



ORDER



PUBLIC USE RESTRICTIONS FREMONT-WINEMA NATIONAL FOREST Order No. 06-02-20-02

Pursuant to 16 USC §551, 36 CFR §261.50(a) and (b), to provide for public safety and protect natural resources, the following special restrictions and prohibitions are established on all lands that are within and administered by the Fremont-Winema National Forest, within the State of Oregon, and in the designated Forest recreation sites and areas listed on Exhibit A.

This order supersedes Order Number 06-02-20-01 and these prohibitions will become effective September 13 and will remain in effect until November 1, 2020, unless rescinded earlier.

PROHIBITION:

- (1) Building, maintaining, attending or using a fire, campfire, or stove fire.** 36 CFR §261.52(a)
This includes charcoal briquet fires
- (2) Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least (3) three feet in diameter that is barren or cleared of all flammable material.** 36 CFR §261.52(d)
- (3) Possessing or using a vehicle off National Forest System roads.** 36 CFR §261.56
EXCEPT when operating in compliance with the Travel Management Rule and Motor Vehicle Use Map (MVUM) pursuant to 36 CFR §261.13.
- (4) Operating any motor vehicle on National Forest System roads where vegetation comes into contact with the vehicle's undercarriage.** 36 CFR §261.54(d)
- (5) Operating an internal combustion engine.** 36 CFR §261.52(h)
Chainsaw use is prohibited anywhere on Fremont-Winema National Forest System lands. Portable generator use is allowed only within designated areas listed in Exhibit A.
- (6) Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained, and in effective working order meeting either: (1) Department of Agriculture, Forest Service Standard 5100-1a; or (2) Appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a).** 36 CFR §261.52(j)
- (7) Welding, or operating an acetylene or other torch with open flame.** 36 CFR §261.52(i)

Pursuant to Title 36 CFR §261.50(e), the following are exempt from this Order:

- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission.
“Person” means natural person, corporation, company, partnership, trust, firm, or association of persons. “Permit” means authorization in writing by a Forest Officer. “Forest Officer” means an employee of the Forest Service.
- (2) Any Federal, State or local officer, or member of an organized rescue or firefighting force while in the performance of an official duty.
- (3) Petroleum-fueled stoves, lanterns or heating devices, provided such devices meet the fire underwriter’s specifications for safety.
- (4) Campfires contained inside established fire rings within campgrounds listed on Exhibit A.

Done in Lakeview, Oregon at _____ (*a.m./p.m.*), on this __13th__ day of *September, 2020*.

Barry L. Imler
Forest Supervisor
Fremont-Winema National Forest

Violation of these prohibitions are punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment of not more than six (6) months, or both.

These restrictions are in addition to those prohibitions enumerated in Subpart A of 36 CFR. §261 and any other special restrictions pertaining to the above described lands.

Order No. 06-02-20-02

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

ORDER NO. 06-02-20-02

EXHIBIT A
DESIGNATED CAMPGROUNDS
Campfires Allowed in Established Fire Rings

Campfires are **NOT ALLOWED** on the Fremont Winema National Forest except for
Campgrounds and areas **on this list**

BLY RANGER DISTRICT

Corral Creek Campground
Heart Lake Day Use Area
Holbrook Reservoir Forest Camp
Lofton Reservoir Campground
Sprague River Picnic Area
Horseglade Trailhead

LAKEVIEW RANGER DISTRICT

Camp Cottonwood Organizational Camp
Cottonwood Meadows Lake Campground & Day Use Area
Deep Creek Forest Camp
Dog Lake Campground
Drews Creek Campground
Mud Creek Campground
Twin Springs Forest Camp
Willow Creek Forest Camp

PAISLEY RANGER DISTRICT

Campbell Lake Campground
Chewaucan Crossing Trailhead
Clear Springs Forest Camp
Currier Guard Station (Rental)
Dairy Point Forest Camp
Dead Horse Creek Forest Camp
Dead Horse Lake Campground
Happy Camp Campground
Jones Crossing Forest Camp
Lee Thomas Campground
Marsters Spring Campground
Sandhill Campground
Upper Jones Forest Camp

