

ORDER NO. 08-04-14-404

UNITED STATES DEPARTMENT OF AGRICULTURE

CHEROKEE NATIONAL FOREST

Forest Wide Order

Pursuant to Title 36 C.F.R., Section 261.50(a), the Cherokee National Forest (shown on the attached map) is closed to all persons operating or utilizing metal detectors, electronic apparatus, and devices for the purpose of locating any metal object. **261.53f**

The above-prohibited act is set forth in Title 36 C.F.R. Section 261.53

Pursuant to 36 C.F.R. 261.50(e) the following persons or areas are exempt from this Order:

1. Persons with a special use permit specifically authorizing the otherwise prohibited act or omission, issued by the District Ranger.
2. Any Federal, State, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.
3. Swimming Beach Areas Not Affected By This Order Include:

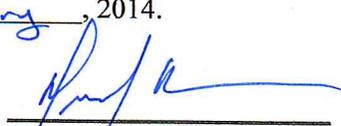
Mac Point Recreation Area Beach
Parksville Beach
Chilhowee Recreation Area Beach
Indian Boundary Recreation Area Beach

Jacob's Creek Recreation Area Beach
Shook Branch Recreation Area Beach
Watauga Point Recreation Area Beach
Rock Creek Recreation Area Beach

Definition

“Swimming Beach Area” means a developed and designated swimming area and it’s waterfront associated grass/sand beach area within the recreation area.

Executed in Cleveland, Tennessee, this 30 day of January, 2014.



Derrick JaSal Morris
Forest Supervisor
Cherokee National Forest

ORDER EXPIRES FIVE (5) YEARS FROM DATE OF SIGNATURE

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

CIVIL RIGHTS, NEPA
CHEROKEE NATIONAL FOREST

CIVIL RIGHTS:

Major civil rights impacts are those consequences of proposed policy actions, which, if implemented, would negatively and disproportionately affect groups or classes of people by virtue of their race, color, sex, national origin, age, religion, family status, or disability. The deciding officer has considered the impact of this proposal (to prohibit the use of metal detectors or metal detecting devices to the general public, except in the beach areas listed below, to protect the archaeological and historic resources within the Cherokee National Forest) on the civil rights of minorities, women, persons with disabilities, and other protected groups. In considering the effects of the proposed action, it was determined that the civil rights of any protected group or class of people would not be affected by this closure.

Swimming Beach Areas not affected by this Order include:

Mac Point Recreation Area Beach	Jacob's Creek Recreation Area Beach
Parksville Beach	Watauga Point Recreation Area Beach
Chihowee Recreation Area Beach	Shook Branch Recreation Area Beach
Indian Boundary Recreation Area Beach	Rock Creek Recreation Area Beach

DURATION:

Five (5) years from date of signature

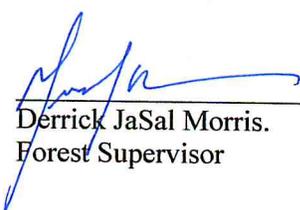
NEPA JUSTIFICATION:

This action is consistent with FSH 1909.15, Section 31.1b and the Cherokee National Forest Final Land and Resource Management Plan. No extraordinary circumstances exist that might cause the action to have significant environmental assessment or environmental impact statement.

AGENCY: USDA-Forest Service, Cherokee National Forest

CONTACT: Forest Supervisor

DATE:



Derrick JaSal Morris.

Forest Supervisor