

APPENDIX 4

Frequently Asked Questions (FAQ) concerning implementation of Fire Restrictions

STAGE I FIRE RESTRICTIONS FAQ

General:

What lands are covered under the restrictions?

Federal, State, Tribal and private lands (outside of city limits and incorporated areas), which lie within the restriction area boundary. (See Map).

What are the penalties or fines for violating a restriction order?

The maximum penalty for violating a fire restriction order may differ depending on the enforcement agency:

Forest Service: The maximum penalty for violating a restriction order is \$5,000 for individuals and \$10,000 for corporations and/or 6 months imprisonment. The maximum penalty would be imposed by the Federal Magistrate following a court appearance.

BLM: Violation of the prohibited acts is punishable by fine of not more than \$1,000 and/or imprisonment for not more than 12 months (Title 18 USC 1856, Title 43 USC 1701, Title 43 9212.4, and/or appropriate State laws).

State: Misdemeanor. Actual cost of suppression

Tribal:

BIA:

If violating a fire restriction order results in a wildfire, the violator will also be liable for any and all suppression costs resulting from the wildfire and damage to property and resources. Criminal charges may also be imposed.

Are the public lands closed due to the fire restrictions?

No. Your public lands remain open for use. However, in the event of a fire, there may be temporary road or area closures associated with the incident in order to provide for public and firefighter safety.

Campfires:

Under Stage I fire restrictions where can I have a campfire?

Campfires are allowed in developed recreation sites with owner provided fire structures. Owner provided fire structures relate to the owner of the land, so personally owned charcoal grills, fire pans, wood or charcoal fueled “sheep herder” stoves etc. **are restricted** when we are in Stage I fire restrictions.

What is a developed recreation site?

An area that has been improved or developed for recreation. A developed recreation site is signed as a privately owned commercial campground, tribal, or agency owned campground or picnic area.

I have a privately owned summer home on land leased to me by a federal agency, am I restricted from having a campfire at my summer home?

Yes, your summer home lease probably is included in the restriction because your leased lot is not a designated recreation area under the definition listed above. It is not signed as a commercial campground or picnic area and the owner of the land (federal) in all likelihood did not provide your fire structure.

I have a privately owned cabin on private land. Can I have a campfire on my own land?

If your privately owned land is outside of a city limit or incorporated area you are restricted from having a campfire under state statutes. These types of lands do not meet the definition of a developed recreation site.

I am an outfitter/guide/contractor who has a permit or contract to conduct business on federal, state and/or tribal lands. Am I exempt from these restrictions?

No. Your activities are restricted the same as the general public unless you have a written permit signed by the appropriate agency official granting a specific exemption from the prohibited activity.

Stove Fires:

Under Stage I Fire Restrictions, are stoves allowed and if so what kind?

Any stove fueled solely by liquid petroleum (i.e. gas, white gas fuel etc.) or liquid petroleum gas (LPG) (i.e. propane, etc.) fuel is OK under both Stage I and Stage II. Stoves fueled by wood that are not being used in a building or vehicle are prohibited under both Stage I and Stage II.

What about fire pans on the river corridors?

Metal fire pans can be used in the following locations:

Persons using a metal fire pan* within ¼ mile of:

- a) The Salmon River from the Corn Creek launch site to its mouth at the Snake River.
- b) The Middle Fork of the Salmon River.
- c) The Selway River from the Paradise boat launch to Race Creek
- d) The Snake River from Hells Canyon Dam to the City of Lewiston

*A metal fire pan with sides at least three inches high with a metal grate on top

Why can't I use my "shepherd" stove in my wall tent, it has a spark arrestor and is fully enclosed?

Sheep herder stoves are prohibited in wall tents because they are not being used in a building or vehicle and since they burn wood or charcoal are considered the same as a campfire. They are also usually not used in developed recreation sites, and even if they are, the stoves are not considered owner provided fire structures. There is potential for these stoves to cause wildfires both while in use and when users discard the ashes.

Why are portable charcoal grills restricted?

Charcoal is OK to use under Stage I Fire Restrictions in developed recreation sites in owner provided fire structures. This is because the owner provided structure is generally permanently mounted in a fixed position and cannot be easily tipped over.

Charcoal grills can easily cause wildfires because they tend to hold heat for a relatively long period of time and users usually discard the ashes. Portable charcoal grills can also easily be tipped over and can produce blowing embers which can easily ignite a wildfire during extreme fire conditions.