SILVER LAKE RANGER DISTRICT

Antler Trailhead
East Bay Campground
Farm Well Campground
Silver Creek Marsh Campground
Thompson Reservoir Campground

CHEMULT RANGER DISTRICT

Corral Springs Campground
Digit Point Campground (Miller Lake)
Indian Spring Campground
Jackson Creek Campground
Scott Creek Campground
Walt Haring Snow Park

CHILOQUIN RANGER DISTRICT

Head-of-the-River Campground
Spring Creek Picnic Area
Williamson River Campground
Wood River Day Use Area

KLAMATH RANGER DISTRICT

Annie Creek Sno-Park
Aspen Point Campground
Cold Springs Trailhead
Crystal Springs Day Use Area
Ester Applegate Organization Camp
Fourmile Lake Campground
Lake of the Woods Resort
Lake of the Woods Summer Home Sites
Low Echo Organization Camp
Malone Springs Day Use Area
Mountain Lakes Bible Organization Camp
Mt. McLoughlin Organization Camp
Odessa Campground
Pelican Guard Station Day Use Area/Interpretive Site
Rainbow Bay Day Use Area
Recreation Creek Summer Home Sites
Rocky Point Resort
Sunset Campground



File Code: 1950
Route To:

Date: September 13, 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 #06-02-20-02

To: Project File

Proposed Action: Updating a Title 36 CFR Subpart B Order (Order) special restrictions and prohibitions will be established on all lands, with the exception of the designated sites considered fire-safe or at a reduced risk of wildfire, within the Fremont-Winema National Forest due to high fire danger and limited resource availability. This closure will become effect September 13, 2020, and will remain in force until November 30, 2020, unless rescinded sooner. Similar closure orders in the past, including Public Use Restrictions in 2016, 2017 and 2018, did not cause significant long-term impacts and reduced the risk of potentially harmful human-caused wildfires.

Criteria for activation of prohibitions in high hazard areas though Forest Orders are based on National Fire Danger Rating System indices and fuel moisture conditions. The Forest currently meets the criteria for activation of restrictions. Per the Fire Management Plan, “For federal agencies, the best practice is to implement Public Use Restrictions to coincide with going to Industrial Fire Protection Level (IFPL) III. When the IFPL precaution value has been above a three for seven consecutive days and the weather pattern shows no relief, (various personnel) will discuss moving to IFPL III.”

Fire and Fuels specialists have determined through measurements that IFPL levels are at a level III for more than a week and the extended weather pattern is hot and dry. Further, we are currently in a pattern of periodic “Red Flag Warnings” with strong, gusty winds and low relative humidity. This increases the likelihood of numerous naturally-caused wildfires which can stretch local firefighting resources during the summer. Minimizing the risk of human-caused wildfires through restrictions during these conditions allow firefighting resources to be used effectively. Further, we are in an unprecedented time and seeing a dramatic increase in recreation traffic and use in the Forest. This increased use increases the chances of human-caused wildfires and needing to evacuate recreation sites.

The sites and areas listed in Exhibit A are areas that have either been declared fire-safe, with fire rings and active fuel reduction maintenance or where risk of wildfires is significantly lower. While Wilderness Areas were originally permitted to have campfires due to lower risk and for the comfort of recreation users, the risk of wildfire is great enough it is time to restrict campfires in the Wilderness Area. This action is also in alignment with restrictions applied on the Rogue River-Siskiyou and Umpqua National Forests where there is shared management of the Sky Lakes and Mt. Thielsen Wilderness Areas and is necessary for consistency in fire restrictions on these landscapes.

Indices that can trigger restrictions are precaution values at 3 or greater across the majority of the Forest for seven consecutive days. Currently that, combined with weather and fuel conditions warrant fire restrictions going into effect.

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 Forest Fire and Recreation Staff, as well as District Rangers.

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