



UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
HELENA-LEWIS & CLARK NATIONAL FOREST  
HELENA, MONTANA

FOREST ORDER

**STAGE 2 FIRE RESTRICTIONS**

Pursuant to 16 U.S.C. § 551, 36 C.F.R. § 261.50 (a) and (b), the **following acts are prohibited** on the Helena-Lewis & Clark National Forest as described in this Order (the “Restricted Area”):

**PROHIBITIONS:**

1. Building, maintaining, attending, or using a fire, campfire or stove fire. (see exemptions) **[36 CFR § 261.52(a)]**
2. Smoking, except within an enclosed vehicle or building, a designated area, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials. **[36 CFR § 261.52(d)]**
3. Operating or using any internal combustion engine (e.g. chainsaw, generator, ATV) without a spark arresting device properly installed, maintained and in effective working order meeting either: (a) Department of Agriculture, Forest Service Standard 5100-1a; or (b) Appropriate Society of automotive Engineers (SAE) recommended practice J335(b) and J350(a). **[36 CFR § 261.52(j)]**
4. Operating a chainsaw without an approved spark arresting device as described in Prohibition #3, and a chemical pressurized fire extinguisher (8 oz. capacity by weight or larger and kept with the operator) and a round point shovel with an overall length of at least 35 inches readily available for use. **[36 CFR § 261.52(j)], [36 CFR § 261.52(g)]**
5. Operating a generator, except within an enclosed vehicle or building, that has not been cleared of all surrounding and overhead flammable materials within three feet of the device. **[36 CFR § 261.52(h)]**
6. Operating a motor vehicle any distance off designated roads and trails. **[36 CFR § 261.52(h)]**
7. Welding or operating an acetylene or other torch with open flame. **[36 CFR § 261.52(i)]**
8. Target Shooting or discharging a firearm (see exemptions) **[36 CFR 261.58 (m)]**

**THE FOLLOWING ACTS ARE PROHIBITED FROM 1:00 PM. TO 1:00 A.M.:**

9. Operating a chainsaw or other portable equipment powered by an internal combustion engine for felling, bucking, skidding, processing, road building and woodcutting during industrial operations or firewood gathering capable of igniting a fire. Outside these hours, a one-hour foot patrol in the work area is required following cessation of these activities. **[36 C.F.R. § 261.52(h)]**



**PURPOSE:**

To reduce fire risk, prevent human-caused wildland fires, protect property, and protect public health and safety during periods of high or extreme fire danger.

**RESTRICTED AREA:**

All National Forest System Lands located within the exterior boundary of the Helena-Lewis & Clark National Forest **excluding the Bob Marshall & Scapegoat Wilderness** complex as shown on “Attachment A- Area Closure Map.”

**IMPLEMENTATION:**

**This order will be in effect from July 31, 2021 at 12:01 a.m.** and shall remain in effect until September 30, 2021, or until the order is rescinded, whichever occurs first.

These prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

This Order supersedes any previous orders prohibiting the same acts covered by this order.

**EXEMPTIONS:**

Pursuant to 36 CFR 261.50 (e), the following persons are exempt from this order:

Persons with a special use authorization or other Forest Service authorization specifically exempting them from the effect of this Order. 36 CFR § 261.50(e)(1).

Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty. 36 CFR § 261.50(e)(4).

For Prohibition #1, devices using pressurized liquid or gas (stoves, grills or lanterns) that include shut-off valves are permitted when used in an area at least three feet in diameter that is barren or cleared of all flammable materials. Contained (fully enclosed) stoves including wood stoves equipped with a ¼” spark arrester type screen is permitted. 36 CFR § 261.50(e)(6).

For prohibition #8, Persons possessing a valid Montana hunting license and hunting during the open hunting season as specified by the laws of the State of Montana, may discharge a firearm for the lawful take or attempt to take of wildlife, including nongame species and predators. 36 CFR § 261.50(e)(6).

**VIOLATION:**

Violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, imprisonment for not more than 6 months, or both. (16 U.S.C. §551 and 18 U.S.C. §§ 3559, 3571 and 3581(b)(7)).



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Order Number 01-15-00-21-29

**INFORMATION:**

Further information regarding this order may be obtained at the Helena-Lewis & Clark Forest Supervisor's Office located at 2880 Skyway Drive, Helena, Montana 59602, (406) 449-5201.

Executed in Helena, Montana, this 30th day of July, 2021.

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Sara Mayben  
Acting Forest Supervisor



ATTACHMENT A- AREA CLOSURE MAP

