

**UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
NATIONAL FORESTS IN NORTH CAROLINA  
PISGAH NATIONAL FOREST  
Pisgah Ranger District**

Order Number 08-11-07-19-014

**ALCOHOLIC BEVERAGE RESTRICTIONS**

Pursuant to 36 CFR 261.50 (a) and (b), the following acts are prohibited for the protection of public health or safety on the Pisgah Ranger District of the Pisgah National Forest. This closure is in effect from August 27, 2019 until rescinded by an authorized Forest Service official.

1. **Possessing a beverage which is defined as an alcoholic beverage by state law.  
36 CFR 261.58 (bb)**

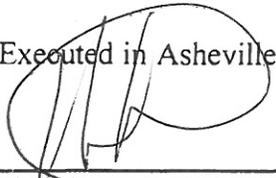
Closure Areas

Sycamore Flats Day Use	Horsepasture River
Coontree Day Use	Avery Creek Road
Looking Glass Falls	Lickstone Road
Sliding Rock	Sunburst Day Use
Lake Powhatan Day Use	Davidson River Beach
Pisgah Ranger Station/Visitor Center	
Schenck Civilian Conservation Center	

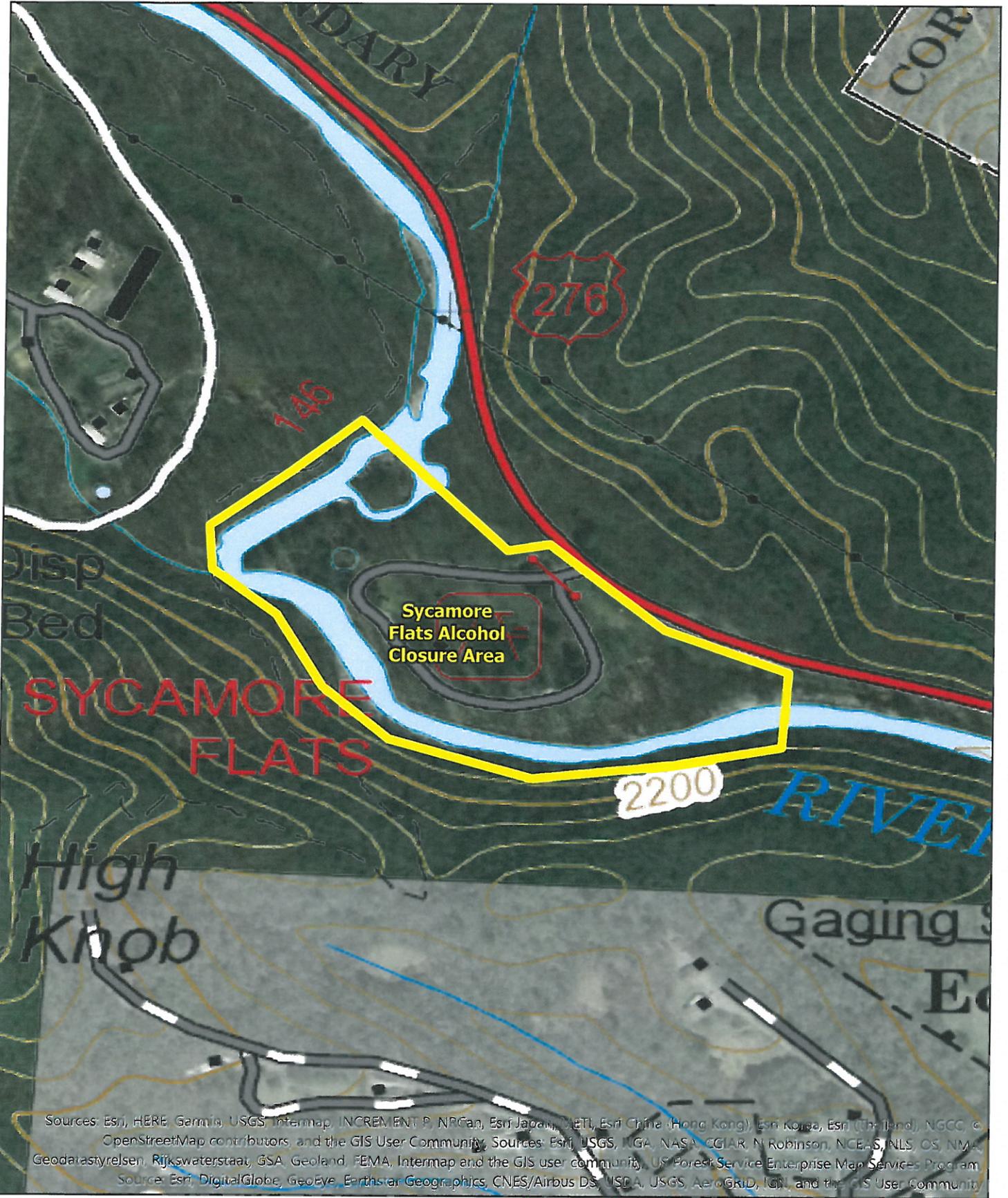
Pursuant to 36 CFR, Section 261.50 (e), the following persons or areas are exempt from this Order:

1. Persons with a permit specifically authorizing the otherwise prohibited act or omission, issued by the District Ranger or other authorized official.
2. Any Federal, State, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.

