



**UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
BEAVERHEAD-DEERLODGE NATIONAL FOREST  
DILLON, MONTANA**

**FOREST ORDER**

**STAGE 1 FIRE RESTRICTIONS**

Pursuant to 16 USC 551 and Title 36 CFR 261.50 (a), the following acts are prohibited within all National Forest System lands as described in this Order (the “Restricted Area”) on the Beaverhead-Deerlodge National Forest:

**PROHIBITIONS:**

- 1. Building, maintaining, attending, or using a fire, campfire, or stove fire. [36 CFR 261.52 (a)]**
- 2. Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least 3 feet in diameter that is barren or cleared of all flammable material. [36 CFR 261.52 (d)]**
- 3. Welding or operating acetylene or other torch with open flame. [36 CFR 261.52(i)]**

**RESTRICTED AREA**

All National Forest System lands, roads and trails within the exterior boundaries of the Beaverhead-Deerlodge National Forest as shown on “Attachment A- Area Closure Map.” **EXCEPT** the Pintler Ranger District and Anaconda-Pintler Wilderness which are excluded from the Restricted Area (no fire restrictions).

**EXCEPTIONS TO PROHIBITIONS:**

- (1) For Prohibition #1, building, maintaining, attending or using a fire in constructed, permanent fire rings within developed recreation sites and the use of portable stoves, lanterns using gas, jellied petroleum, pressurized liquid fuel or a fully enclosed (shepherd type) stove with a ¼” spark arrester type screen is permitted.
- (2) For Prohibition #1, petroleum-fueled stoves, gas lanterns, pressurized liquid fuel and fully enclosed stoves may only be used in areas that are barren or cleared of all overhead and surrounding flammable materials within 3 feet of the device.
- (3) For Prohibition #3, welding or operating acetylene or other torch with open flame is permitted in a cleared area of at least 10 feet in diameter and in possession of a chemical pressurized fire extinguisher.



**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.

**IMPLEMENTATION:**

**This order will be in effect from 00:01AM August 26, 2021** and shall remain in effect until 00:01 AM September 30, 2021 or until the order is rescinded, whichever occurs first.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).

**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)).

**INFORMATION:**

Further information regarding this order may be obtained at the Beaverhead Deerlodge Forest Supervisor's Office located at 420 Barrett Street, Dillon, Montana, 59725, (406) 683-3900.

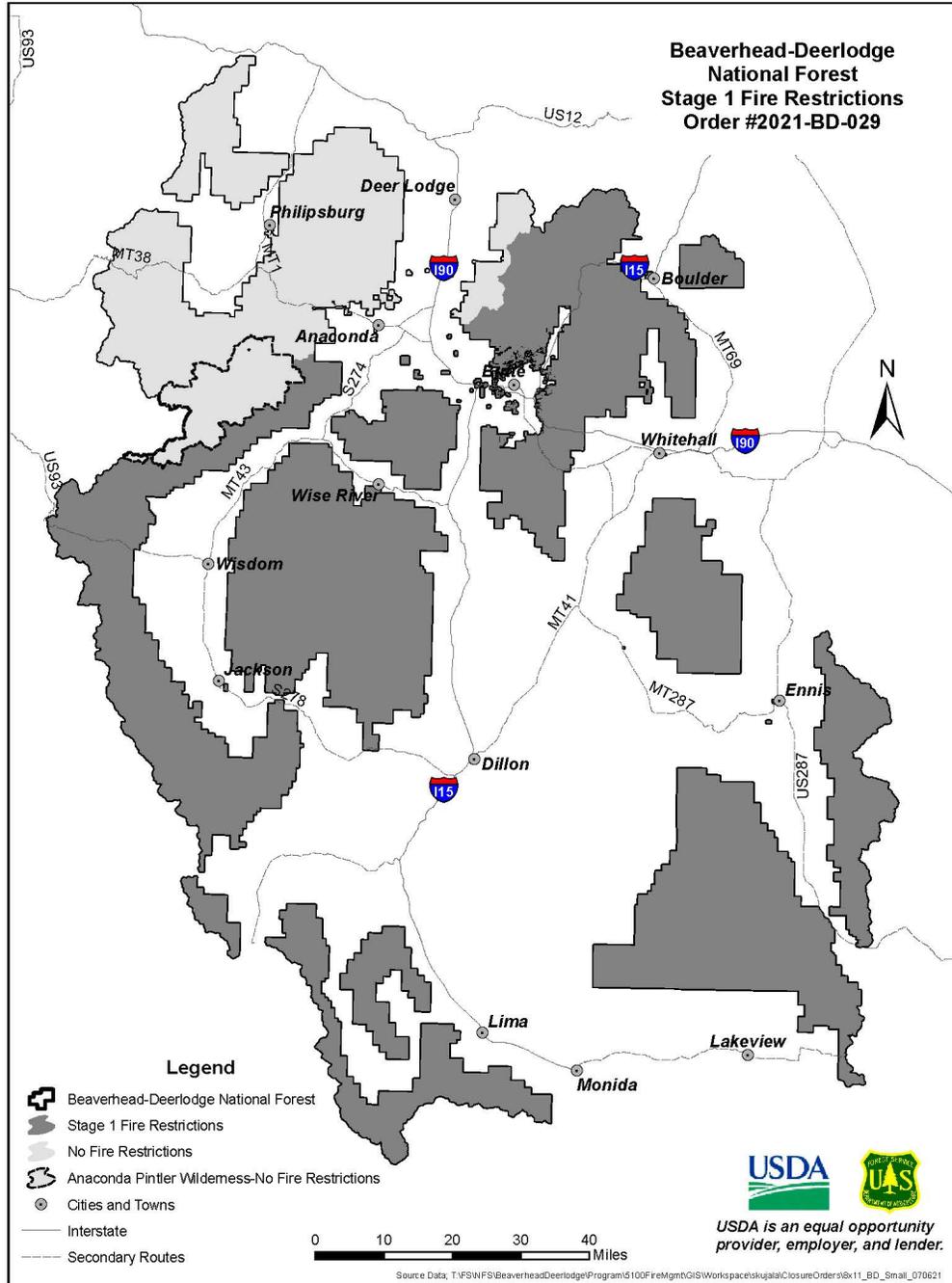
Executed in Dillon, Montana, this 25th day of August, 2021.

