

BEAVERHEAD-DEERLODGE NATIONAL FOREST  
Pintler Ranger District  
Philipsburg, Montana

Order No. 2016-D8-002

**EMERGENCY CLOSURE ORDER**

Pursuant to Title 36 Code of Federal Regulation 261.50 (a), the following acts are prohibited on the Beaverhead-Deerlodge National Forest. This temporary restriction is in addition to those enumerated in Subpart A, Part 261, Title 36, Code of Federal Regulations and will remain in effect from May 16, 2016 to May 16, 2017, or until rescinded.

**36 CFR 261.53 – Special Closures: It is prohibited to go into or be upon any area which is closed for the Protection of “Public Health and Safety” (Title 36 CFR 261.53(e)).**

For the purpose of this order, the China Ditch (structure) will be closed to public entry from May 16, 2016 to May 16, 2017, or until rescinded, for public safety due to unstable soils and recent failures due to ditch bank instability. The closure area description follows with a map attachment.

**Area Description:**

The China Ditch (structure) from the old Phosphate Mine in the SE ¼ of Section 9, T8N, R11W near Forest Service road #302 (Pikes Peak Road) to the SW ¼ of Section 3, T8N, R11W near Forest Service road #5167 (Emery Ridge Road) is closed for public safety due to unstable soils and recent failures due to ditch bank instability.

**Exemptions:**

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

1. Persons with a permit specifically authorizing the otherwise prohibited act or omission.
4. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

**Done at Dillon, Montana this 16<sup>th</sup> day of May, 2016.**

  
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MELANY GLOSSA  
Forest Supervisor

**Penalty:**

Violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, imprisonment for not more than 6 months, or both (16 USC 551 and 18 USC 3559 and 3571).

**Notification:** A copy of this order shall be posted as prescribed under 36 CFR 261.51.

### Area Closure Map

