



## WALLOWA-WHITMAN NATIONAL FOREST

Forest Order # 06-16-00-22-04



### ORDER PHASE B FIRE RESTRICTIONS

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a) and (b), the following acts are **prohibited** in all National Forest System Lands within the Wallowa-Whitman National Forest, in the State of Oregon, except for the area within a ¼ mile of the Snake River between Hells Canyon Dam, River Mile 247.5, downstream to the Oregon-Washington border at Snake River Mile 176.0, which is regulated by Forest Order #06-16-04-22-01. This Order is effective from August 5th, 2022, through October 31, 2022, unless rescinded sooner.

#### PROHIBITIONS:

1. Building, maintaining, attending, or using a fire, campfire, or stove fire, except:
  - a. Within a designated campfire ring at a developed recreation site listed in Exhibit A;
  - b. When the fire is fueled solely by liquid petroleum or liquefied petroleum gas fuels, and flammable vegetation is cleared a minimum of 3-feet away from open flame on all sides;
  - c. When using a wood burning stove equipped with a chimney at least 5-feet in length and a spark arresting screen consisting of ¼-inch mesh hardware cloth, and all flammable vegetation within a 3-foot radius is cleared, including overhanging material;
  - d. Within the boundaries of the Eagle Cap Wilderness. 36 C.F.R. § 261.52(a).
2. Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material. 36 C.F.R. § 261.52(d).
3. Operating an internal combustion engine in a chainsaw except for persons holding a valid personal use firewood cutting permit and following the conditions outlined in the permit. 36 C.F.R. § 261.52(h).
4. Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained, and in effective working order in accordance with U.S. Forest Service Standard 5100-1. 36 C.F.R. § 261.52(j).
5. Possessing or using any vehicle off National Forest System roads, except when parking in an area devoid of vegetation within 10 feet of the roadway. 36 C.F.R. § 261.56. "Vehicle" means any device in, upon, or by which any person or property is or may be transported, including any frame, chassis, or body of any motor vehicle, except devices used exclusively upon stationary rails or tracks. 36 C.F.R. § 261.2.
6. Possessing, discharging or using any kind of firework or other pyrotechnic device. 36 C.F.R. § 261.52(f).
7. Using an explosive. 36 C.F.R. § 261.52(b).

#### EXEMPTIONS:

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

1. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order) 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.

These prohibitions are in addition to the general prohibitions in 36 C.F.R. Part 261, Subpart A.



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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 6 months, or both (16 U.S.C. § 551; 18 U.S.C. §§ 3551, 3559, 3571, and 3581).

Executed at Baker City, Oregon, this 3rd day of August 2022.

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Shaun McKinney  
Forest Supervisor  
Wallowa-Whitman National Forest



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## **EXHIBIT A** **Developed Recreation Sites**

Campfires are allowed within designated campfire rings at the following Developed Recreation Sites:

### Near Baker City, Oregon:

Anthony Lakes Campground and Picnic Area  
Grande Ronde Lake Campground and Day Use  
Millers Lane Campground  
Mowich Loop Picnic Site  
Mud Lake Campground  
Peavy Cabin  
Southwest Shore Campground  
Union Creek Campground & Picnic Area \*

### Near La Grande, Oregon:

Birdtrack Springs Campground  
Boulder Park Campground  
Buck Creek Trailhead  
Frog Heaven Campground  
Moss Springs Campground & G. Station  
North Fork Catherine Ck. Campground  
North Fork Catherine Ck. Trailhead  
North Fork Catherine Ck. Group Camp  
Oregon Trail Interpretive Park \*  
Spool Cart Campground  
Spring Creek Campground  
Two Color Campground & Guard Station  
Umapine Campground  
West Eagle Meadow Campground

### Near Unity, Oregon:

Antlers Guard Station  
Oregon Campground  
South Fork Campground  
Wetmore Campground  
Yellow Pine Campground

### Near Enterprise, Oregon:

Arrow Forest Campground  
Blackhorse Campground  
Boundary Campground  
Buckhorn Campground  
Canyon Forest Campground  
Coverdale Campground  
Coyote Campground  
Dougherty Campground  
Hidden Campground  
Hurricane Creek Campground  
Irondyke Campground  
Indian Crossing Campground