Executed in Asheville, North Carolina, on this 24<sup>th</sup> day of August, 2019

  
\_\_\_\_\_  
HURSTON A. NICHOLAS  
Forest Supervisor  
National Forests in North Carolina

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



0 200 400  
US Feet

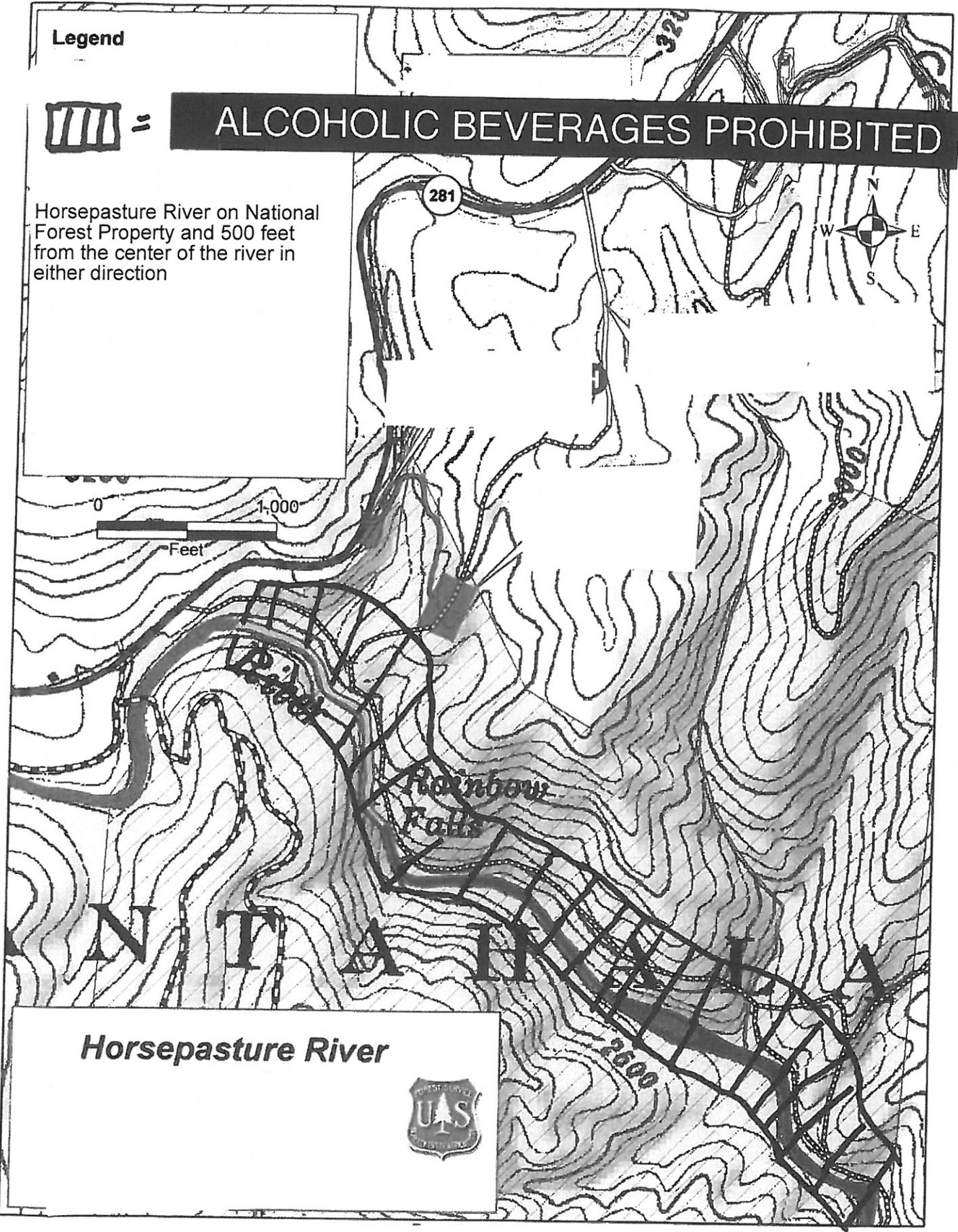


**Legend**



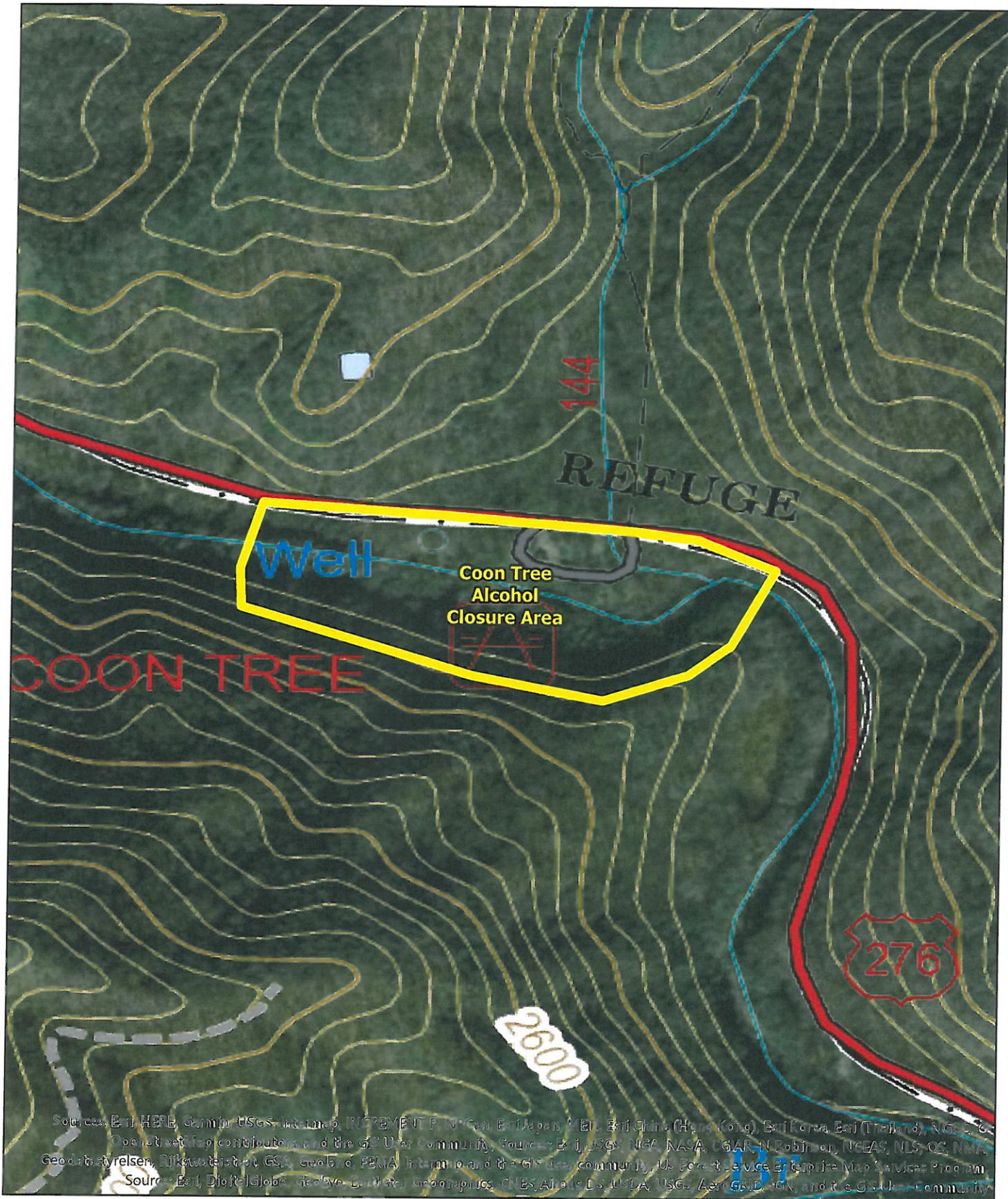
**ALCOHOLIC BEVERAGES PROHIBITED**

Horsepasture River on National Forest Property and 500 feet from the center of the river in either direction



