(e).

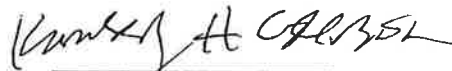
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3. Owners or lessees of private land in the Barry Point Fire Closure Area to the extent necessary to gain access to their land.
4. Persons who reside on private land in the Barry Point Fire Closure Area to the extent necessary to gain access to their residences.
5. Persons engaged in a business, trade, or occupation in the area.

These prohibitions are in addition to the general prohibitions found in 36 CFR Part 261, Subpart A.

A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Executed in Alturas, California this 16th day of August, 2012.



\_\_\_\_\_  
Kimberly Anderson  
Forest Supervisor  
Modoc National Forest

# **EMERGENCY NOTICE**

**Barry Fire**

## **LEVEL 1**

**AN ADVISORY HAS BEEN ISSUED FOR THIS  
AREA**

PERSONS ARE WARNED THAT CURRENT OR PROJECTED THREATS FROM HAZARDS ASSOCIATED WITH THE APPROACHING FIRE(S) ARE SEVERE.

THIS IS THE TIME FOR PREPARATION AND PRECAUTIONARY MOVEMENT OF PERSONS WITH SPECIAL NEEDS, MOBILE PROPERTY, AND (UNDER CERTAIN CIRCUMSTANCES) PETS AND LIVESTOCK.

YOU WILL BE KEPT ADVISED AS CONDITIONS CHANGE. AREA RADIO STATIONS HAVE BEEN ASKED TO BROADCAST PERIODIC UPDATES AS WELL AS NOTIFICATION FROM LAKE COUNTY DISPATCH.

IF CONDITIONS WORSEN, WE WILL MAKE EVERY ATTEMPT TO CONTACT YOU. IF YOU ARE ABSENT FROM YOUR HOME FOR MORE THAN A SHORT PERIOD OF TIME, PLEASE LEAVE A NOTE WITH YOUR NAME AND CONTACT PHONE NUMBER IN A VISIBLE LOCATION. AN ATTEMPT WILL BE MADE TO CONTACT YOU BY PHONE.

# **EMERGENCY NOTICE**

**Barry Fire**

## **LEVEL 2**

### **AN EVACUATION ADVISORY HAS BEEN ISSUED FOR THIS AREA**

CONDITIONS INDICATE A GOOD PROBABILITY THAT HAZARDS ASSOCIATED WITH THE APPROACHING FIRE(S) WILL SEVERELY LIMIT OUR ABILITY TO PROVIDE EMERGENCY SERVICE PROTECTION. DANGEROUS CONDITIONS EXIST THAT MAY THREATEN YOUR RESIDENCE OR BUSINESS.

#### **YOU MUST PREPARE TO LEAVE AT A MOMENTS NOTICE**

FIRE AND LAW ENFORCEMENT PERSONNEL ARE WORKING IN THIS AREA TO PROVIDE SPECIFIC INFORMATION ABOUT WHEN TO LEAVE AND THE ROUTE(S) TO BE TAKEN.

#### **THIS MAY BE THE ONLY NOTICE THAT YOU RECEIVE**

YOU WILL BE KEPT ADVISED AS CONDITIONS CHANGE. AREA RADIO STATIONS HAVE BEEN ASKED TO BROADCAST PERIODIC UPDATES AS WELL AS LAKE COUNTY DISPATCH.

# **EMERGENCY NOTICE**

**Barry Fire**

## **LEVEL 3**

**AN EVACUATION ADVISORY HAS BEEN ISSUED  
FOR THIS AREA**

CURRENT CONDITIONS PRESENT SPECIFIC AND IMMEDIATE THREAT(S) TO THE LIFE AND SAFETY OF PERSONS WITHIN THIS AREA.

**YOU ARE ADVISED TO EVACUATE  
IMMEDIATELY.**

FIRE AND LAW ENFORCEMENT PERSONNEL ARE WORKING IN THIS AREA TO PROVIDE SPECIFIC INFORMATION ON THE ROUTE(S) TO USE FOR EVACUATION

IF YOU CHOOSE TO IGNORE THIS ADVISEMENT, YOU MUST UNDERSTAND THAT EMERGENCY SERVICES MAY NOT BE AVAILABLE. VOLUNTEERS WILL NOT BE ALLOWED TO ENTER THE AREA TO PROVIDE ASSISTANCE.

ROAD BLOCKS AND 24 HOUR PATROLS WILL BE ESTABLISHED IN THE AREA. RESIDENTS WILL NOT BE ALLOWED TO RETURN UNTIL CONDITIONS ARE SAFE.

AREA RADIO STATIONS HAVE BEEN ASKED TO BROADCAST PERIODIC UPDATES AS WELL AS LAKE COUNTY DISPATCH.

Went into effect 8/13/12

# EMERGENCY NOTICE

## BARRY POINT FIRE

### LEVEL 1

\_\_\_\_\_  
DATE

#### AN ADVISORY HAS BEEN ISSUED FOR THIS AREA

PERSONS ARE WARNED THAT CURRENT OR PROJECTED THREATS FROM HAZARDS ASSOCIATED WITH THE APPROACHING FIRE (S) ARE SEVERE.

THIS IS THE TIME FOR PREPARATION AND PRECAUTIONARY MOVEMENT OF PERSONS WITH SPECIAL NEEDS, MOBILE PROPERTY, AND (UNDER CERTAIN CIRCUMSTANCES) PETS AND LIVESTOCK.

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**FIRE INFORMATION PHONE: 541 576-4974**

**AMERICAN RED CROSS SHELTER INFORMATION:  
DEB APLEY 541 219-1181**

# **EMERGENCY NOTICE**

## **BARRY POINT FIRE**

### **LEVEL 2**

\_\_\_\_\_  
DATE

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**FIRE INFORMATION PHONE: 541 576-4974**

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**DEB APLEY 541 219-1181**



Forest  
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800 West 12<sup>th</sup> Street  
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From: Kimberly Anderson, Forest Supervisor

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cc: Duane Jackson





**Order No. 09-12-02**  
**Modoc National Forest**  
**Barry Point Fire Emergency Closure**

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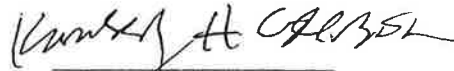
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These prohibitions are in addition to the general prohibitions found in 36 CFR Part 261, Subpart A.

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Executed in Alturas, California this 16th day of August, 2012.

