

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
SOUTHERN REGION**

Order Number 08-00-00-21-01R

Pursuant to 36 CFR 261.50 (a) and (b), the following acts are prohibited within all National Forests that are administered by the Southern Region, excluding El Yunque National Forest in Puerto Rico and caves with entrances completely under water. This closure is effective for a period of six months from the date of signature, unless terminated earlier by the Regional Forester.

- 1. Entering any cave or abandoned underground mine, regardless of distance or depth, located on National Forest System Lands in the Southern Region. 36 C.F.R. § 261.53 (a) for the protection of threatened, endangered, rare, unique, or vanishing species of plants, animals, birds or fish.**

The term “cave” means any naturally occurring void, cavity, recess, or system of interconnected passages which occurs beneath the surface of the earth or within a cliff or ledge (including any cave resource therein, but not including any vug, mine, tunnel, aqueduct, or other manmade excavation) and which is large enough to permit an individual to enter, whether or not the entrance is naturally formed or manmade. Such term shall include any natural pit, sinkhole, or other feature which is an extension of the entrance (Federal Cave Resources Protection Act 16 U.S.C. § 4302).

The above prohibition does not apply to Blanchard Springs Caverns on the Ozark St. Francis National Forest in Arkansas.

Exemptions. Pursuant to 36 C.F.R § 261.50(e), the following persons are exempt from this order:

- (a) Persons with a permit issued by a District Ranger, Forest Supervisor or Regional Forester which specifically authorizes the otherwise prohibited act or omission.
- (b) Any Federal, State, or local officer or member of an organized rescue or fire fighting force in the performance of an official duty.
- (c) Persons engaged in any of the following activities which have been authorized in writing by a permit, contract, or agreement:
 - (1) grazing and livestock use, 36 C.F.R. Part 222 (§§ 222.1 – 222.76);
 - (2) timber and special forest products use, 36 C.F.R. Part 233 (§§ 223.1 – 223.305); and
 - (3) mineral use, 36 C.F.R. Part 228 (36 C.F.R. §§ 228.1 – 228.116);
- (d) Persons with a Forest Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order, Form FS-7700-48, specifically exempting them from the effect of this Order.

Executed in Atlanta, Georgia this 11th day of June 2021.

KENDERICK ARNEY
Regional Forester
Southern Region

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