**Horsepasture River**

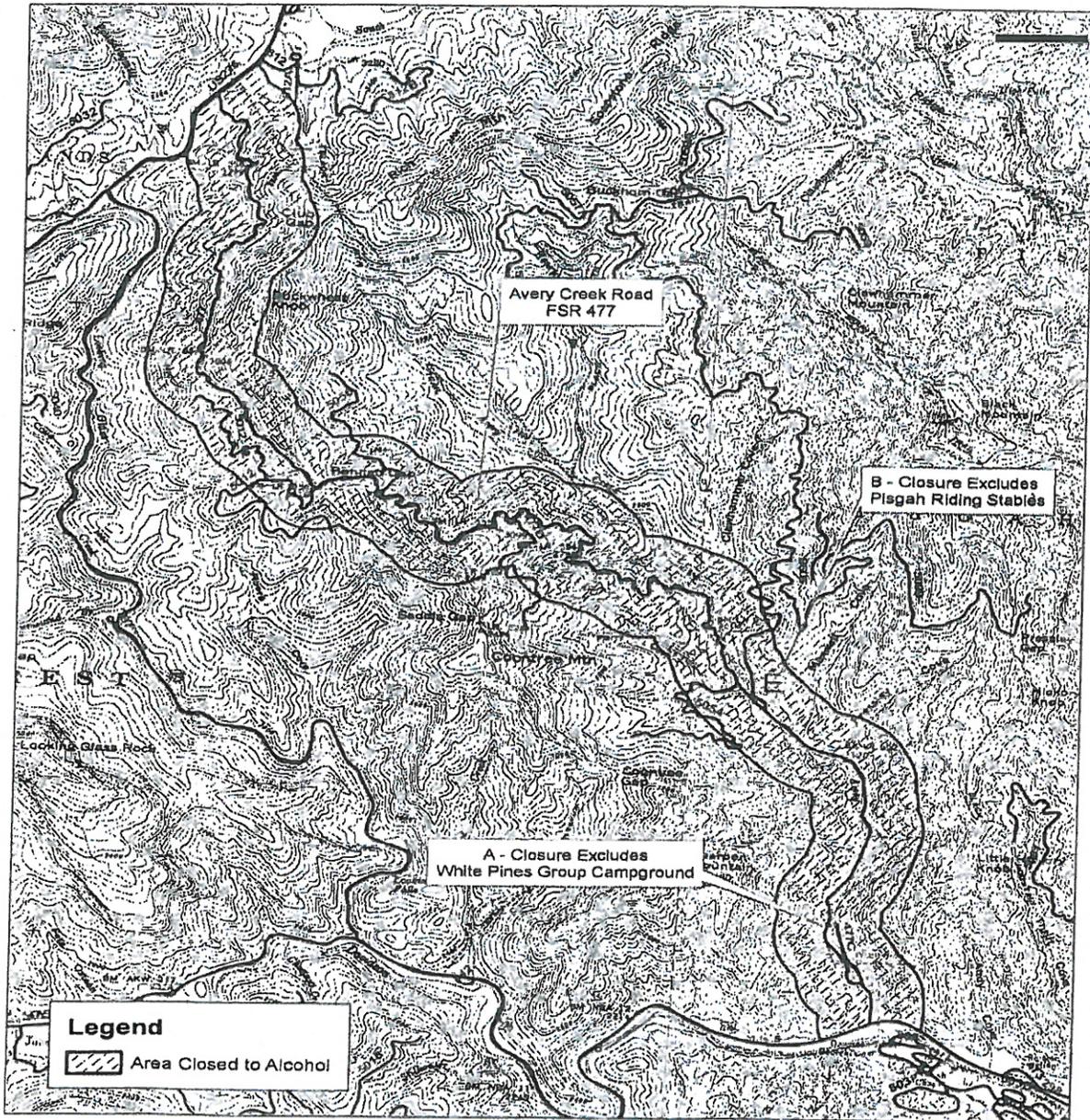


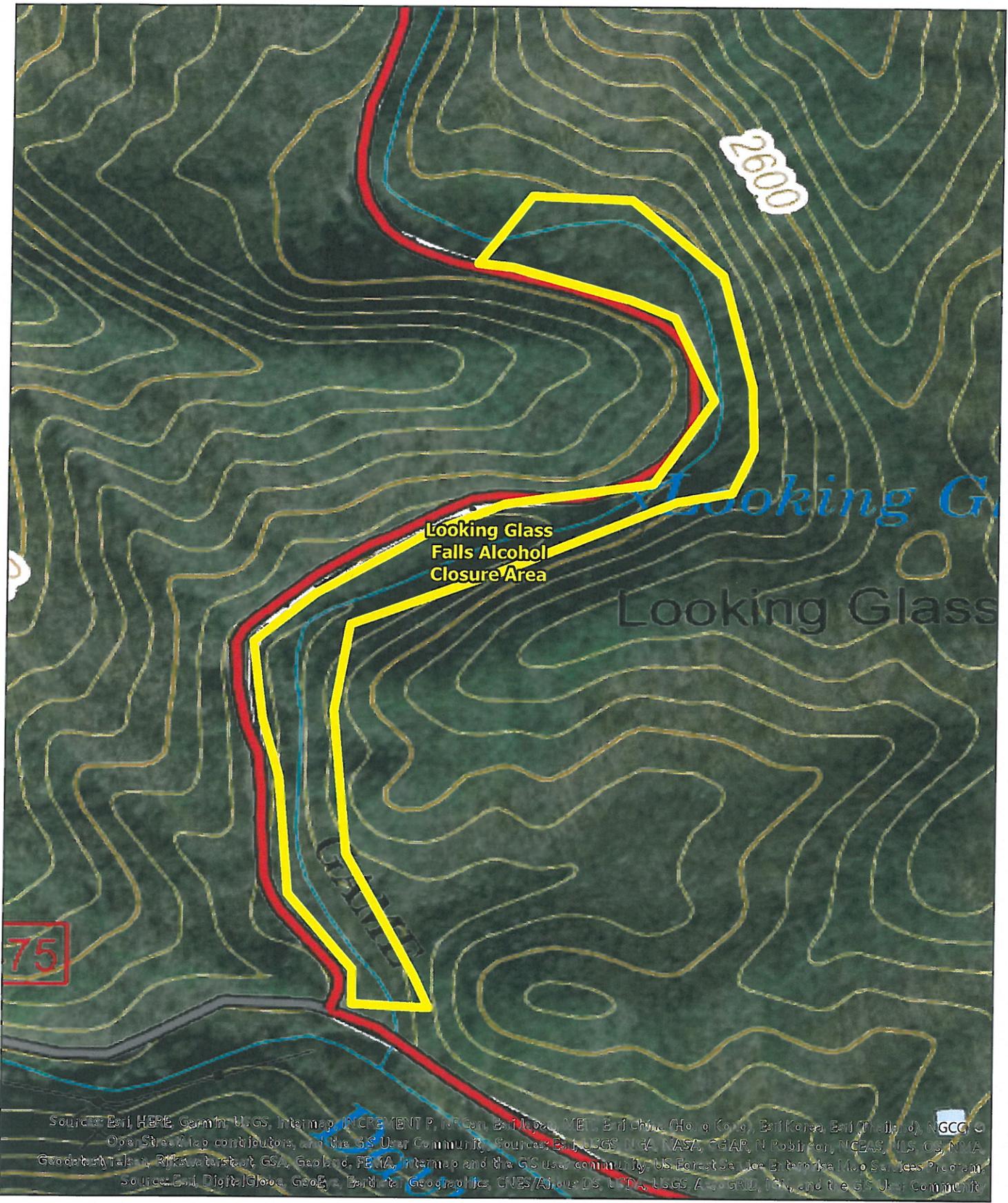


National Forest in North Carolina  
Pisgah National Forest  