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Lick Creek Campground  
Lostine River Corridor Campsites  
Ollokot Campground  
Pole Bridge Day Use  
Saddle Creek Campground  
Shady Campground  
Turkey Flats Campground  
Two Pan Campground  
Walla Walla Campground  
Williamson Campground  
Near Halfway, Oregon  
Eagle Forks Campground  
Fish Lake Campground \*  
Lake Fork Campground  
McBride Campground  
Tamarack Campground \*  
Twin Lakes Campground

\*Campgrounds with camp hosts in attendance, exempt from campfire fire tool requirement



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## Assessment of Need and Enforcement Plan

### 1. Background:

The Blue Mountain Fire Danger Operating Plan analyzed historic weather and fire occurrence and fire size. At High Fire Danger, fires have grown to 1000 acres or greater at these conditions resulting in large numbers of fire resources need to suppress unplanned fires. These restrictions have been deemed necessary because of decreasing fuel moistures and humidity in conjunction with temperatures promoting problem fire behavior include increase fire spread rate with any fire ignition.

### 2. Intent of Subpart B Order:

These restrictions are intended to reduce the occurrence of human caused wildfires.

### 3. Enforcement Plan:

This order will be enforceable by LEOs, FPOs and Special agents. Education will be emphasized during initial implementation phase of this order. Officers will exercise normal discretion in resolving violations. Evening patrols will be emphasized, especially on weekends.

### 4. Posting:

The forest and district staff is responsible for posting this order in a reasonable manner.

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Appropriate Staff with LEI input	
Review proposed order	Patrol Captain	
Approve proposed order	Forest Supervisor	8/3/2022
Post order in accordance with 36 C.F.R. 261.51	District Staff Officer and Staff	8/5/2022
Prepare news release for local media describing the order and management objectives	PAO	8/3/2022
Education will be emphasized during initial implementation phase of this order. Officers will exercise normal discretion in resolving violations. Officers will normally not issue citations unless the affected areas are adequately posted. Evening patrols will be emphasized, especially on weekends.	Law Enforcement Personnel/Forest Protection Officers	Upon Approval

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Shaun McKinney  
Forest Supervisor



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### CIVIL RIGHTS IMPACTS ANALYSIS

UNITED STATES DEPARTMENT OF AGRICULTURE

Forest Service, Pacific Northwest Region (R6) Wallowa-Whitman National Forest

**Prohibited Acts:** Building, maintaining, attending, or using a fire, campfire, or stove fire 36 C.F.R. 261.52(a) Smoking 36 C.F.R. 261.52(d); Operation of internal combustion engine 36 C.F.R. 261.52(h); Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order in accordance with U.S. Forest Service Standard 5100-1. 36 C.F.R. § 261.52(j). Use of motorized vehicle off NFS roads 36 C.F.R. 261.56 Possessing, discharging or using any kind of firework or other pyrotechnic device. 36 C.F.R. § 261.52(f), Using an explosive. 36 C.F.R. § 261.52(b).

#### **Purpose:**

The purpose for developing a civil rights impact analysis is to provide the Forest Service decision maker information concerning potential civil rights impacts of the proposed action.

Civil rights impacts are those which could affect the agency's ability to ensure equal opportunity in employment and in delivery of programs and services.

#### **Favorable Impacts:**

The proposed action would:

Increase public health and safety of Forest visitors and employees during Fire Season.

#### **Unfavorable Impacts:**

The proposed action would:

Prohibit the use of any open fire, restrict smoking to an enclosed vehicle or building, Recreation site or area cleared of vegetation and operating internal combustion engine, possession of a fireworks and use of explosives which could start a Wildfire on National Forest System lands administered by the Wallowa-Whitman National Forest within the states of Oregon and Idaho.

#### **Mitigation Measures:**

This order will be evaluated and rescinded or modified as Fire Danger Increases or Decreases across Wallowa-Whitman National Forest Lands and in coordination with Oregon Department of Forestry fire restrictions.

#### **Social Impacts:**

The proposed action does not impose any unreasonable adverse impacts on the civil rights of any individuals. The area closure applies to all nonexempt personnel. The restriction is temporary. The overall benefits are reasonable, as compared to the unfavorable impacts to public safety from not restricting these uses.



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### **Net Civil Rights Impact:**

No net negative Civil Rights Impacts would occur because the area closure is general in applicability and would apply across the affected area.

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Shaun McKinney  
Forest Supervisor