



ORDER
FREMONT-WINEMA NATIONAL FOREST
KLAMATH RANGER DISTRICT
Order Number 06-02-13-20-01

Pursuant to 16 U.S.C. §551 and 36 C.F.R. §261.50 (a) and (b), the following act is prohibited on **the Mt. McLoughlin Trail Bridge** located on the Klamath Ranger District, Fremont-Winema National Forest, as depicted in the attached Exhibit A. **This Order is effective on July 10, 2020, and shall be in effect until November 1, 2020, unless rescinded earlier, whichever comes first.**

PROHIBITION:

Going into or being upon any area which is closed for the protection of public health or safety. 36 CFR § 261.53(e)

CLOSURE AREA:

That portion of the Mt. McLoughlin Trail that includes the bridge crossing the Medford Irrigation District canal located at Township 36 South, Range 5 East, section 20, southeast quarter, approximately 100 yards from the Mt. McLoughlin Trailhead. See map attached as Exhibit A.

EXEMPTIONS:

Pursuant to 36 C.F.R. §261.50(e), the following 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 an organized rescue or fire fighting force while in the performance of an official duty.
- (3) Owners or lessees of land within the closed areas.

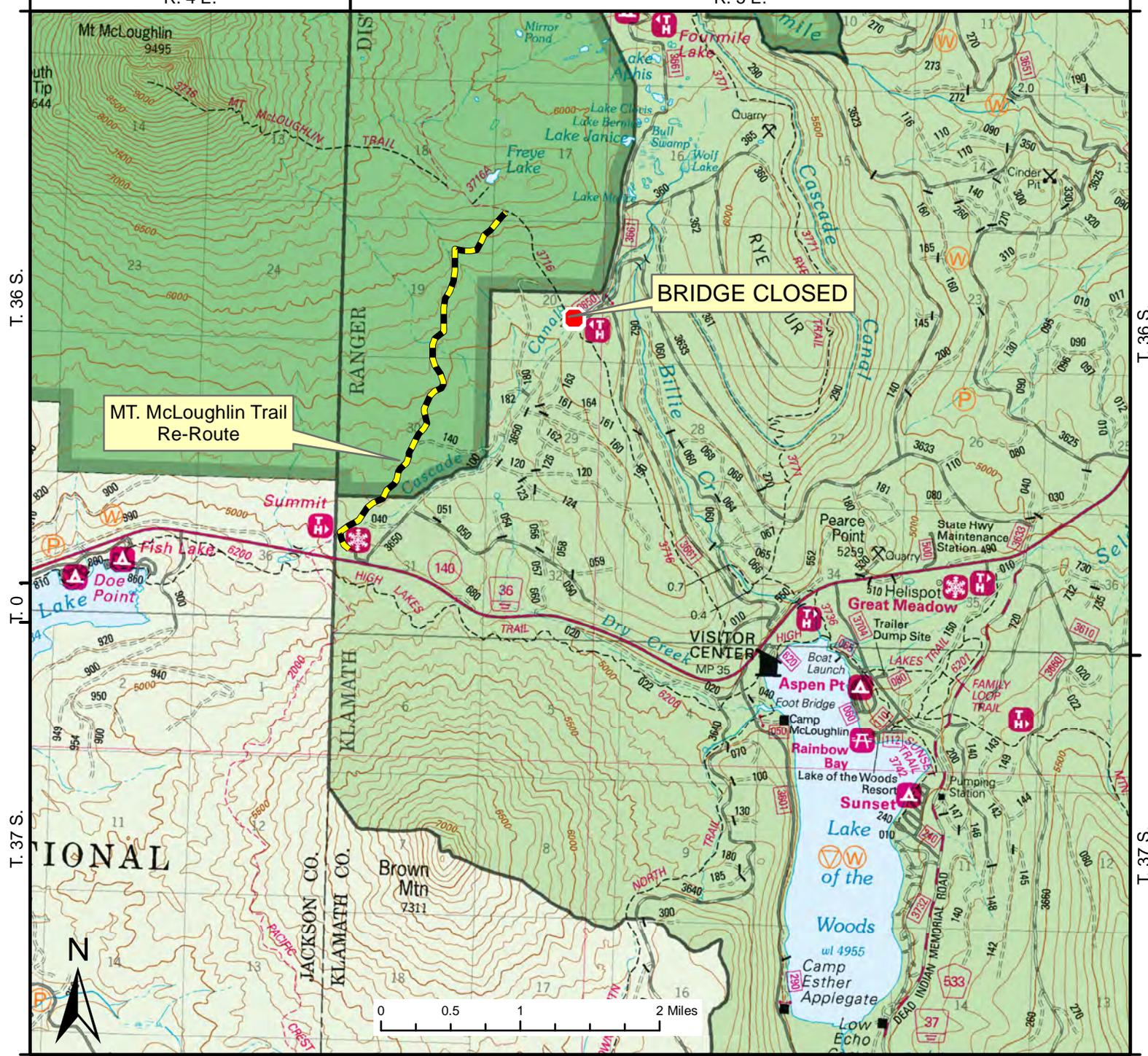
Done in Lakeview, Oregon at _____ *a.m./p.m.*, on this _____ day of *July, 2020*.