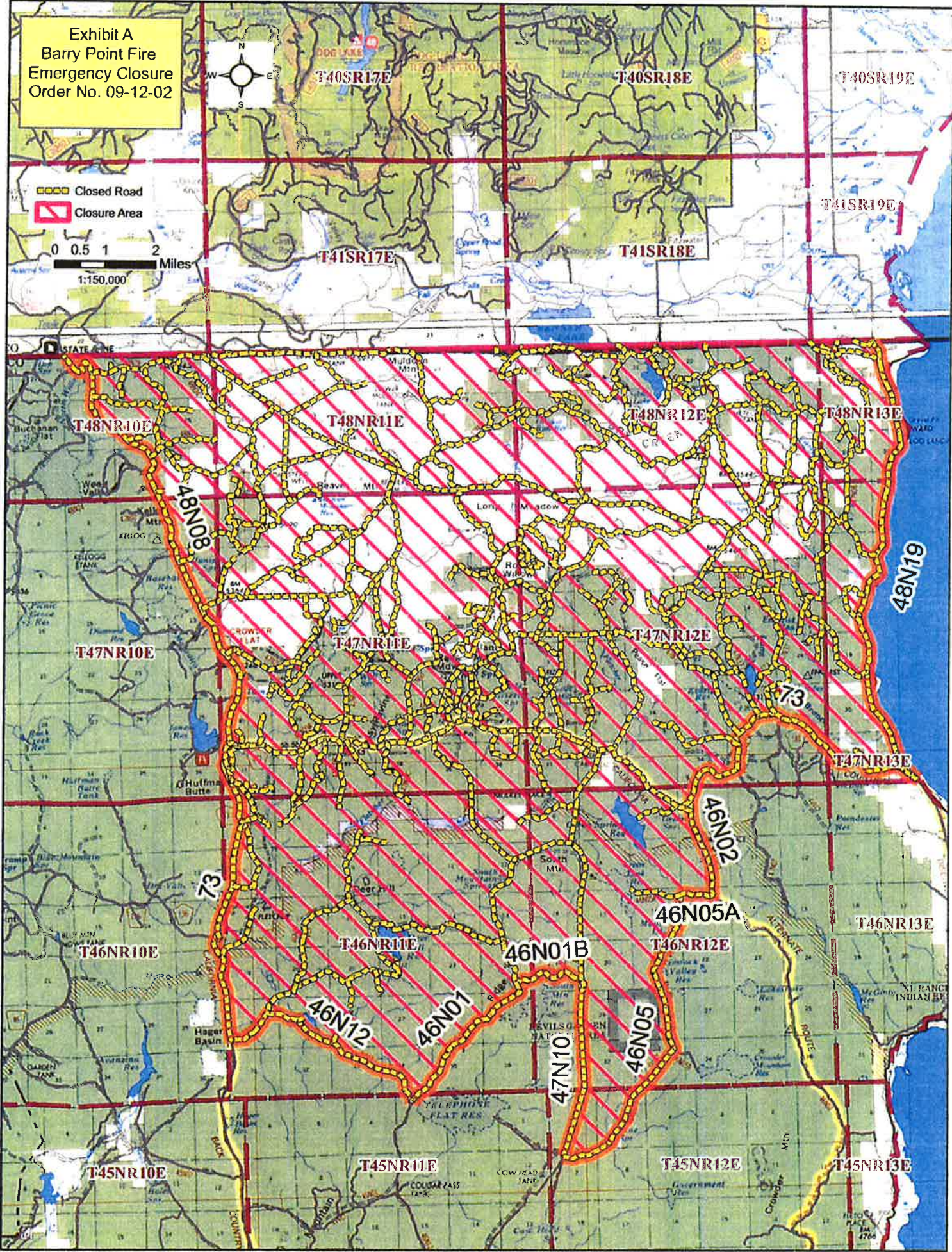
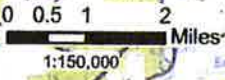


Kimberly Anderson  
Forest Supervisor  
Modoc National Forest

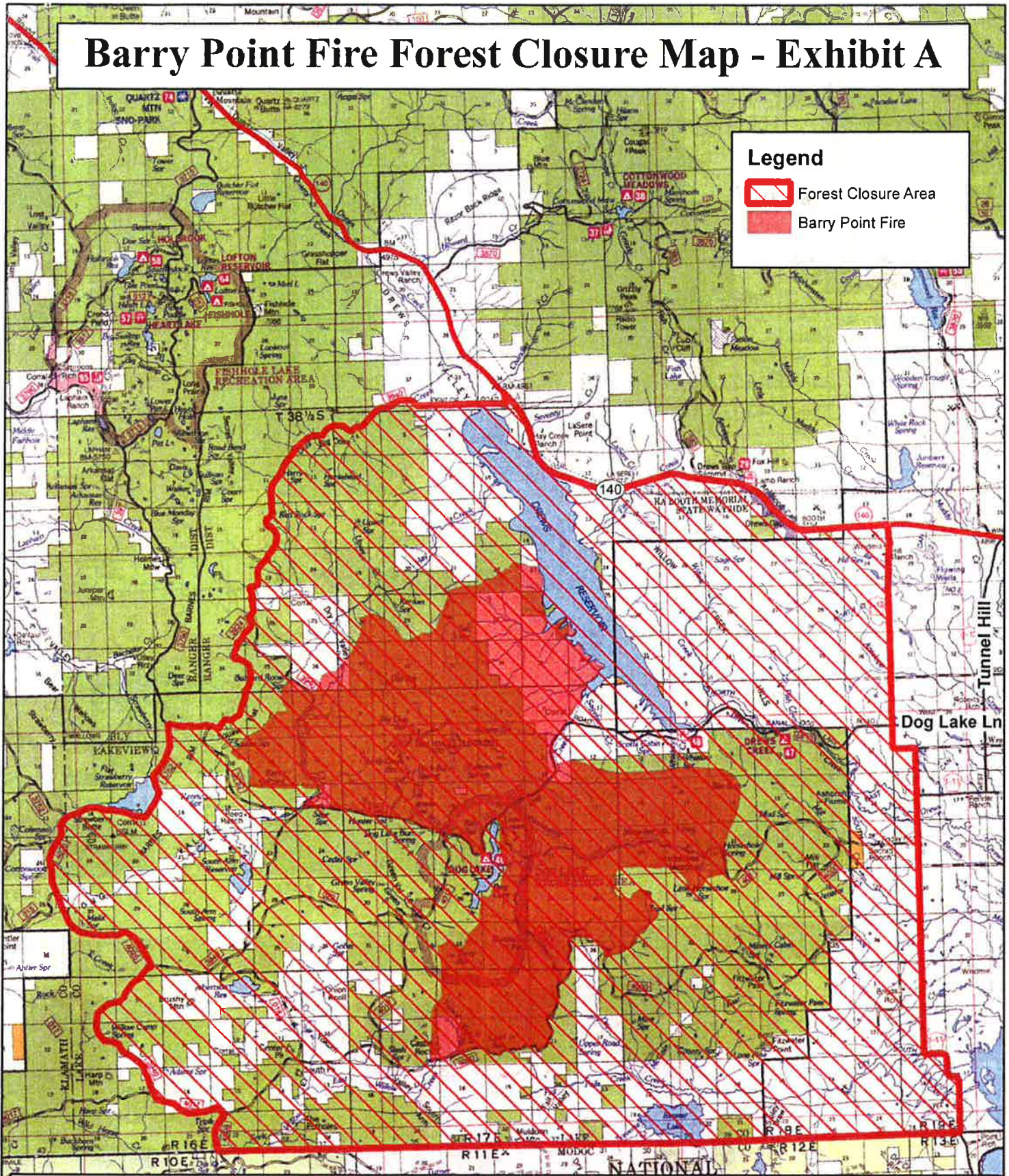
Exhibit A  
Barry Point Fire  
Emergency Closure  
Order No. 09-12-02





- Closed Road
- Closure Area



# Barry Point Fire Forest Closure Map - Exhibit A



**Legend**

-  Forest Closure Area
-  Barry Point Fire



**Order Number 2012-02-04**  
**16 U.S.C. 551, 18 U.S.C 3559 & 3571**

8/11/12



**ORDER**  
**FIRE AREA CLOSURE**  
**FREMONT-WINEMA NATIONAL FOREST**  
**Order Number 2012-02-04**

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**PROHIBITION:** (1) GOING INTO OR BEING UPON AN AREA. 36 C.F.R. §261.52(e)

**The area described below will be closed to public access/entry due to hazards and hazardous situations created within the Dog Mountain / Dog Lake area as a result of the Barry Point Fire. This prohibition will become effective immediately upon the time and date of the signature on this Order and will remain in effect until further notice.**

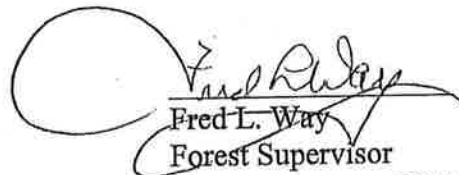
**AFFECTED AREA: Point of Beginning** – From the junction of Andy Hill Road and Oregon State Highway 140, south on Andy Hill Road to Water Users Lane; then east on Water Users Lane to Diamond Road; then south on Diamond Road to its junction with Westside Road; then south on Westside Road to the Oregon/California state line; then west along the Oregon/California state line to Forest Service Road (FSR) 4808; then north on FSR 4808 to its junction with FSR 4017; then west on FSR 4017 to its junction with FSR 3940; then north on FSR 3940 to its junction with FSR 4026; then north on FSR 4026 to its junction with FSR 3752; then north on FSR 3752 to its junction with FSR 3924; then northeast on FSR 3924 to its junction with FSR 3940; then north and east on FSR 3940 to its junction with Oregon State Highway 140 in Drews Valley; then east on Oregon State Highway 140 to the point of beginning at the junction of Oregon State Highway 140 and Andy Hill Road. Portions or all of the following National Forest System roads that delineate this area closure are also closed to the public. These roads are: FSR 4808, 4017, 3940, 4026, 3752, 3924, and 3940. Refer to attached map (Exhibit A).