Why are LPG and liquid fueled stoves OK?

Using liquid or gas fuel helps reduce the likelihood that individuals might discard or leave ashes or hot charcoal briquettes before they are completely extinguished. These types of stoves also do not produce blowing embers further reducing the wildfire potential.

Can I use my Dutch oven?

Dutch Ovens in and of themselves are not restricted. They can be used anywhere at any time utilizing stoves fueled by liquid petroleum or liquid petroleum gas. During Stage I fire restrictions they may be used with wood or charcoal as a heat source in developed recreation sites in owner provided fire structures only.

MOTORIZED VEHICLES:

Are there any restrictions on motorized vehicles?

Under Stage I fire restrictions, motorized vehicle use is not restricted due to wildfire issues. Visitors are reminded however to consult agency travel plan maps because there are identified roads and trails that are closed to motorized travel either seasonally or year round. Some agencies also may have restrictions which require users to stay on designated roads and trails year round regardless of whether there is fire restriction in place or not.

During the period between May 10th and October 20th regardless of whether there is a fire restriction in place, all internal combustion engines must be equipped with properly installed, maintained and effectively working spark arrestors. Additionally, all operators of motorcycles, trail bikes and all-terrain vehicles and similar type motorized vehicles are required to carry one serviceable shovel and one (1 gallon minimum) water container.

Are there any restrictions on the use of chainsaws or generators?

Under Stage I fire restrictions there are no restrictions on the use of chainsaws or generators which are related to wildfire issues. However, users are reminded that personal use and/or commercial use firewood gathering permits are still required and many federal and state land agencies have identified designated areas where these activities are allowed and other areas where wood gathering is prohibited. Generators are not restricted.

During the period between May 10th and October 20th regardless of whether there is a fire restriction in place, all internal combustion engines must be equipped with properly installed, maintained and effectively working spark arrestors.

SMOKING:

What are the restrictions on smoking?

Under Stage I fire restrictions, smoking is not allowed except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least 3 feet in diameter that is barren or cleared of all flammable materials.

FIREWORKS:

Where are fireworks allowed?

Fireworks are always illegal on all federal and state lands. Even possession of fireworks is illegal on these lands. Prior to igniting fireworks on privately owned lands, consult your local fire department since this activity may be illegal under city and/or county ordinances.

STAGE II FIRE RESTRICTIONS FAQ:

General:

What lands are covered under the restrictions?

Federal, State, Tribal and private lands (outside of city limits and incorporated areas), which lie within the restriction area boundary. (See Map).

What are the penalties or fines for violating a restriction order?

The maximum penalty for violating a fire restriction order may differ depending on the enforcement agency:

Forest Service: The maximum penalty for violating a restriction order is \$5,000 for individuals and \$10,000 for corporations and/or 6 months imprisonment. The maximum penalty would be imposed by the Federal Magistrate following a court appearance.

BLM: Violation of the above prohibited acts is punishable by fine of not more than \$1,000 and/or imprisonment for not more than 12 months (Title 18 USC 1856, Title 43 USC 1701, Title 43 9212.4, and/or appropriate State laws).

State: Misdemeanor actual cost of suppression

Tribal:

BIA:

If violating a fire restriction order results in a wildfire, the violator may also be liable for any and all suppression costs resulting from the wildfire and damage to property and resources. Criminal charges may also be imposed.

Are the public lands closed due to the fire restrictions?

No. Your public lands remain open for use. However, in the event of a fire, there may be temporary road or area closures associated with the incident in order to provide for public and firefighter safety.

Campfires:

Under Stage II fire restrictions where can I have a campfire?

Campfires are not allowed anywhere when under a stage II restriction.

What is a developed recreation site?

An area that has been improved or developed for recreation. A developed recreation site is signed as a privately owned commercial campground, tribal, or agency owned campground or picnic area.

I have a privately owned summer home on land leased to me by a federal agency, am I restricted from having a campfire at my summer home?

Yes, under stage II fire restrictions all campfires are prohibited outside of city limits and/or incorporated areas.

I have a privately owned cabin on private land. Can I have a campfire on my own land?

If your privately owned land is outside of a city limit or incorporated area you are restricted from having a campfire under state statutes.

