

Order No. 16-05-008
Occupancy and Use
Klamath National Forest

Pursuant to 16 USC 551 and 36 CFR 261.50(a), and to protect natural resources, the following act is prohibited within the Klamath National Forest. This Order is effective from July 28, 2018, until July 28, 2020.

Camping as described below.

- a. In any one location for more than 14 consecutive days.
- b. Within the Klamath National Forest for more than 30 days per calendar year.

36 CFR 261.58(a).

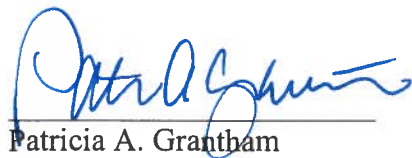
Pursuant to 36 CFR 261.50(e) each of the following are exempt from this Order:

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

This prohibition is in addition to the General Prohibitions in 36 CFR Part 261, Subpart A.

A violation of this prohibition is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571 and 3581.

Executed in Yreka, California this 25th day of July, 2018.



Patricia A. Grantham
Forest Supervisor
Klamath National Forest

Date: July 25 2018

To: File

From: Patricia A. Grantham, Forest Supervisor 

Re: Klamath National Forest, Occupancy and Use, Order No. 18-05-008

This document explains my rationale and the regulatory basis for limiting occupancy and use on the Klamath National Forest.

Forest Order No. 18-05-008, which limits occupancy and use, is necessary to reduce the impacts to natural resources associated with long-term established camps and to reduce the likelihood and frequency of public safety incidents related to unauthorized, residential camping. An example of impacts to natural resources may include trail or streambank erosion which causes sedimentation into waterways or soil compaction which can lead to vegetation loss. The accumulation of personal property and/or hazardous materials within a developed recreation area may impact natural resources and public safety.

The 1995 Klamath National Forest Land and Resource Management Plan 1995 (Forest Plan, as amended) includes standards and guidelines for management of the Klamath National Forest. Since the risks to natural resources and safety generally exist at a similar level as when the Forest Plan was signed, there is a continued need for an Order as an effective tool for law enforcement. The Forest Plan supports the need for issuance of this Order, as described below.

1. Manage Forest resources to provide a broad range of recreational opportunities that meet changing recreational demands. Actively utilize the Forest's Meaningful Measures methodology for establishing recreation program standards, monitoring, and reporting accomplishments. Identify, develop, and conserve recreational opportunities within developed and dispersed settings. Eliminate or restrictively manage sites that receive minimal use; or, remove the facilities and manage them as dispersed spots. Develop a range of recreation opportunities within primitive, semi-primitive non-motorized, semi-primitive motorized, and roaded natural areas. As opportunities are identified for these areas, they should be managed to reflect the needs of a multi-cultural public. Provide a variety of sites to meet visitor preferences, needs and expectations to complement opportunities within the recreation emphasis area in which the site is located. (p. 4-36)
2. Base the administration, operation, and levels of maintenance for developed sites (recreation sites, campgrounds, picnic areas, trails, trailheads and dispersed sites) on the site's capacity, site sensitivity, and seasonal use demands. As a minimum, sites should be open for public use during the recreation season. The following standards should be met at each facility:
 - a. *Heath and Cleanliness*: Recreation sites and facilities are clean, litter-free, pest-free, and odor free. There is no threat of disease or infection.
 - b. *Safety and Security*: Recreation opportunities are free from the risk of crime, abusive activities, and safety hazards.
 - c. *Condition of Facilities and Equipment*: The facilities and equipment look good, function correctly, are appropriate to the setting and activity and are well-maintained.

- d. *Responsiveness to Visitors*: Recreation opportunities meet or exceed visitor expectations, needs, and preferences.
- e. *Setting*: Site development, visual quality, resource maintenance, and user density conforms to the appropriate Recreation Opportunity Spectrum (ROS) category.

(p. 4-37)

- 3. Promote minimum impact use techniques (i.e. "Tread Lightly" and "Leave No Trace") in all activities and public contacts (e.g. written, through the media, face-to-face, and signing). (p. 4-37)
- 4. Limit surface occupancy, associated with residential use and indirect support for mining and energy mineral operations, to that reasonably necessary for development and production. Surface occupancy shall be authorized under an approved Forest Service permit or plan of operations. (p. 4-42)

We have notified our cooperators of this upcoming Order, and they did not express any concern. 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 CFR 220.6(d)(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. Implementation of the decision may begin immediately.

I have determined that the above facts are accurate and consistent with current laws and regulations.