Pisgah Ranger District

Alcohol Prohibition

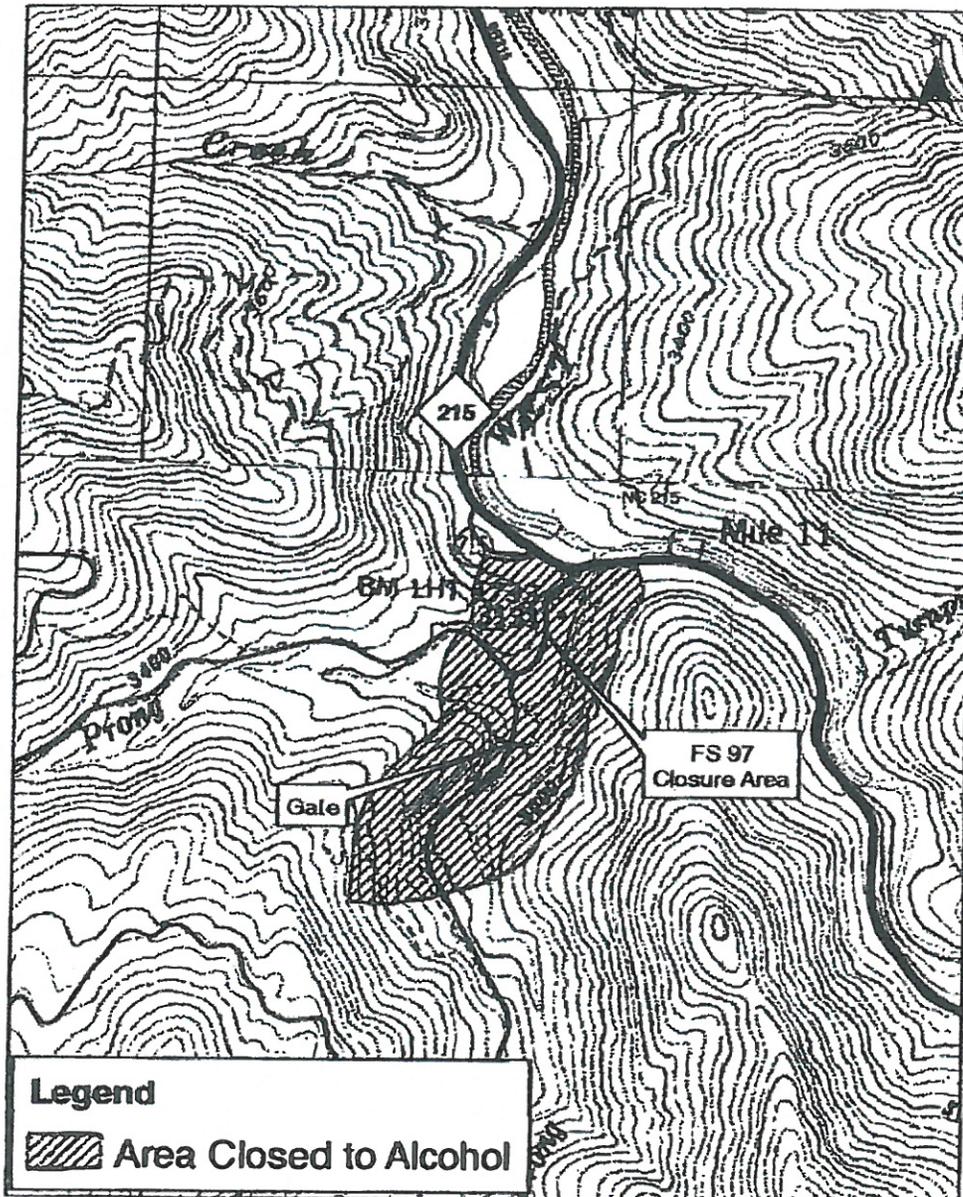
Avery Creek Road, Forest Service  
Road 447 and 500 feet in either  
direction from centerline of road.