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Cheri Ford  
Forest Supervisor



ATTACHMENT A- AREA CLOSURE MAP





## Assessment of Need and Enforcement Plan

### **1. Background:**

Implementation of fire restrictions/closures should be considered when very high or extreme fire danger is predicted to persist in an area, considering the level of human-caused fire occurrences being experienced, firefighting resources available, potential high-risk occasions, and large fire activity occurring on a unit that is affecting overall resource availability. The Beaverhead-Deerlodge National Forest has received funding to staff additional ground and aviation resources.

The Beaverhead-Deerlodge is experiencing very high to extreme fire danger conditions with no predicted relief expected in the near future. Due to hot, dry weather conditions, National Fire Danger Rating System (NFDRS) indices are indicating Energy Release Components (ERCs) approaching and exceeding the 97th percentile. These weather conditions are well-established and expected to persist for at least the next 4 weeks.

### **2. Intent of Subpart B order:**

The intent of the following order is to reduce fire risk, reduce human-caused ignitions and prevent wildland fires during periods of high to extreme danger on and around National Forest System Lands.

### **3. Enforcement:**

Forest Service law enforcement officers (LEO), as well as District Forest Protection Officers (FPO), will enforce the Stage 1 restrictions applicable to the Beaverhead-Deerlodge National Forest.

Forest Service Law Enforcement will coordinate with local sheriff's offices for assistance to gain their support and cooperation with enforcement efforts.

The closure areas will be posted to reasonably notify the public using the area. Signs will be maintained on a regular basis, with the Closure Order and map posted on sign boards at various access areas to the forest. Copies of the Closure Order and map will also be available at the Ranger District offices, the Beaverhead-Deerlodge Forest Supervisor's Office and the Beaverhead-Deerlodge National Forest website.

All fire personnel will have copies of the Temporary Order and map and will be responsible for notifying the District Ranger and LEO's of possible violations of the closure order.



**Civil Rights Impact Statement**

Stage 1 fire restrictions will have no adverse impacts on civil rights because the closure will apply to all individuals equally unless listed on the Forest Supervisor's Order #2021-BD-0029 as exempted individuals. No one group will be affected more than another group. Implementation of the proposed Supervisor's Order will not adversely or disproportionately impact minorities, women, low-income populations, or people with disabilities (Americans with Disabilities Act).

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Cheri Ford- Forest Supervisor

**NEPA Review & Assessment:**

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 C.F.R. § 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 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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Cheri Ford - Forest Supervisor