Forest Order No. STF-16-2020-09
Stanislaus National Forest
COVID-19 Public Health and Safety
Developed Recreation Site Closure

Pursuant to 16 USC 551 and 36 CFR 261.50(a), and to provide for public safety, the following act is prohibited within the Stanislaus National Forest. This Order is effective from June 1, 2020, through June 15, 2020.

> Entering or using a Developed Recreation Site or portion thereof, except trailheads and the Exempted Sites listed in Exhibit A. 36 CFR 261.58(b).

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 Forest Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order, Form FS-7700-48, specifically exempting them from the effect of this Order.

This prohibition is in addition to the general prohibitions contained 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 6 months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Executed in Sonora, CA, this 1st day of June, 2020.

Jason Kuiken
Forest Supervisor
Stanislaus National Forest

United States Department of Agriculture | **Forest Service** | **Stanislaus National Forest**

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Date: June 1, 2020

Subject: Forest Order No. STF-16-2020-09, COVID-19 Public Health & Safety Developed Recreation Site Closure

To: Project Files

From: Jason Kuiken, Forest Supervisor

I am issuing Forest Order No. STF-16-2020-09 to provide for public and employee health and safety by keeping some Developed Recreation Sites on the Stanislaus National Forest (STF) closed through June 15, 2020. This closure may be terminated or extended depending upon conditions. This order is a continuation of STF-16-2020-07 issued May 16, 2020, closing certain Developed Recreation Sites on the STF.

Coronavirus disease (COVID-19) is an infection and potentially fatal disease caused by a newly discovered coronavirus which leads to respiratory illness. The virus is thought to spread mainly between people who are in close contact with once another (about 6 feet) through respiratory droplets produced when an infected person coughs or sneezes. As of May 28, 2020, the United States Center for Disease Control and Prevention reported a total of 1,698,523 cases of COVID-19 nationwide (up from 1,324,488 since May 15, 2020) with 103,936 cases in California (up from 66,680 since May 15, 2020). While local cases remain small in number (currently 31 confirmed cases, up from 20 since April 27, 2020), many of the cases have been determined to be exposures from out-of-county. In addition, limited local testing has taken place.

There is currently no vaccine to prevent COVID-19. As a result, the best way to prevent illness is to avoid being exposed to the virus. The President's Coronavirus Guidelines suggest that individuals avoid social gatherings in groups of 10 or more people, remain home whenever possible, and avoid discretionary travel. In addition, in states with evidence of community transmission, the Guidelines require closure of indoor and outdoor venues where groups of people congregate.

California has seen rapid community spread of the coronavirus. As a result, the Governor of California issued Executive Order N-33-20 (updated May 8), which directs all individuals living in the state to stay home or at their place of residence. The STF includes lands in portions of four California counties: Tuolumne, Mariposa, Calaveras, and Alpine. Each of these counties has issued a local public health state of emergency order. In addition, the following local orders have also been issued due to COVID-19:

1. March 16, 2020: Tuolumne Band of Me Wuk Indians – local state of emergency.
2. March 16, 2020: City of Sonora, local state of emergency.
3. March 23, 2020: Alpine County Order, clarification of stay-at-home, short term rentals.

4. March 26, 2020: Calaveras County Order, clarification of stay-at-home with regard to lodging facilities.
5. March 27, 2020: Calaveras County Order, Implementing Regulations for N-33-20.
6. April 30, 2020: Tuolumne County, extension of all previous Tuolumne County Orders.
7. May 8, 2020: Tuolumne County, Modification to County Order, based on N-33-20 update.
8. May 8, 2020: Calaveras County, Modification to County Order, based on N-33-20 update.

On May 7, 2020, California's Public Health Officer issued an order explaining California's path forward from this "Stay-at-Home" Order through implementation of its Pandemic Roadmap, a four staged approach. Each of the four counties within the STF remains in Stage 2 and in alignment with the state guidelines for recreational activities. Camping continues to be considered short term lodging and non-essential travel – both prohibited by the State, with current County alignment across the four California Counties.

In addition to the local orders listed above, the USDA, Forest Service, Pacific Southwest Region issued Regional Order No. 20-03 on March 27, 2020, effective through May 15, 2020. This order extended the previous closure of recreation sites (campgrounds, picnic areas, day use sites, etc.) while the State Order (N-33-20) is in effect in an effort to protect public and employee health and safety, along with natural and cultural resources by prohibiting people from visiting and using Developed Recreation Sites. Many of these sites draw large numbers of people and require significant management oversight, especially during the high-use conditions now being realized. This management burden put Forest personnel at additional risk of exposure to COVID-19.