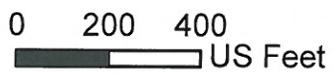


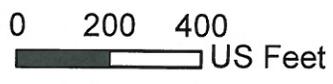
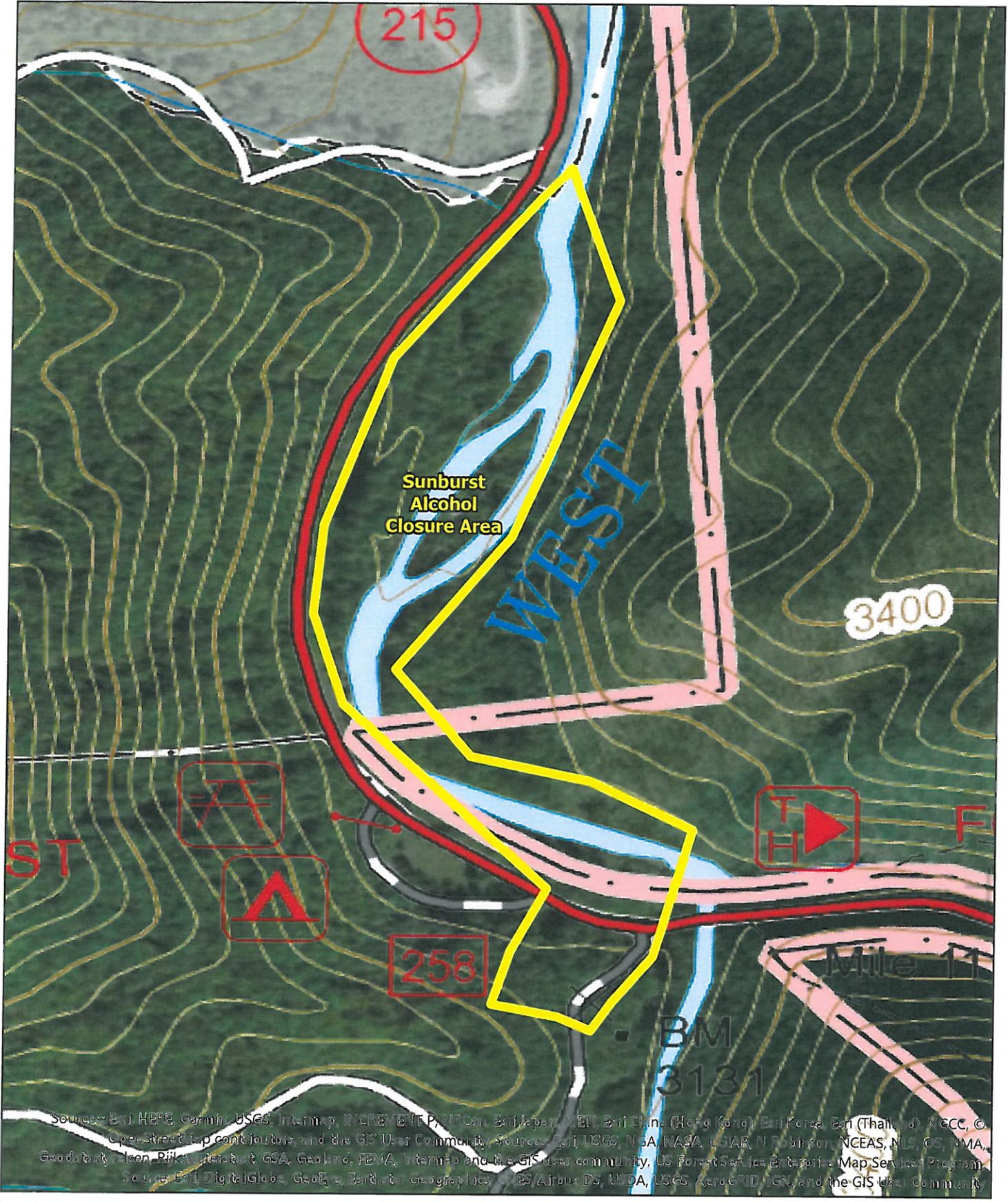