**This ORDER supersedes Order Nos. 2012-02-02 and 2012-02-03**

Pursuant to Title 36 C.F.R. §261.50(e), the following are exempt from this Order:

- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission.
- (2) Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
- (3) Owners or lessees of land in the affected area.

Done in Lakeview, Oregon at 6:07 (am/pm) on this 11<sup>th</sup> day of August, 2012.



Fred L. Way  
Forest Supervisor  
Fremont-Winema National Forest

**Violations of this prohibition are punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment of not more than 6 months or both.**

**Order Number 2012-02-04**

**16 U.S.C. §551, 18 U.S.C. §3559 & §3571**

8/11/12



# SUB PART B ORDER PERMIT

## FREMONT-WINEMA NATIONAL FOREST

Pursuant to Title 36, Code of Federal Regulations, §261.50(e), the following person or persons have authorization to be exempt from the prohibition(s) listed in the following Order: Order number: 2012-02-04 Barry Point Fire Road Closure

**Person(s):** Employees and/or representatives of TH Lawson and Sons Logging, Collins Pine Company or any contractor/service utilized by them.

**Address:** Lakeview, Oregon

**Phone #:** Richard Lawson 541-219-1446  
Lee Fledderjohan 541-219-0519

**Vehicle Information:** Any and all vehicles associated with the above listed persons or companies.

**Purpose or Reason for the Permit, listing specific prohibitions that are exempt:**

To allow motorized vehicle use on Forest Service Road 3940 for the purpose of accessing active timber sales, hauling of logs and/or equipment, movement of equipment in or out of the area, and servicing or repairing equipment.

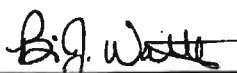
**Copies of this permit are authorized and shall be carried in each vehicle accessing the closed road to be presented upon request.**

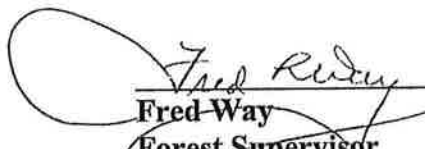
**This permit can be suspended or revoked at any time as fire conditions change.**

**Permit #: 2012-02-04-01**

**Issue Date:** 11 August 2012

**Expiration Date:** August 31, 2012

  
\_\_\_\_\_  
**Brian Watts**  
Incident Commander  
Berry Point Fire

  
\_\_\_\_\_  
**Fred Way**  
Forest Supervisor  
Fremont-Winema National Forest





Forest  
Service

Modoc  
National  
Forest

800 West 12<sup>th</sup> Street  
Alturas, CA. 96101  
(530) 233-5811  
TTY (530) 233-8708

File Code: 5310  
Route To: File

Date: August 16, 2012

Subject: Barry Point Fire Emergency Closure

From: Kimberly Anderson, Forest Supervisor

I have decided it is necessary to close the Barry Point Fire Area (including roads), as described in Order No. 09-12-02, until the Barry Point Fire is fully suppressed.

This closure is being implemented to protect public and firefighter safety during the Barry Point Fire Incident on the Modoc National Forest. The area will be closed to ensure that the public does not enter into an area that is currently threatened by fire. The roads will be closed due to hazardous conditions, such as low visibility, dust, narrow windy road conditions and increased fire operations traffic.

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because the project is within Category #1 of Section 32.12, Forest Service Handbook 1909.15, which includes Orders issued pursuant to 36 CFR Part 261. This regulation allows implementation of prohibitions or closure for short term resource protection or to protect public health and safety. This is not a project or activity implementing a land and resource management plan that is documented in a decision memo, decision notice, or record of decision. There are no extraordinary circumstances.

cc: Duane Jackson





**Order No. 09-12-02**  
**Modoc National Forest**  
**Barry Point Fire Emergency Closure**

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), and to provide for public safety, the following acts are prohibited within the Devils Garden Ranger District of the Modoc National Forest. This Order is effective from 3:00 p.m. on August 16, 2012, until the Barry Point Fire has been fully suppressed.

1. Going into or being upon National Forest System lands within the Barry Point Fire Closure Area. The Barry Point Fire Closure Area begins at the intersection of Forest Road No. 48N08 and the Oregon Border, then continues south along Forest Road No. 48N08 to its intersection with Forest Road No. 73, then continues south along Forest Road No. 73 to its intersection with Forest Road No. 46N12, then continues east along Forest Road No. 46N12 to its intersection with Forest Road No. 46N01, then continues east along Forest Road No. 46N01 to its intersection with Forest Road No. 46N01B, then continues east to its intersection with Forest Road No. 47N10, then continues south along Forest Road No. 47N10 to its intersection with Forest Road No. 46N05, then continues north along Forest Road No. 46N05 to its intersection with Forest Road No. 46N02, then continues north along Forest Road No. 46N02 to its intersection with Forest Road No. 73, then continues east along Forest Road No. 73 to its intersection with Forest Road No. 48N19, then continues north along Forest Road No. 48N19 to its intersection with the Oregon Border, then continues west along the Oregon Border back to the starting point, as shown on Exhibit A. 36 CFR 261.53(e).
2. Being on any National Forest System road within the Barry Point Fire Closure Area. 36 CFR 261.54(e).

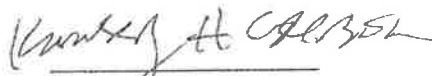
Pursuant to 36 CFR 261.50(e), the following persons are exempt from this Order:

1. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local officer or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Owners or lessees of private land in the Barry Point Fire Closure Area to the extent necessary to gain access to their land.
4. Persons who reside on private land in the Barry Point Fire Closure Area to the extent necessary to gain access to their residences.
5. Persons engaged in a business, trade, or occupation in the area.

These prohibitions are in addition to the general prohibitions found in 36 CFR Part 261, Subpart A.

A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Executed in Alturas, California this 16th day of August, 2012.

