MALHEUR NATIONAL FOREST

Forest Order # 2015-0604-MAL-02E

Assessment of Need and Enforcement Plan

1. **Background:**

These restrictions have been deemed necessary because of increasingly dry fire conditions on the forest.

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 the 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.

5. **Posting:**

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

Action	Responsible Official	Date
Prepare proposed order	Appropriate Staff with LEI input	09/16/15
Review proposed order	Patrol Captain	09/16/15
Approve proposed order	Forest Supervisor	9/16/15
Post order in accordance with 36 CFR 261.51	District Staff Officer and Staff	9/16/15
Prepare news release for local media describing the order and management objectives	PAO	9/16/15
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

Steven K Beverlin

Steven K. Beverlin
Forest Supervisor

/S/ Robert Field

R. W. Field
Patrol Captain

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EXHIBIT A
Developed Recreation Sites

- **EMIGRANT RANGER DISTRICT**

- Idlewild Campground**
- Yellowjacket Campground**
- Rock Springs Camp (T.18S R.32E. Sec24)
- Delintment Campground
- Falls Campground
- Emigrant Campground
- Joaquin Miller Campground
- Buck Spring Campground
- Tip Top Campground

- **PRAIRIE CITY RANGER DISTRICT**

- ~~Strawberry Campground (Closed)~~
- Trout Farm Campground
- Big Creek Campground
- North Fork Campground
- Elk Creek Campground
- Crescent Campground
- Little Crane Campground
- Murray Campground(Closed)
- Slide Horse Camp (Closed)

- **BLUE MOUNTAIN RANGER DISTRICT**

- Canyon Meadows Campground (Closed)
- Wickiup Campground (Closed)
- Parish Cabin Campground
- Starr Campground
- Dixie Campground
- Middle Fork Campground
- Lower Camp Creek Campground
- Magone Lake Campground**
- Deerhorn Campground
- ~~Oregon Mine Campground~~
- Billy Fields Campground

**Indicates campgrounds that are exempt from the requirements to have a shovel, axe and one gallon of water.

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3. Smoking is prohibited, 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 CFR 261.52 d**).

4. No off-road/off-trail vehicle travel or travel on roads not cleared of standing grass or other flammable material; no vehicle travel on those FS roads where access has been impeded or blocked by earthen berm, logs, boulders, barrier, barricade or gate, or as otherwise identified in the Fire Order. (**36 CFR 261.56**)

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

(1.) Persons with a permit specifically authorizing the prohibited act or omission.

(2.) Any Federal, State or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.

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

Done at John Day, Oregon, this 16th day of September, 2015.

Steven K. Beverlin
Forest Supervisor
Malheur National Forest

Violation of these prohibitions is punishable by a fine of not more than $5000 for an individual or $10,000 for an organization, or imprisonment for not more than 6 months, or both. (16 U.S.C. 551 and 18 U.S.C. 3559 and 3571)

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FIRE RESTRICTIONS

MALHEUR NATIONAL FOREST

Pursuant to 36 CFR, Sec. 261.50(a) and (b), the following acts are prohibited on all areas within the Malheur National Forest and the Snow Mountain District of the Ochoco National Forest beginning 00:01, September 17th, 2015, until further notice:

1. It is prohibited to build, tend or maintain a campfire, including fires with charcoal briquette fires. **(36 CFR 261.52a)**

   For the purposes of this order the following persons are exempt from this prohibition:

   a. Persons having or tending a fire (or charcoal briquette fire) contained in an earthen pit, metal fire ring, or rock ring. Persons having open fires in in such a pit or ring are required to have all combustible material must be removed within a 5-foot radius of the perimeter of the fire ring. They are also required to have a shovel, one gallon of water and an ax in possession with them at all times (except those persons having a campfire in one of the developed recreation sites listed in Exhibit A or the Strawberry Mountain Wilderness or the Monument Rock Wilderness).

   b. Persons having or tending a fire in a wood burning stoves equipped with a chimney at least five feet in length with a spark-arresting screen consisting of ¼-inch mesh hardware cloth are allowed. Those persons are also required to have all combustible material removed within a 5-foot radius of the perimeter of the stove. They are also required to have a shovel, one gallon of water and an Ax with them at all times (except those persons using such stoves in one of the developed recreation sites listed in Exhibit A or the Strawberry Mountain Wilderness or the Monument Rock Wilderness).

   c. Persons using portable cooking stoves or portable fire-pits that utilize liquefied or bottled gas as there fuel. Persons using or tending the stove are required to remove all combustible within a 5-foot radius of the perimeter of the stove. They are also required to have a shovel, one gallon of water and an Ax with them at all times (except those persons having using such stoves in one of the developed recreation sites listed in Exhibit A or the Strawberry Mountain Wilderness or the Monument Rock Wilderness).

2. It is prohibited to operate a chainsaw between the hours of 1pm and 8pm. All persons operating a chainsaw are required to have an axe (minimum 2 lb head, 26" length), shovel (8" wide, 26" length), and fire extinguisher (minimum size of 8oz A,B, or C fire extinguisher) in their possession After chainsaw operations cease, the operator is required to perform a one hour fire watch before leaving the area of operation. **(36 CFR 261.52 h)**