**National Forests in North Carolina  
Pisgah National Forest  
Pisgah Ranger District**

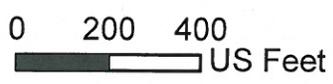
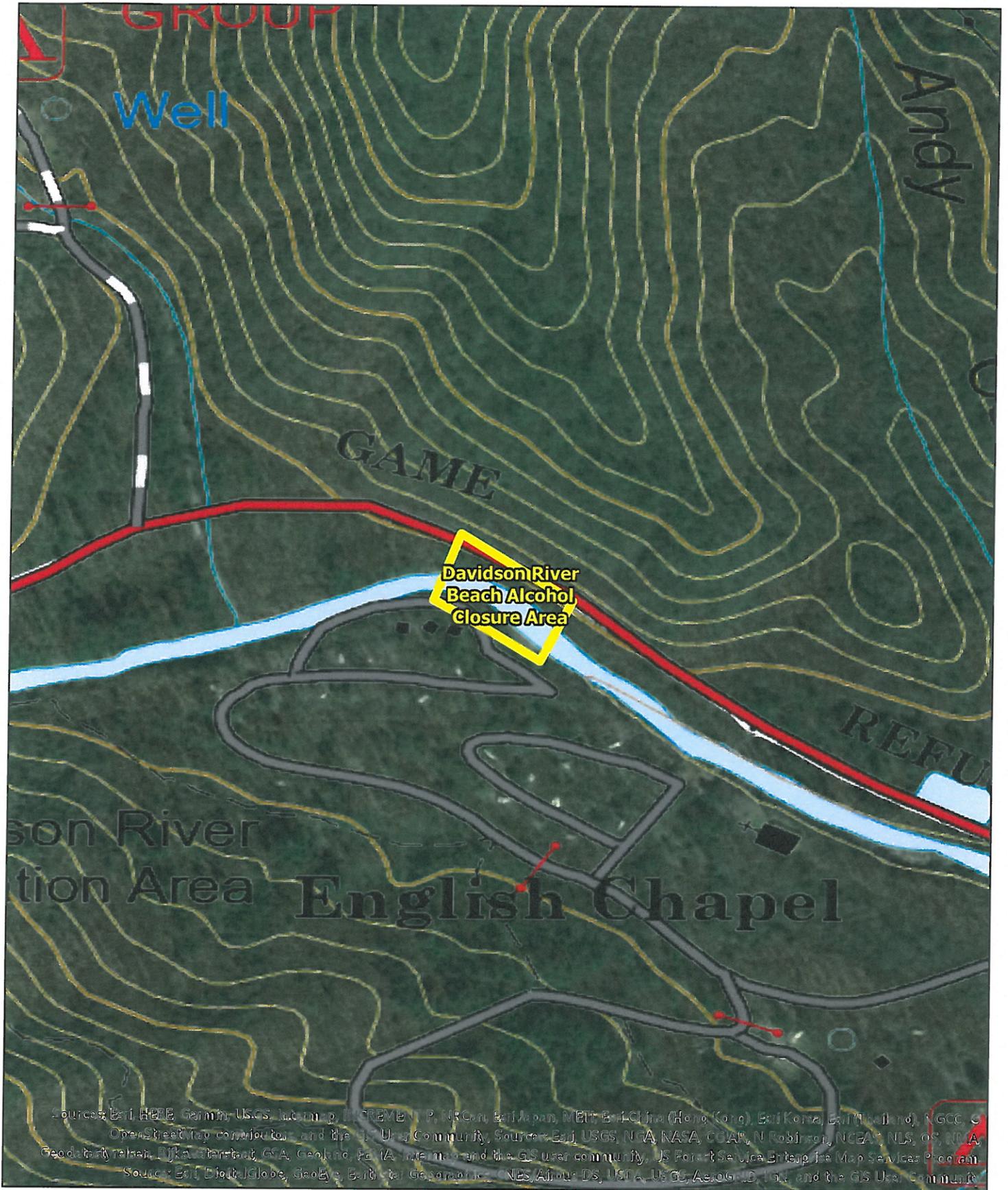
**Alcohol Prohibition for  
Lickstone Road Area – NFSR – 97  
and 500 feet from the centerline  
of the road in either direction**