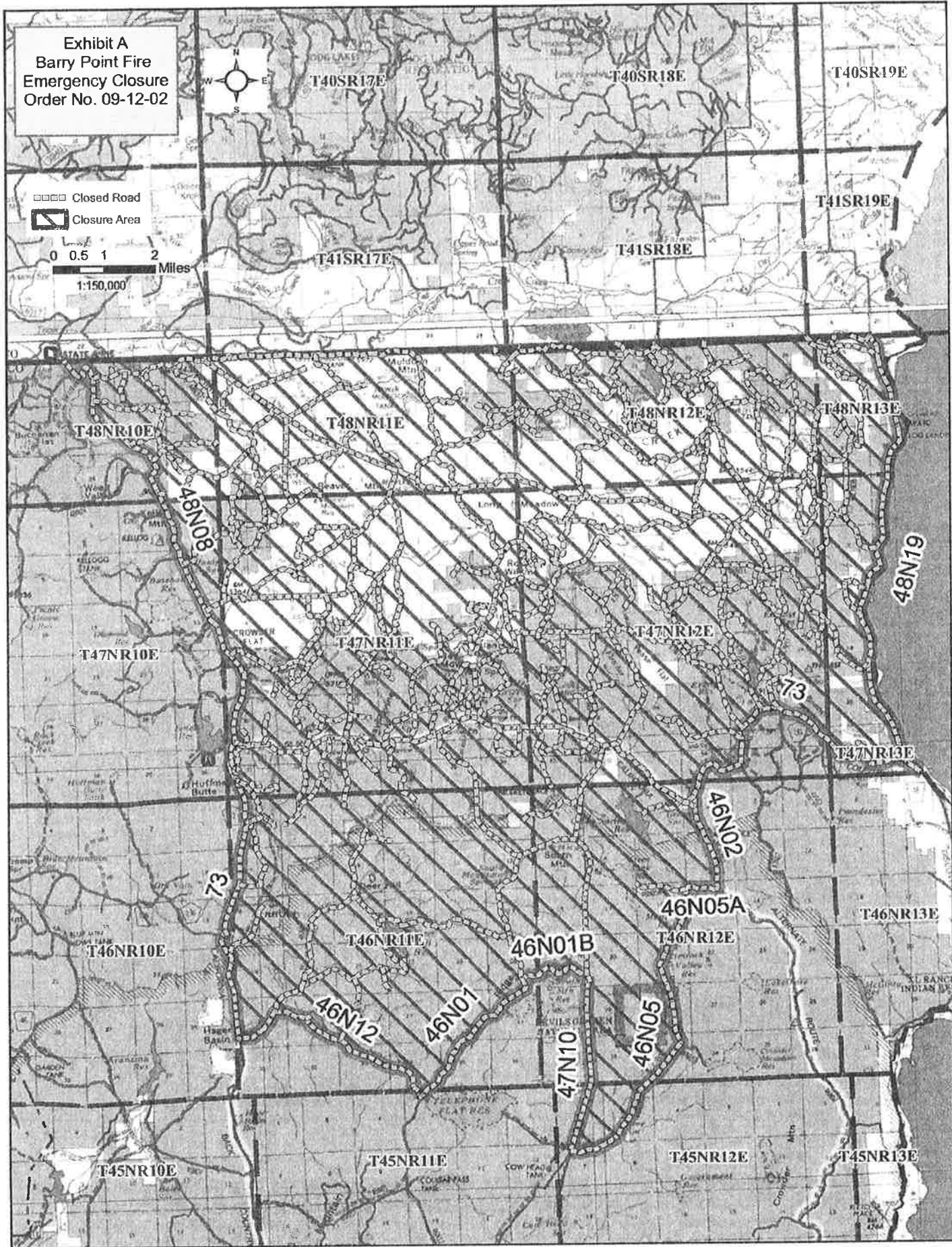
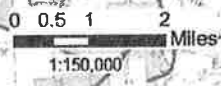


Kimberly Anderson  
Forest Supervisor  
Modoc National Forest

**Exhibit A**  
**Barry Point Fire**  
**Emergency Closure**  
**Order No. 09-12-02**





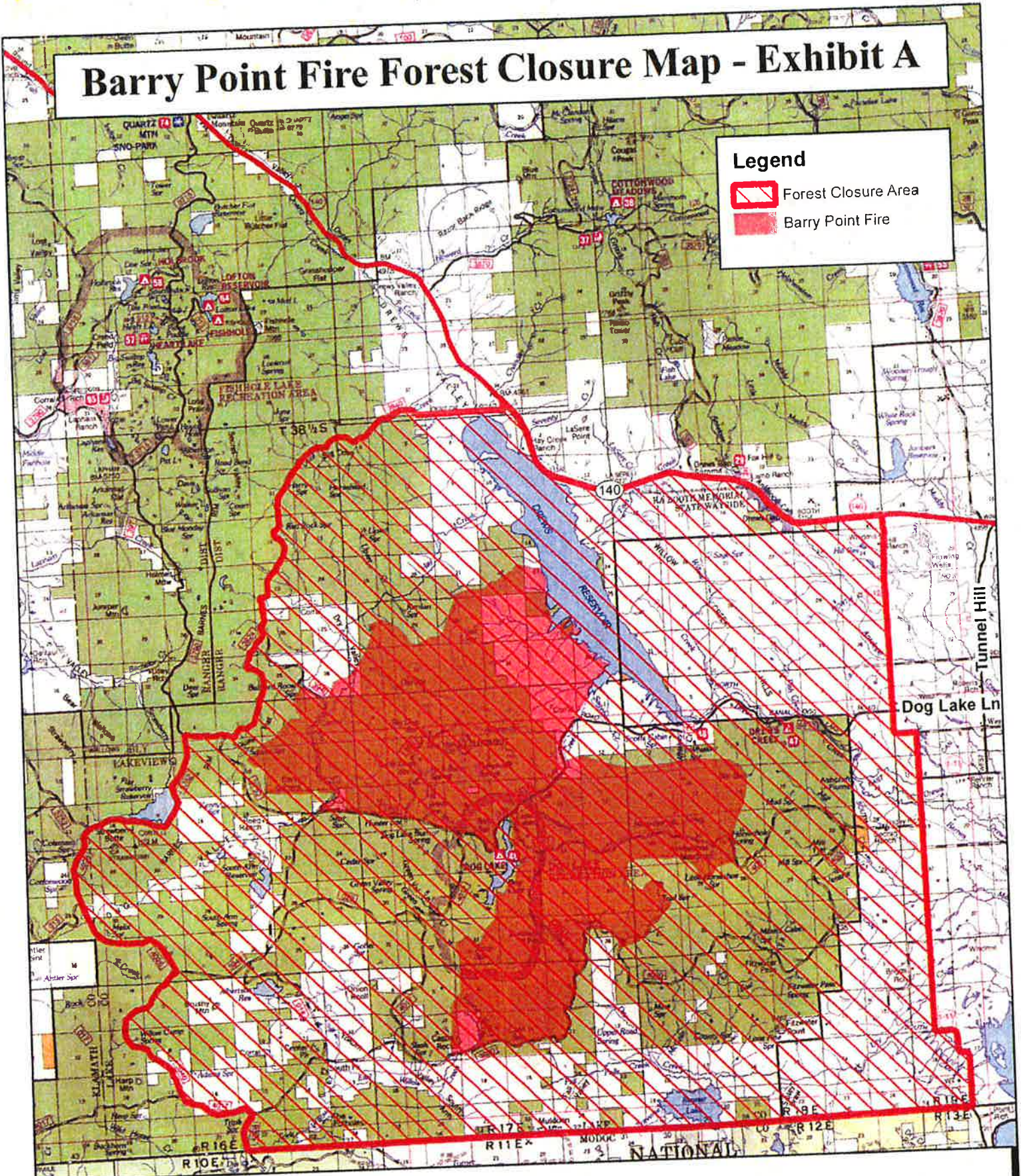
□ Closed Road  
▨ Closure Area



# Barry Point Fire Forest Closure Map - Exhibit A

## Legend

-  Forest Closure Area
-  Barry Point Fire



3 1.5 0

3 Miles



Order Number 2012-02-04  
16 U.S.C. 551, 18 U.S.C 3559 & 3571



## ORDER

### PUBLIC USE RESTRICTIONS

#### FREMONT-WINEMA NATIONAL FOREST Order No. 2012-00-01

Pursuant to Title 36, Code of Federal Regulations §261.50(a) and (b), the following acts are prohibited within lands administered by the Fremont-Winema National Forests, USDA Forest Service. Due to the increased fire danger level and to decrease wildfire potential, this Order restricts smoking to specific areas; restricts the use of fire, campfires, charcoal or stove fires to designated areas only; restricts the operation of certain internal combustion engines to designated areas only; restricts motor vehicle use on certain National Forest System roads; prohibits the use of chain saws; prohibits equipment having open flame torches; and prohibits the possession or use of motor vehicles off National Forest System roads.

