ORDER

SPECIAL AREA CLOSURE

Wenatchee National Forest

Cle Elum Ranger District

Under the authority of 36 CFR 261.50 (a), in order to promote the protection of threatened, endangered, rare, unique, or vanishing species of plants, animals, birds or fish, the following acts are prohibited in the area listed below, until further notice:

1. Camping in or upon the Forest Service System land described as S.E. ¼, S. 19, and N.E. ¼, S. 30, T. 22 N, R. 13 E., W.M., as shown in exhibit A, attached. The closure area is bounded by FS road #4930 to the west, and by a distance of 100 feet from the left bank of Box Canyon Creek to the east. (36 CFR 261.58 (e))

2. Parking a vehicle within the described closure area, including on the side of FS road #4930 where instructions are posted. (36 CFR 261.58 (g))

Pursuant to 36 CFR 261.50 (e), the following persons 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 search and rescue or firefighting force in the performance of an official duty.

SEE EXHIBIT A, ATTACHED

Done at Wenatchee, Washington this 19th day of August, 2002.

Sonny J. O’Neal
Forest Supervisor
Okanogan and Wenatchee National Forests

Violation of these prohibitions is punishable by a fine of not more than $5,000.00 or imprisonment of not more than six (6) months or both. Title 16 USC Section 551.

S.O. Order # 405
ENFORCEMENT PLAN

SPECIAL AREA CLOSURE
BOX CANYON CREEK

This plan is for implementation of the special area closure for protection of bull trout (*Salvelinus confluens*) in Box Canyon Creek.

SIGNS
Notice of the site closure, along with an explanation of the need for protected bull trout habitat, will be posted at the interpretive sign located at the junction of FS Roads 4930 and 4948. Notice will also be posted at 10-20 foot intervals along the perimeter of the closed area. "No parking next 800 feet" signs will be installed 400 feet north and 400 feet south of the center of the closed area. Signs explaining the nature of the closure and giving a phone number for campers to call for information will be posted at the current parking spot.

PARKING
FS Road 4930 is currently wider at the point of the waterfall than along the rest of the road, allowing campers to park conveniently. To implement the closure, the eastern ditch will be deepened and the road narrowed along the 800 feet of the closed area. Boulders will be placed in areas that might encourage parking, and shrubs will be transplanted along the road to camouflage the site.

SITE RESTORATION
We will use hand tools to transplant shrubs and trees in heavily used areas within the closed site.

FPO PRESENCE
Currently, an FPO checks on the site at least once a week. The frequency will be increased to twice a weekend, with more frequent visits as time allows or recreational use dictates. Representatives from the Washington Department of Fish and Wildlife and the United States Fish and Wildlife Service will also monitor the site, and will call the Cle Elum Ranger District if they observe camping activity.

PUBLIC EDUCATION
We will provide the hosts at Kachess Campground with educational materials explaining the vulnerability of the bull trout population, and the need for the special area closure. We will post signs describing the need for protected habitat within the closed camping area, so that day users will have an opportunity to learn about bull trout and creek ecosystems (please see attached sign). *Respect the River* personnel and volunteers will visit the site as time permits.
Bull Trout • A Rare Resident

Kachess Lake, the scenic mountains, and clear streams make this a popular place. This combination also provides the preferred habitat of a very special fish • the bull trout, once known as Dolly Varden. Box Canyon Creek, with its alpine source, provides clean, cold water needed by these now rare trout.

Bull trout spawn and develop only in secluded, undisturbed areas. Increasing human activity, such as logging, recreation and fishing, and urban development have led to their decline in many places. If we respect their needs, they will again flourish in this stream.
File Code: 5100/2670
Date: August 12, 2002

Subject: Closure order

To: Sonny O'Neal

Please find attached an emergency closure order that will protect a vulnerable population of the federally threatened bull trout, Salvelinus confluentus, by disallowing camping in a heavily exploited dispersed campsite along Box Canyon Creek, in the Upper Yakima watershed. This closure order follows years of efforts to encourage day use only by limiting vehicular traffic and posting educational signs. The efforts have reduced the impact on the creek, but campers continue to cut trees, leave trash, and poach fish in this crucial area. The closure will give the area time to recover, and will allow the bull trout to use the adjoining pool as a summer refuge, free of harassment.

Numbers of bull trout at Box Canyon Creek have been chronically low since surveys began in 1984. Summaries of bull trout spawning surveys (redl counts) at Box Canyon Creek from 1984 - 2001 indicate annual counts vary from a low of 0 to a high of 17, and average approximately 7 reds. Adults typically begin to enter the stream in early to mid July and hold there for the summer in the few deep pools directly below the first waterfalls of the creek, prior to spawning in the fall. The adult fish are impressive and attain lengths in excess of 30 inches. They are easily seen from the banks of the creek, and thus extremely vulnerable to poaching and harassment.

Juveniles occur in the stream year round and rear there for an average of two to three years. Juveniles initially feed predominantly on aquatic insects before emigrating to the lake where they switch to foraging on fish. Bull trout typically begin breeding at age 4 or 5 and may breed until 10-12 years of age. The species is currently federally listed as threatened by the USFWS and a recovery plan and critical habitat designation will be released soon. Currently, Box Canyon Creek is listed as critical habitat in the draft recovery plan.

The Lake Kachess/Box Canyon area is particularly attractive to recreationists due to its proximity to I-90, the large campground at Lake Kachess, and access into the Alpine Lakes Wilderness. Resource damage in the area adjacent to the stream includes the removal and degradation of trees and other vegetation, soil erosion and siltation, copious trash dumping, broken glass amongst the rocks of the creek, and the shooting and removal of “Closed Waters” signs. Disturbances to bull trout in the pool by the campsite include poaching in the closed area (indicated by lures on logs, bait, tackle, stringers of dead cutthroat trout, and hooks in the mouths of large adult bull trout), use of explosives (indicated by primer cord and M-80 explosives found in the pools), and recreational swimming. The habitat modification and the direct impacts on bull trout both constitute “harm” under the Endangered Species Act.

Washington Department of Fish and Wildlife (WDFW) is actively pursuing the protection of this site. They will repost the “Closed Waters” signs, cooperate on educational signing, and increase the presence of agency personnel in the area. Representatives from U.S. Fish and Wildlife Service, WDFW, and USFS met at the site on July 30 to discuss strategies for protection. Ken MacDonald is aware of the degradation at this site, and supports closing it to camping. The closure order will act as an umbrella, under which education, restoration, and enforcement efforts will achieve the protection of this threatened species in Box Canyon Creek.

Catherine E. Stephenson
District Ranger

Encl.
Cc: Ken MacDonald/ Stuart Woolley
Cc: Roger Fuson

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