National Environmental Policy Act and Civil Rights Statements

Forest Supervisor Order for Alcoholic Beverage Restrictions

National Forests of North Carolina

Pisgah Ranger District

- Sycamore Flats Day Use
- Coontree Day Use
- Looking Glass Falls
- Sliding Rock
- Lake Powhatan Day Use
- Horsepasture River
- Avery Creek Road
- Lickstone Road
- Sunburst Day Use
- Ranger Station/Visitor Center
- Davidson River Beach

Order Number XX-XX-2019

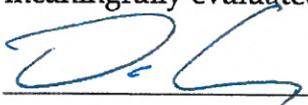
NEPA

Section 102 of the National Environmental Policy Act (NEPA) requires federal agencies to prepare detailed statements of proposed major federal actions significantly affecting the quality of the human environment (42 U.S.C. 4332). These proposed actions will result in no tangible or perceptible effects to the natural and physical environment, and the effects cannot be meaningfully evaluated. No direct, indirect, cumulative, ecological, aesthetic, historic, cultural, economic, social, or health effect must be analyzed.

Therefore, NEPA section 102 (2)(c) does not apply. The action is consistent with the Land and Recourse Management plan for National Forests of North Carolina. No additional NEPA documentation is required to proceed with implementation of the order.

Social Economic Effects

There are insufficient social economic effects from this proposed action to be meaningfully evaluated, therefore there is no need for additional analysis.



David M. Casey  
Pisgah Ranger District

2/27/2019

Date

### Civil Rights

Major civil rights are those consequences of proposed actions that, if implemented, would negatively and disproportionately affect groups or classes of people by virtue of their race, color, sex, national origin, age, relation, family status, or disability. As District Ranger, I have considered the impact of this proposal on the civil rights of minorities, women, persons with disabilities, and other protected groups. In considering the effects of these proposed actions, I determine that the civil rights of any protected group or class of people would not be affected by this project. Therefore, it is my determination that there will be no potential for major civil rights or social impacts related to this **order for restriction of alcohol on the Pisgah Ranger District at the following locations:**

- Sycamore Flats Day Use
- Coontree Day Use
- Looking Glass Falls
- Sliding Rock
- Lake Powhatan Day Use
- Horsepasture River
- Avery Creek Road
- Lickstone Road
- North Mills River Day Use
- Sunburst Day Use
- Ranger Station/Visitor Center
- Davidson River Beach

A Civil Rights Impact Analysis (CRIA) and/or Civil Rights Impact Statement (CRIS) is not required. Although the action would likely affect ten (10) or more persons or entities either inside or outside the Forest Service, I feel the CRIA and CRIS are not needed because the decision is for prohibited conduct and an administrative action that is not listed as one of the (six) specific categories for which the preparation of a civil rights impact statement is required (see Forest Service Manual 1730).



David M. Casey  
Pisgah District Ranger

2/27/2019  
Date



United States  
Department of  
Agriculture

Forest  
Service

Law Enforcement  
& Investigations  
Central Zone

160-A Zillicoa Street  
Asheville, NC 28801

**File**  
**Code:** 5300

**Date:** February 28, 2019

**Subject:** Enforcement Plan- alcohol restrictions in recreation areas of the Pisgah National Forest, Pisgah Ranger District

**To:** R8 LE&I, R8 RO planning staff, OGC

Current enforcement consists of Two LEOs stationed on the Pisgah Ranger District and two additional LEO's on the Pisgah National Forest within an hour's drive. The District LEOs perform unscheduled patrols of the area as needed as part of their regular patrol areas. Transylvania and Buncombe County Sheriff's Offices have a Cooperative agreement with LE&I to perform additional patrols of US Forest Service lands at the direction of the District LEOs. No additional saturation patrols or enforcement details are expected to be required to enforce the order.

Thank you,



Lee Dillivan  
Patrol Captain  
Law Enforcement & Investigations

Forest Service  
National Forests in North Carolina

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