This prohibition is needed as an increased fire prevention measure due to the current fire severity.

**This prohibition will become effective at 12:01 a.m. on Thursday, August 9, 2012 and will remain in effect until further notice.**

#### PROHIBITION:

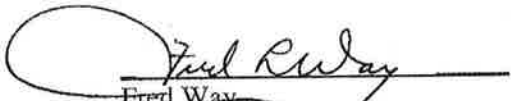
- (1) **Building, maintaining, attending or using a fire, campfire, or stove fire.** §36 CFR 261.52(a)  
This includes charcoal briquet fires. Portable cooking stoves and heaters using liquified or bottled gas are allowed. Fires, campfires, or stove fires are only allowed within designated areas listed in Exhibit A.
- (2) **Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least (3) three feet in diameter that is barren or cleared of all flammable material.** §36 CFR 261.52(d)
- (3) **Possessing or using a vehicle off National Forest System roads.** §36 CFR 261.56
- (4) **Using any motor vehicle on National Forest System roads where vegetation comes into contact with the vehicle's undercarriage.** §36 CFR 261.54(a)
- (5) **Operating an internal combustion engine.** §36 CFR 261.52(h)  
Chain saw use is prohibited anywhere on Fremont-Winema National Forest lands. Portable generator use is allowed only within designated areas listed in Exhibit A. Motor vehicle use is allowed only on Forest Roads where vegetation does not come in contact with the vehicles undercarriage.

- (6) Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained, and in effective working order meeting either: (1) Department of Agriculture, Forest Service Standard 5100-1a; or (2) Appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a). §36 CFR 261.52(j)
- (7) Entering Fremont-Winema National Forest lands without the following firefighting tools: (1) a shovel not less than 26 inches overall length and a blade not less than eight inches wide; (2) an axe or pulaski with a handle at least 26 inches in length and a head weight of not less than two pounds; and (3) a water container of at least one gallon filled to capacity or a 2.5 pound fully charged fire extinguisher. §36 CFR 261.52(g)
- (8) Welding, or operating an acetylene or other torch with open flame. §36 CFR 261.52(i)

Pursuant to Title 36 CFR §261.50(e), the following persons are exempt from this Order:

- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission.  
*"Person" means natural person, corporation, company, partnership, trust, firm, or association of persons. "Permit" means authorization in writing by a forest officer. "Forest Officer" means an employee of the Forest Service.*
- (2) Any Federal, State or local officer, or member of an organized rescue or fire fighting force while in the performance of an official duty.

Done in Lakeview, Oregon at 11:00 a.m., on this 6<sup>th</sup> day of August, 2012.

  
Fred Way  
Forest Supervisor  
Fremont-Winema National Forest

Violation of these prohibitions are punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment of not more than six (6) months, or both.

Order No. 2012-00-01

16 U.S.C. §551, 18 U.S.C. §3559, & §3571

ORDER NO. 2012-00-01

FREMONT-WINEMA NATIONAL FOREST DESIGNATED AREAS:

**BLY RANGER DISTRICT**

Corral Creek Campground  
Heart Lake Campground  
Holbrook Reservoir Forest Camp  
Lofton Reservoir Campground  
Sprague River Picnic Area

**LAKEVIEW RANGER DISTRICT**

Camp Cottonwood Organizational Camp  
Cottonwood Meadows Lake Campground  
Deep Creek Forest Camp  
Dog Lake Campground  
Drews Creek Campground  
Mud Creek Campground  
Willow Creek Forest Camp

**PAISLEY RANGER DISTRICT**

Campbell Lake Campground  
Chewaucan Crossing Trailhead  
Clear Springs Forest Camp  
Dairy Point Forest Camp  
Dead Horse Creek Forest Camp  
Dead Horse Lake Campground  
Happy Camp Campground  
Jones Crossing Forest Camp  
Lee Thomas Campground  
Marsters Spring Campground  
Sandhill Campground  
Upper Jones Forest Camp

**SILVER LAKE RANGER DISTRICT**

Antler Trailhead  
East Bay Campground  
Farm Well Campground  
Silver Creek Marsh Campground  
Thompson Reservoir Campground

ORDER NO. 2012-00-01

FREMONT-WINEMA NATIONAL FOREST DESIGNATED AREAS:

**CHEMULT RANGER DISTRICT**

Corral Springs Campground  
Digit Point Campground (Miller Lake)  
Encampments covered by Special Use Permits  
Indian Spring Campground  
Jackson Creek Campground  
Mt. Thielsen Wilderness  
Scott Creek Campground  
Walt Haring Snow Park

**CHILOQUIN RANGER DISTRICT**

Head-of-the-River Campground  
Spring Creek Picnic Area  
Williamson River Campground  
Wood River Day Use Area

**KLAMATH RANGER DISTRICT**

Annie Creek Campground  
Aspen Point Campground  
Cold Springs Campground  
Crystal Springs Campground  
Ester Applegate Organization Camp  
Fourmile Campground  
Lake of the Woods Resort  
Lake of the Woods Summer Home Sites  
Low Echo Organization Camp  
Malone Springs Campground  
Mountain Lakes Bible Organization Camp  
Mountain Lakes Wilderness  
Mt. McLoughlin Organization Camp  
Odessa Campground  
Rainbow Bay Day Use Area  
Recreation Creek Summer Home Sites  
Rocky Point Resort  
Skylakes Wilderness  
Spencer Creek Campground  
Sunset Campground



**ORDER**  
**National Forest System Roads**  
**FREMONT-WINEMA NATIONAL FOREST**  
**Order Number 2012-02-01**

Pursuant to Title 36, Code of Federal Regulations §261.50(b), the following act is prohibited on the following described National Forest System Roads located on the Lakeview Ranger District, Fremont-Winema National Forest, as described in attached Exhibit A.

**PROHIBITION:** (1) USING ANY MOTORIZED VEHICLE ON NATIONAL FOREST SYSTEM ROADS 36 C.F.R. §261.54(a)

The roads listed below will be closed to public motor vehicle use due to hazards or hazardous situations created within the Dog Mountain / Dent Creek area as a result of the Barry Point Fire. This prohibition will become effective immediately upon the time and date of the signature on this Order and will remain in effect until further notice.

**AFFECTED ROADS:**

**Forest Service Road (FSR) 3940** – (Also known as the **Dent Creek Road**), from its junction with FSR 3940398 (Township 39 south, Range 16 east, Section 11, WM), south to its junction with FSR 4017022 (Township 40 south, Range 16 east, Section 34, WM).

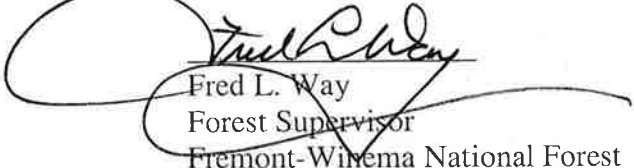
**Forest Service Road (FSR) 3752** – From its junction with FSR 4017 (Township 40 south, Range 17 east, Section 21, WM) northwest to its junction with FSR 3790 (Township 40 south, Range 16 east, Section 4, WM)

Refer to attached map (Exhibit A).

Pursuant to Title 36 C.F.R. §261.50(e), the following are exempt from this Order:

- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission.
- (2) Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
- (3) Owners or lessees of land in the affected area.

Done in Lakeview, Oregon at 2227 (pm), on this 7<sup>th</sup> day of August, 2012.