When the Regional Order (20-03) expired, flexibility was provided to the local Line Officer to determine whether or not recreation site closures are needed. As such, STF staff have developed a draft phased re-opening plan for Developed Recreation Sites. Some sites – where historic use has not resulted in large crowds and where limited service can be safely provided – have been open for use since May 16, 2020. As other pre-season safety work (abatement of hazard trees, for example) is completed, additional sites will be open and available where required personal protective equipment and cleaning supplies are available and employee safety can be realized. A revised list of sites to be open and available for public use is included as an exemption to the Developed Recreation Site Closure in this Forest Order (Exhibit A). The visiting public will notice less Agency presence and limited services. Information boards and other messaging will remind visitors to recreate responsibly during this pandemic. This will include social distancing, providing their own water, packing out all their trash, and bringing their own toilet paper.

Other local STF Forest Orders previously issued in response to COVID-19 include STF-16-2020-01, COVID-19 Public Health and Safety Road and Area Closure (expired 04/30/2020) and Forest Order STF-16-2020-02, which was a continuation of STF-16-2020-01, and was terminated on May 2, 2020. This termination allowed visitors to disperse on National Forest system lands to engage in the lower-risk recreation activities of hiking, fishing, driving. By providing more access, the forest is hoping to prevent large group gatherings in smaller, more congested developed sites.

The STF is a Sierran foothill forest which lies within rural communities. A next door neighbor to Yosemite National Park (currently completely closed due to COVID-19), the STF serves as a highly sought out destination landscape offering a multitude of recreation opportunities with most visitors coming from the Central Valley and the Bay Area, current 'hotspots' of the coronavirus. Typically, the STF and local counties welcome visitors / recreationists as tourism is the economic driver for the local area. With COVID-19, however, we join our local partners in their concern regarding the potential for a large outbreak of COVID-19 and our ability to successfully respond as rural communities.

Our rural communities have limited medical facilities (small hospitals / clinics), with limited equipment (ventilators). Personal protective equipment for frontline hospital staff (masks, gowns and gloves) are already in short supply.

In consideration of the above listed concerns, I have decided to keep the remainder of the Developed Recreation Sites on the STF closed. This will continue to support our community partners in managing out-of-area visitation during the ongoing national health crisis in locations where large crowds are expected.

In preparing this order, the following entities have been contacted or have otherwise (in writing) offered their support of this action: Tuolumne County Administrator's Office / Office of Emergency Services; Tuolumne County Board of Supervisors; Public Health Officials from each County; Tuolumne County Sheriff's Office; Sonora Police Department; California Highway Patrol; and Calaveras County Sheriff's Office. The STF participates in conference calls / meetings taking place three times a week that include the entities above, as well as the following: Tuolumne Band of Me Wuk; Tuolumne County Schools; CALFIRE; Sonora City Fire, the Bureau of Reclamation and others. In addition, staff contacts with STF permittees (resorts, permitted water providers, for example) have indicated support to help minimize out-of-area visitation until corresponding shelter in place orders are lifted. Finally, a Joint Information Center (JIC) is being stood up in Tuolumne County to provide consistent, real time informational and educational messaging to visitors regarding the need to honor the shelter in place in your home community until conditions change.

There has been some objection to the necessity of closing high-use Developed Recreation Sites by individuals anxious to come to the Stanislaus for their planned recreation outings. Most of the large Developed Recreation Sites are managed by concessionaires operating under a Special Use Permit. My staff continues to engage with our permittees to jointly develop strategies that might allow additional recreation site openings when safe to do so, and in alignment with local county health conditions.

This Forest Order includes an exemption for persons with a Forest Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order (Form FS-7700-48). Authorization for entry under this exemption will only be provided if I or my delegate determine that the risk to personal health and safety is reasonable considering the circumstances of the request. We may also require appropriate personal protective equipment and other necessary safety measures. I hereby delegate the authority to sign Form FS-700-48 granting an exemption to this Forest Order to all District Rangers on the Stanislaus National Forest.

This order will be in effect until June 15, 2020 and may be extended until Executive Order N-33-20 is lifted. Conversely, if conditions change that are favorable to opening additional Developed Recreation Sites, the order may be terminated sooner.

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.

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Exhibit A: Exempted Sites

Big Meadow Day Use
Sour Grass Day Use
Marmot Day Use
Chickaree Day Use
Lake Alpine Boat Ramp
Crandall/Deer Creek
Rim of the World
Merals Pool Boat Ramp
Cherry Creek Boat Slide
Carlon's Day Use
Middle Fork Day Use
Cherry Lake and Boat Ramp
Cottonwood Day Use
Douglas Flat Day Use
Columns of the Giants Day Use
Donnell Vista Day Use
North Fork Day Use
Riverside Day Use
China Flat Day Use
Rainbow Pools Day Use