Barry L. Imler
Forest Supervisor
Fremont-Winema National Forest

Violations of this prohibition are punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment of not more than 6 months or both.

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16 U.S.C. §551, 18 U.S.C. §3559 & §3571



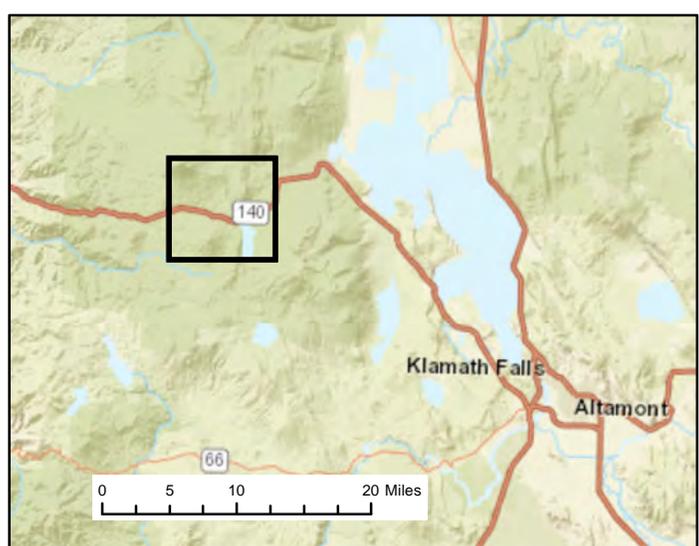
T. 36 S.

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T. 37 S.



McLoughlin Trail Bridge Closure Exhibit A
Closure Number 06-02-13-20-01
Fremont-Winema National Forest
Klamath Ranger District (541) 885-3400

Legend

- Bridge Closure
- Re-Route via Pacific Crest Trail
- National Forest Land
- Wilderness





File Code: 1950
Route To:

Date: July 8, 2020

Subject: Documentation of Civil Rights Impact Analysis (CRIA) and National Environmental Policy Act (NEPA) Compliance for Title 36 Code of Federal Regulations (CFR) Subpart B Prohibition – National Forest Area and Road Closure #06-02-13-20-01

To: Project File

Proposed Action: Issuing a Title 36 CFR Subpart B Order (Order) prohibiting entry on the Mt. McLoughlin trail bridge crossing the Medford Irrigation District Canal located approximately 100 yards from the Trailhead effective immediately until the bridge is replaced or November 1, 2020, whichever comes first, due to the bridge being structurally unsound. Similar closures (Paisley Ranger District bridge and culvert replacements in 2019) did not cause impacts.

Issuing an Order to close the section of trail with the bridge is necessary for public safety and employee safety while the bridge is replaced. An engineering evaluation of the bridge deemed it unsound and requiring replacement for public safety. Bridge replacement is restricted by irrigation flows in the canal, which are expected to lessen significantly in late summer. There is a detour available to access the Mt. McLoughlin Trail from the Summit Trailhead and Pacific Crest Trail that does not create an undue burden on the public; it could be an improved opportunity as Summit Trailhead doesn't have a fee for use.

The Forest Supervisor is responsible for certifying whether or not a CRIA must be conducted prior to making the decision on the proposed action per Forest Service Handbook (FSH) 1709.11, sec. 30.6 and ensuring that appropriate documentation is prepared for a determination that there will be no potential major civil rights or social impacts related to the proposed action, and therefore documenting a CRIA and statement of findings are not required.

Civil rights impacts are defined as “alterations in people’s civil rights status that occur in conjunction with a new policy, program, project; are not attributable to any external factors; and are perceived by those affected as socially significant” (FSH 1709.11, sec. 30.5(12)).

No potential major civil rights or social impacts related to the proposed action (issuing Title 36 CFR Subpart B prohibition in an area designated by an Order) were identified during scoping. Similar actions on previous Orders on NFSL did not cause impacts. Civil Rights Impact Analysis (CRIA) preparer identified the following variables to permit the measurement of any potential impacts:

- Customs and traditions on the NFSL; and
- Scope and intensity of support and/or opposition to the proposed actions.

Scoping occurred with the Forest Leadership Team responsible for the affected trail.

I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement or Environmental Assessment under the NEPA. This action falls within the category identified in Title 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.

BARRY L. IMLER
Forest Supervisor

