



UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
OKANOGAN-WENATCHEE NATIONAL FOREST  
WENATCHEE, WA

ORDER NO. 06-17-07-16-992

Pursuant to 16 USC § 551 and 36 CFR § 261.50 (a) and 36 CFR 26.153 (e), the following acts are prohibited upon the area of National Forest System (NFS) lands, trails, roads and routes in the Wenatchee River Ranger District within the Okanogan-Wenatchee National Forest as described below and shown in Exhibit A. This Order will be effective beginning September 29, 2016.

PROHIBITION:

Pursuant to 36 CFR 261.50 (a), the following acts are prohibited within the area of National Forest System (NFS) lands, trails, roads and routes as shown in Exhibit A and described in Exhibit B on the Wenatchee River Ranger District, Okanogan-Wenatchee National Forests.

1. Using any motorized vehicle on the roads listed when gated, barricaded and/or closure notice posted. (36 CFR 261.54(A)).
2. It is prohibited to go into or be upon any area which is closed for the protection of public health and safety. (36 CFR 261.53(e)).

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

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

EXEMPTIONS:

Pursuant to 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.
2. Any Federal, State, or local officer, or member of any organized rescue or fire fighting force in the performance of an official duty.

EXHIBIT A

Roads

1. Forest Service Road (FSR) 6211 beginning immediately north of the junction with FSR 6200.

Campground

1. Phelps Creek CG

Trails

1. Buck Creek Trail 1513.
2. Chiwawa River Trail 1550.

EXHIBIT B

**Assessment of Need and Enforcement Plan**

Background: A closure order is necessary for public safety due to wildfire in the Chiwawa and Buck Creek drainages on the Wenatchee River Ranger District. It is prudent to close this area until safe for public occupancy. Only Agency personnel or those persons involved in firefighting activities or law enforcement patrols are allowed access under this permit. This closure is based on recommendations of the District Ranger, Fire personnel, and law enforcement personnel due to public safety and fire fighter safety concerns.

Intent of Closure: To provide for public safety during the time that wildfire hazards remain.

Closure Description: The Buck Creek Fire Closure Area begins just north of the junction of FSR 6200 at the intersection with FSR 6211. The Phelps Creek Campground is closed as well as the following trails that include; Buck Creek trail (Trail 1513) from the Buck Creek Trailhead to Buck Pass and Chiwawa trail (Trail 1550) in its entirety.

This prohibition is in addition to the general prohibitions in 36 C.F.R. Part 261, Subpart A.

Executed in Wenatchee, WA this 29<sup>th</sup> day of September 2016.

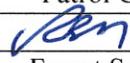
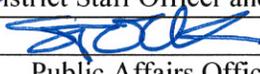
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Michael R. Williams  
Forest Supervisor  
Okanogan-Wenatchee National Forest

Violations of this prohibition is punishable as a Class B Misdemeanor, 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 USC § 551; 18 USC § 3559 and 18 USC § 3571)

**Prohibition Objective:** The closure of the roadway, trails and campgrounds for public access is necessary to ensure public health and safety due to the Buck Creek fire.

**Public Notification Plan:** Information associated with the closure will be made available to the public through media releases, partner organizations, and at Forest Service offices. The affected area will be posted with signs indicating the roads and trails are closed to public entry.

**Enforcement Plan:**

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Wenatchee River District Ranger 	29/SEP/16
Review proposed order (Law Enforcement)	Patrol Captain 	9/30/2016
Approve proposed order	Forest Supervisor 	9/30/16
Post order in accordance with 36 CFR 261.51	District Staff Officer and Staff 	9/29/16
Prepare news release for local media describing the order and management objectives	Public Affairs Officer	
District staff will be responsible for the management and enforcement of this closure. Any enforcement actions will be within normal policies and procedures established by the LEI Patrol Captain for the zone.	District Staff 	9/29/16



September 29th, 2016

MEMORANDUM

FROM: Michael R. Williams  
FOREST SUPERVISOR

TO: FILE

SUBJECT: Buck Creek Fire Closure Order Justification

FILE CODE: 1950

The intent of this memorandum is to describe the need for a temporary closure of National Forest System Road (NFS) Road No. 6200, immediately north of NFS Road 6211 as well as the various trails and campground associated with National Environmental Policy Act (NEPA) compliance.

BACKGROUND AND NEED:

An emergency closure order is necessary for public safety due to a wildfire in the Buck Creek and Chiwawa drainages on the Wenatchee River Ranger District. It is prudent to close this area until safe for public occupancy. Only Agency personnel or those persons involved in firefighting activities or law enforcement patrols are allowed access under this permit. This closure is based on recommendations of the District Ranger, Fire personnel, and law enforcement personnel due to public safety and fire fighter safety concerns. The temporary order would be pursuant to 36 CFR § 261.50(b).

SCOPING:

A notice has been posted on the Okanogan-Wenatchee National Forest website and at the points of the trails and road that are effected by the closure area. The Wenatchee River District Ranger and staff have discussed the closure with potentially interested parties.

REASONS FOR CATEGORICALLY EXCLUDING THE ACTION:

Based on a review of the proposed order and consultation with District and Forest resource specialists, I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under the National Environmental Policy Act. This action falls within the category identified in 36 C.F.R. § 220.6(b) (1) – *prohibitions to provide short-term resource protection or to protect public health and safety* – and does not require documentation in a decision memo, decision notice, or record of decision. I have determined that there are no extraordinary circumstances associated with this temporary closure.

  
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Michael R. Williams  
Forest Supervisor  
Okanogan-Wenatchee National Forest





# FIRE CLOSURE