  
Fred L. Way  
Forest Supervisor  
Fremont-Winema National Forest

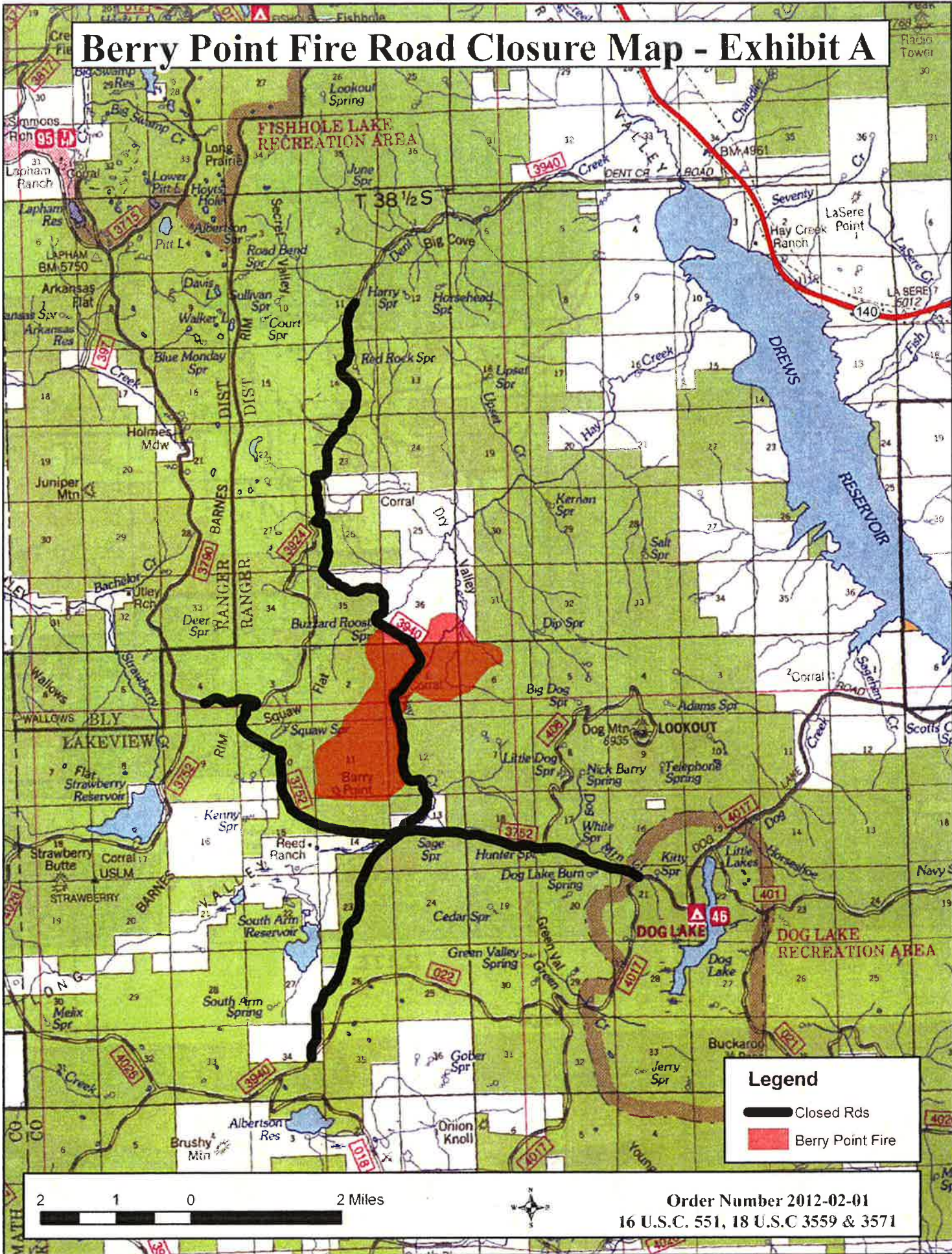
**Violations of this prohibition are punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment of not more than 6 months or both.**