I am an outfitter/guide/contractor who has a permit or contract to conduct business on federal, state and/or tribal lands. Am I exempt from these restrictions?

No. Unless you have a written permit which authorizes the prohibited activities, when restrictions are in place, your activities which fall under these restrictions are also restricted.

Stove Fires:

Under Stage II Fire Restrictions, are stoves allowed and if so what kind?

Any stove fueled solely by liquid petroleum (i.e. gas, Coleman fuel etc.) or liquid petroleum gas (LPG) (i.e. propane, etc.) fuel is OK under both Stage I and Stage II. Stoves fueled by wood and/or charcoal that are not being used in a building or vehicle are prohibited under both Stage I and Stage II.

What about fire pans on the river corridors?

Metal fire pans can be used in the following locations:

Persons using a metal fire pan* within ¼ mile of:

- e) The Salmon River from the Corn Creek launch site to its mouth at the Snake River.
- f) The Middle Fork of the Salmon River.
- g) The Selway River from the Paradise boat launch to Race Creek
- h) The Snake River from Hells Canyon Dam to the City of Lewiston

*A metal fire pan with sides at least three inches high with a metal grate on top

Why can't I use my "shepherd" stove in my wall tent, it has a spark arrestor and is fully enclosed?

Sheep herder stoves are prohibited in wall tents because they are not being used in a building or vehicle and since they burn wood or charcoal are considered the same as a campfire. There is potential for these stoves to cause wildfires both while in use and when users discard the ashes.

Why are portable charcoal grills restricted?

Under stage II fire restrictions, charcoal grills are restricted everywhere outside of city limits and incorporated areas. Charcoal grills can easily cause wildfires because they tend to hold heat for a relatively long period of time and users usually discard the ashes. Portable charcoal grills can also easily be tipped over and can produce blowing embers which can easily ignite a wildfire during extreme fire conditions.

Why are LPG and liquid fueled stoves OK?

Using liquid or gas fuel helps reduce the likelihood that individuals might discard or leave ashes or hot charcoal briquettes before they are completely extinguished. These types of stoves also do not produce blowing embers further reducing the wildfire potential.

Can I use my Dutch oven?

Dutch Ovens in and of themselves are not restricted. They can be used anywhere at any time utilizing stoves fueled by LPG or liquid petroleum gas.

Motorized vehicles:

Are there any restrictions on motorized vehicles?

Under Stage II motorized vehicle use is limited to designated roads and trails. Visitors are reminded to consult agency travel plan maps because there are identified roads and trails that are closed to motorize travel either seasonally or year round. Some agencies also may have restrictions which require users to stay on designated roads and trails year round regardless of whether there is fire restriction in place or not.

Are there any restrictions on the use of chainsaws or generators?

Under Stage II fire restrictions there are restrictions on the use of chainsaws or generators which are related to wildfire issues. **The following acts are prohibited between the hours of 1:00 pm and 1:00 am.**

Operating a chainsaw or other equipment powered by an internal combustion engine for felling, bucking, skidding, road building, and woodcutting during industrial or fire wood gathering.

Operators are required to patrol for a minimum of 1 hour following the cessation of this type of work to ensure that a fire has not started. Users are reminded that personal use and/or commercial use firewood gathering permits are still required and many federal and state land agencies have identified designated areas where these activities are allowed and other areas where wood gathering is prohibited. Generators are not restricted if they are not being used in conjunction with these types of operations.

SMOKING:

What are the restrictions on smoking?

Under Stage II fire restrictions, smoking is not allowed except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least 3 feet in diameter that is barren or cleared of all flammable materials.

FIREWORKS:

Where are fireworks allowed?

Fireworks are always illegal on all federal and state lands. Even possession of fireworks is illegal on these lands. Prior to igniting fireworks on privately owned lands, consult your local fire department since this activity may be illegal under city and/or county ordinances.

Blasting and Welding:

Are there restrictions on blasting and welding?