*Order Number 2012-02-01*



*16 U.S.C. §551, 18 U.S.C. §3559 & §3571*



# Berry Point Fire Road Closure Map - Exhibit A



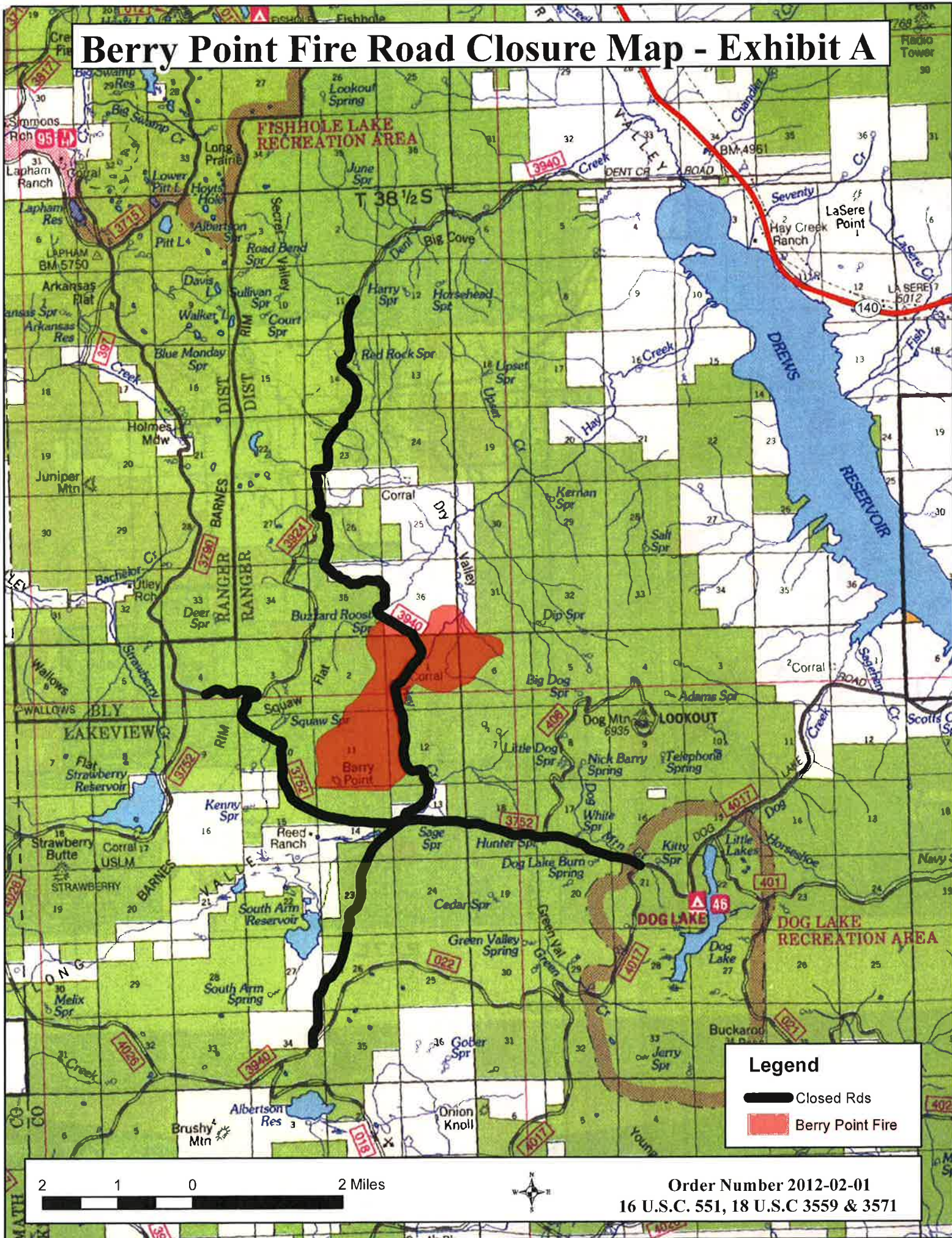
**Legend**

-  Closed Rds
-  Berry Point Fire



Order Number 2012-02-01  
 16 U.S.C. 551, 18 U.S.C 3559 & 3571

# Berry Point Fire Road Closure Map - Exhibit A



**Legend**

- Closed Rds
- Berry Point Fire

2 1 0 2 Miles

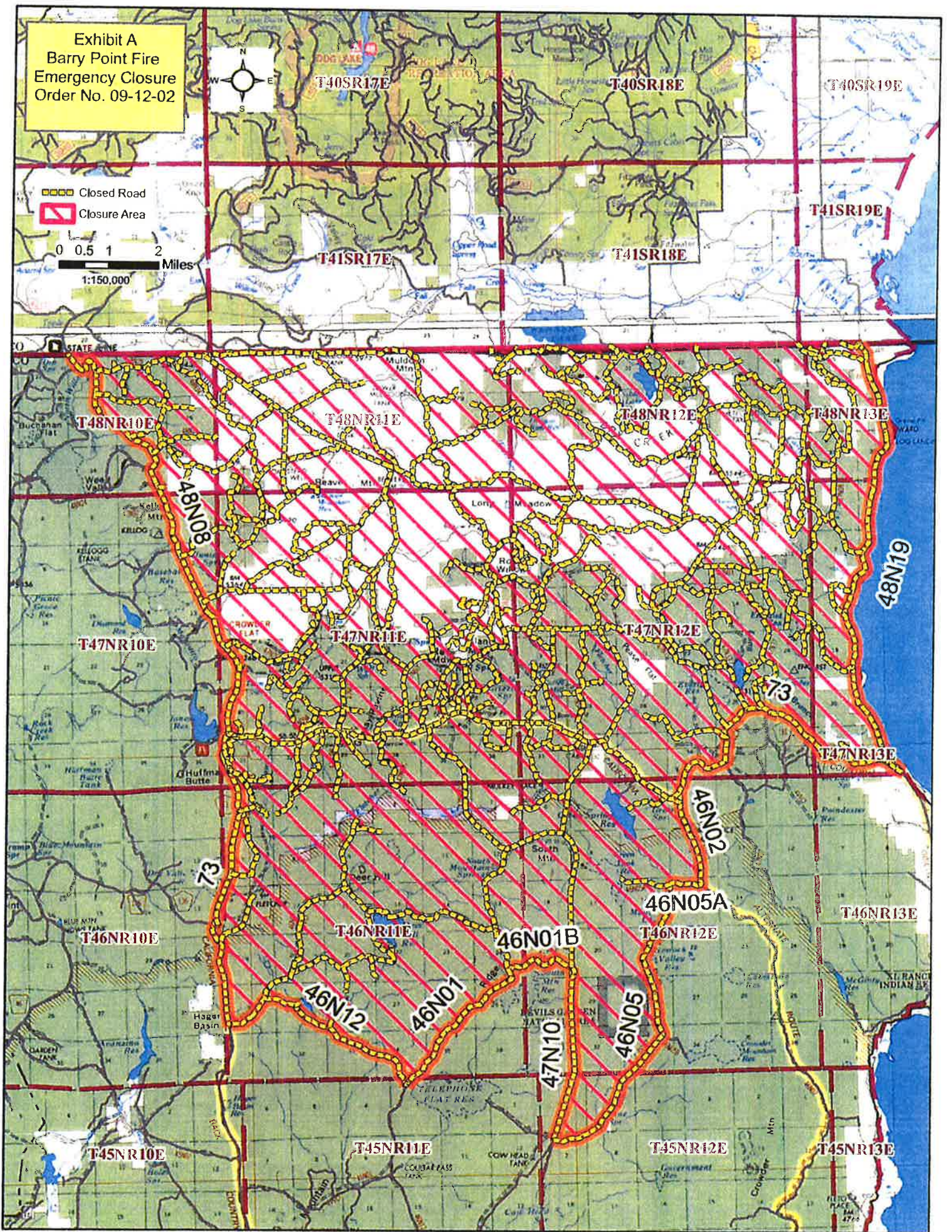
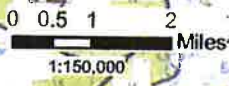


Order Number 2012-02-01  
16 U.S.C. 551, 18 U.S.C 3559 & 3571

**Exhibit A**  
**Barry Point Fire**  
**Emergency Closure**  
**Order No. 09-12-02**



- Closed Road
- Closure Area





Forest  
Service

Modoc  
National  
Forest

800 West 12<sup>th</sup> Street  
Alturas, CA. 96101  
(530) 233-5811  
TTY (530) 233-8708

File Code: 5310  
Route To: File

Date: August 16, 2012

Subject: Barry Point Fire Emergency Closure

From: Kimberly Anderson, Forest Supervisor

A handwritten signature in blue ink, appearing to be 'KA' or similar initials.

I have decided it is necessary to close the Barry Point Fire Area (including roads), as described in Order No. 09-12-02, until the Barry Point Fire is fully suppressed.

This closure is being implemented to protect public and firefighter safety during the Barry Point Fire Incident on the Modoc National Forest. The area will be closed to ensure that the public does not enter into an area that is currently threatened by fire. The roads will be closed due to hazardous conditions, such as low visibility, dust, narrow windy road conditions and increased fire operations traffic.

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because the project is within Category #1 of Section 32.12, Forest Service Handbook 1909.15, which includes Orders issued pursuant to 36 CFR Part 261. This regulation allows implementation of prohibitions or closure for short term resource protection or to protect public health and safety. This is not a project or activity implementing a land and resource management plan that is documented in a decision memo, decision notice, or record of decision. There are no extraordinary circumstances.

cc: Duane Jackson



**Order No. 09-12-02**  
**Modoc National Forest**  
**Barry Point Fire Emergency Closure**

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), and to provide for public safety, the following acts are prohibited within the Devils Garden Ranger District of the Modoc National Forest. This Order is effective from 3:00 p.m. on August 16, 2012, until the Barry Point Fire has been fully suppressed.

1. Going into or being upon National Forest System lands within the Barry Point Fire Closure Area. The Barry Point Fire Closure Area begins at the intersection of Forest Road No. 48N08 and the Oregon Border, then continues south along Forest Road No. 48N08 to its intersection with Forest Road No. 73, then continues south along Forest Road No. 73 to its intersection with Forest Road No. 46N12, then continues east along Forest Road No. 46N12 to its intersection with Forest Road No. 46N01, then continues east along Forest Road No. 46N01 to its intersection with Forest Road No. 46N01B, then continues east to its intersection with Forest Road No. 47N10, then continues south along Forest Road No. 47N10 to its intersection with Forest Road No. 46N05, then continues north along Forest Road No. 46N05 to its intersection with Forest Road No. 46N02, then continues north along Forest Road No. 46N02 to its intersection with Forest Road No. 73, then continues east along Forest Road No. 73 to its intersection with Forest Road No. 48N19, then continues north along Forest Road No. 48N19 to its intersection with the Oregon Border, then continues west along the Oregon Border back to the starting point, as shown on Exhibit A. 36 CFR 261.53(e).
2. Being on any National Forest System road within the Barry Point Fire Closure Area. 36 CFR 261.54(e).

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

1. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local officer or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Owners or lessees of private land in the Barry Point Fire Closure Area to the extent necessary to gain access to their land.
4. Persons who reside on private land in the Barry Point Fire Closure Area to the extent necessary to gain access to their residences.
5. Persons engaged in a business, trade, or occupation in the area.

These prohibitions are in addition to the general prohibitions found in 36 CFR Part 261, Subpart A.