Under Stage II fire restrictions **the following acts are prohibited between the hours of 1:00 pm and 1:00 am. Blasting, welding or other activities that generate flame or flammable material. A patrol is required for a minimum of 1 hour following the cessation of these types of activities to ensure that a fire has no**

APPENDIX 5

STAGE I AND STAGE II RESTRICTIONS

There will be two fire restriction stages: Stage I and Stage II. Each agency/tribe with a fire restriction area must write its own agency/tribal document that authorizes the restrictions within its jurisdiction. Each agency/tribe is responsible for using its own format and having their Legal Counsel review the document to assure it is correct and enforceable. To reduce confusion and standardize the restrictions, the following criteria (when applicable) will be used in all restriction documents, a restriction order template is included in this plan (Appendix 10):

STAGE I

The following acts are prohibited until further notice:

1. Building, maintaining, attending, or using a fire, campfire or stove fire except within a designated recreation site, or on their own land, and only within an owner-provided fire structure (see definition).
2. Smoking, except within an enclosed vehicle, building, or designated recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.

Exemptions

1. Persons with a written permit that specifically authorizes the otherwise prohibited act.
2. Persons using a fire solely fueled by liquid petroleum or LPG fuels. Such devices, including propane campfires, may be used only in an area cleared of flammable material.
3. Persons using stove fires with a chimney of at least five (5) feet in length and employing a spark arrester with a maximum mesh screen opening of ¼ inch.
4. Persons using metal fire pans* (see definition) within ¼ mile of:
 - a. The Salmon River from the Corn Creek launch site to its mouth at the Snake River.
 - b. The Middle Fork of the Salmon River.
 - c. The Selway River from the Paradise boat launch to Race Creek.
 - d. The Snake River from Hells Canyon Dam to the City of Lewiston.

***Pack-out of ashes is required.**

5. Private landowners using charcoal (disposed of properly) or propane barbecues on their own lands.
6. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.
7. Any federal, state, or local officer or member of an organized rescue or firefighting force, in the performance of an official duty.

An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.

STAGE II

The following acts are prohibited until further notice:

1. Building, maintaining, attending, or using a fire, campfire, or stove fire.
2. Smoking, except within an enclosed vehicle or building, a designated recreation site or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.
3. Operating motorized vehicles off designated roads and trails in accordance with existing travel management plans.
4. The following acts are prohibited from 1:00 p.m. to 1:00 a.m. A patrol is required for one hour following cessation of all work as described in **a, b** and **c** below.
 - a. Operating a chainsaw or other equipment powered by an internal combustion engine for felling, bucking, skidding, processing, road building and woodcutting during industrial operations or fire wood gathering.
 - b. Blasting, welding, or other activities that generate flame or flammable material.
 - c. Using an explosive.

Exemptions

1. Persons with a written permit that specifically authorizes the otherwise prohibited act.
2. Persons using a fire or stove fire fueled solely by liquid petroleum or LPG fuels. Such devices, including propane campfires, may be used only in an area cleared of flammable material.
3. Persons using stove fires with a chimney of at least five (5) feet in length and employing a spark arrester with a maximum mesh screen opening of ¼ inch on federal lands designated as the Frank Church River of No Return, Gospel Hump or Selway-Bitterroot Wilderness Areas.
4. Persons using metal fire pans* (see definition) within ¼ mile of:
 - a. The Salmon River from the Corn Creek launch site to its mouth at the Snake River.
 - b. The Middle Fork of the Salmon River.
 - c. The Selway River from the Paradise boat launch to Race creek.
 - d. The Snake River from Hells Canyon Dam to the City of Lewiston.

***Pack-out of ashes is required.**

5. Persons using a generator with an approved spark arrester on areas that are cleared of all flammable materials within three feet of the generator.
6. Log loading and hauling only – from landings and existing roads and only on non-federal lands.
7. Private landowners using charcoal (disposed of properly) or propane barbecues on their own lands.
8. Crop lands.

9. Emergency repair of public utilities and railroads as per attached conditions in Stage II Exemptions for Public Utilities and Railroads, Appendix 10.
10. Any federal, state, or local officer, or member of an organized rescue or firefighting force, in the performance of an official duty.
11. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.
12. All land within a city boundary.

An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.

Voluntary Measures for Idaho Department of Lands Logging Operations

Due to the continuing extreme fire conditions in northern Idaho the Idaho Department of Lands and the forest industry have jointly developed and instituted the following **voluntary measures** on logging operations occurring on state and private forestlands currently under Stage II fire restrictions. Those adopting these voluntary measures plan to make them effective on Monday, August 17, 2015 until further notice.