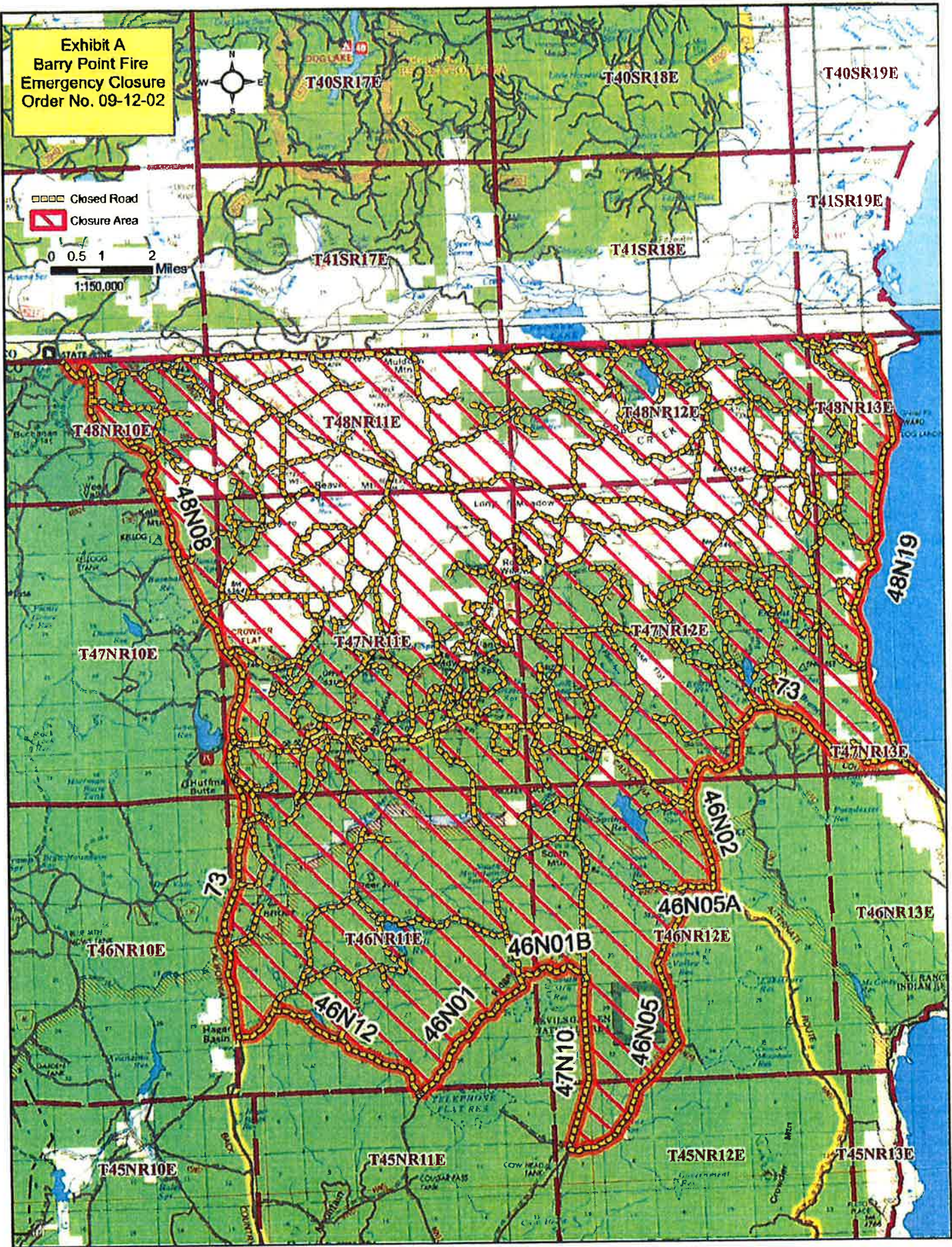
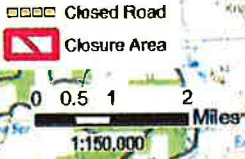
A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Executed in Alturas, California this 16th day of August, 2012.



Kimberly Anderson  
Forest Supervisor  
Modoc National Forest

**Exhibit A**  
**Barry Point Fire**  
**Emergency Closure**  
**Order No. 09-12-02**





**SUB PART B ORDER  
PERMIT**

**FREMONT-WINEMA NATIONAL FOREST**

Pursuant to Title 36, Code of Federal Regulations, §261.50(e), the following person or persons have authorization to be exempt from the prohibition(s) listed in the following Order: Order number: 2012-02-02 Berry Point Fire Road Closure

**Person(s):** Employees and/or representatives of TH Lawson and Sons Logging, Collins Pine Company or any contractor/service utilized by them.

**Address:** Lakeview, Oregon

**Phone #:**        **Richard Lawson**        **541-219-1446**  
                      **Lee Fledderjohan**        **541-219-0519**

**Vehicle Information:** Any and all vehicles associated with the above listed persons or companies.

**Purpose or Reason for the Permit, listing specific prohibitions that are exempt:**

To allow motorized vehicle use on **Forest Service Road 3940** for the purpose of accessing active timber sales, hauling of logs and/or equipment, movement of equipment in or out of the area, and servicing or repairing equipment.

**Copies of this permit are authorized and shall be carried in each vehicle accessing the closed road to be presented upon request.**

**This permit can be suspended or revoked at any time as fire conditions change.**

**Permit #: 2012-02-02-01**

**Issue Date:** August 9, 2012

**Expiration Date:** August 31, 2012

**Brian Watts**  
**Incident Commander**  
**Berry Point Fire**

**Fred Way**  
**Forest Supervisor**  
**Fremont-Winema National Forest**



**ORDER**  
**National Forest System Roads**  
**FREMONT-WINEMA NATIONAL FOREST**  
**Order Number 2012-02-01**

Pursuant to Title 36, Code of Federal Regulations §261.50(b), the following act is prohibited on the following described National Forest System Roads located on the Lakeview Ranger District, Fremont-Winema National Forest, as described in attached Exhibit A.

**PROHIBITION:** (1) USING ANY MOTORIZED VEHICLE ON NATIONAL FOREST SYSTEM ROADS 36 C.F.R. §261.54(a)

The roads listed below will be closed to public motor vehicle use due to hazards or hazardous situations created within the Dog Mountain / Dent Creek area as a result of the Barry Point Fire. This prohibition will become effective immediately upon the time and date of the signature on this Order and will remain in effect until further notice.

**AFFECTED ROADS:**

**Forest Service Road (FSR) 3940** – (Also known as the **Dent Creek Road**), from its junction with FSR 3940398 (Township 39 south, Range 16 east, Section 11, WM), south to its junction with FSR 4017022 (Township 40 south, Range 16 east, Section 34, WM).

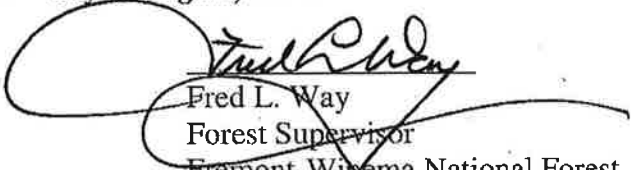
**Forest Service Road (FSR) 3752** – From its junction with FSR 4017 (Township 40 south, Range 17 east, Section 21, WM) northwest to its junction with FSR 3790 (Township 40 south, Range 16 east, Section 4, WM)

Refer to attached map (Exhibit A).

Pursuant to Title 36 C.F.R. §261.50(e), the following are exempt from this Order:

- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission.
- (2) Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
- (3) Owners or lessees of land in the affected area.

Done in Lakeview, Oregon at 2227 (pm), on this 7<sup>th</sup> day of August, 2012.

  
Fred L. Way  
Forest Supervisor  
Fremont-Winema National Forest

**Violations of this prohibition are punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment of not more than 6 months or both.**

**Order Number 2012-02-01**

**16 U.S.C. §551, 18 U.S.C. §3559 & §3571**