1. **LOGGING AND MASTICATION OPERATIONS:** Cease all chainsaw, mastication, and tracked harvesting and skidding operations by 11:00 A.M. **OR** If using a handheld pocket weather station (e.g. – Kestrel 3000), cease all harvesting operations when relative humidity is below 30% and wind speeds exceed 6 mph. Regardless, all harvesting and skidding operations must cease by 1 pm as required under Stage II restrictions.
2. **LINE SKIDDING OPERATIONS:** Cease all line skidding operations by 11:00 A.M. **OR** If using a handheld pocket weather station (e.g. – Kestrel 3000), cease all line skidding operations when relative humidity is below 30% and wind speeds exceed 6 mph. Regardless, all line skidding operations must cease by 1 pm as required under Stage II restrictions.

Exception – gravity systems without a motorized carriage and a static tail hold where the butt rigging maintains 10-foot ground clearance throughout the yarding cycle will be permitted to operate until 1:00 P.M.

3. **RED FLAG WARNINGS:** Suspend all harvesting and line skidding operations in areas where a red flag warning has been declared by the National Weather Service until lifted.
4. **DAILY EQUIPMENT INSPECTIONS:** Operators should conduct daily inspections of equipment to clear away dry organic material and other flammable debris from heat sources and ensure proper functioning of all systems and components (exhaust, tracks, spark arrestors, etc.).
5. **WATER DELIVERY:** Provide water delivery capabilities on all logging operations.
6. **EXTENDED PATROL:** An equipment operator will remain patrolling onsite until 6:00 P.M. and be capable of operating a dozer or excavator for line construction purposes, if needed. (NOTE: Personnel are encouraged to walk the harvest unit during this extended patrol period. Consider having 2 people onsite until 6:00 pm – 1 person to operate equipment and another to call in the fire and operate water delivery systems as necessary.)

APPENDIX 6 DEFINITIONS

The following definitions should be used as part of, or referenced to, in the Special Orders or Laws that initiate and authorize a Stage I or Stage II Restriction:

AGENCY ADMINISTRATOR: That person vested with the overall responsibility and authority for an agency at an administrative unit. These individuals may include BIA Superintendents, Forest Supervisors, State Lands Area Managers, BLM District Managers, Park Managers and other state agency officials. Agency Administrators at the Geographical Area Level would include the Regional Forester, BLM State Director, and the State Forester of the Idaho Department of Lands.

CAMPFIRE: A fire, not within any building, mobile home, or living accommodation mounted on a vehicle, which is used for cooking, branding, personal warmth, lighting, ceremonial, or aesthetic purposes. Campfires are open fires (usually built on the ground) using native fuels or charcoal, and include burn barrels, enclosed fireplace stands, and charcoal grills.

APPROVED SPARK ARRESTER: A spark arresting device for internal combustion engines that is properly installed, maintained, and in effective working order meeting either: (1) U.S. Department of Agriculture, Forest Service Standard 5100-1a, or (2) Appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a).

CHAINSAW: A saw powered by an internal combustion engine, with cutting teeth linked in an endless chain.

CLOSURE: The closing of an area to entry or use.

DESIGNATED ROADS AND TRAILS: On federal lands those roads and trails that are identified on maps regularly provided to the public by land management agencies on Motorized Vehicle Use Maps. On state and private lands designated roads and trails are those that exhibit a distinct running surface free of any flammable vegetation or debris.

DESIGNATED RECREATION SITE: A recreation area that has been improved and designated by sign as a privately-owned commercial campground, tribal, or agency-owned campground, picnic area, or trail head.

METAL FIRE PAN: A metal fire pan with sides at least three inches high with a metal grate on top.

MOTORIZED EQUIPMENT: Any equipment or vehicle powered by an internal combustion engine.

OWNER-PROVIDED FIRE STRUCTURE: A permanent metal or concrete improvement specifically designed for the purpose of containing a campfire, or cooking fire provided by the agency, or landowner with a clearance of ten feet on all sides that is free of any flammable vegetation. This does not include a metal fire pan as defined above.

PATROL: One or more people who will travel through a work site checking for, suppressing, and reporting fires discovered adjacent to and within the work site.

PERMIT: A written document issued by an authorized agency representative to specifically authorize an otherwise prohibited act.

RESTRICTION: A limitation on an activity or use.

STOVE FIRE: A fire built inside a fully enclosed metal stove, grill, or sheep herder type stove.