

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN REGION
Order # R1-2014-01**

**REGIONAL CLOSURE ORDER
Explosives and Exploding Targets**

Pursuant to Title 16 United States Code (“USC”) 551, and Title 36 Code of Federal Regulations (“CFR”) 261.50(a) and (b), the following acts are prohibited on all National Forest System lands administered as National Forests or National Grasslands within the Northern Region (Region 1) of the United States Forest Service in the states of Idaho, Montana, North Dakota, South Dakota and/or Washington. This Regional Order is supplemental to and does not rescind or replace those restrictions at 36 CFR 261 Subpart A, and/or any Forest Supervisor Order issued under 36 CFR 261 Subpart B. This Regional Order is necessary to protect public health and safety and to provide the public with consistent restrictions in the Northern Region. The closure order will be effective as of the date of signature and will remain in effect for a period of one year from that date.

Restricted Areas: The Restricted Areas include the following National Forests (NF) and National Grassland (NGL):

<u>National Forests</u>	<u>National Forests</u>	<u>National Grassland</u>
Bitterroot	Beaverhead-Deerlodge	Dakota Prairie
Custer	Flathead	
Gallatin	Helena	
Idaho Panhandle	Kootenai	
Lewis & Clark	Lolo	
Nez Perce-Clearwater		

PROHIBITIONS:

1. Using an explosive; including exploding targets. 36 CFR 261.52 (b)

An explosive is defined as any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion.

EXEMPTIONS:

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

1. Persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Any person engaged in the use of black powder or other muzzleloader propellant, and the use of its associated ignition source, for legal hunting or recreational shooting with a muzzleloader. This exemption does not include the firing at or use of exploding targets.
4. Any person engaged in the use of any legal ammunition designed to be fired from a shotgun, rifle or pistol. This exemption does not include the firing at or use of exploding targets.

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This Regional Order shall be in effect for a period of one year from the date signed below, or until rescinded.

Done at Missoula, Montana this 9TH day of May, 2014.



Faye L. Krueger
Regional Forester
Northern Region

Violation of Title 36 Code of Federal Regulation ("36 CFR") regulations are punishable as a Class B misdemeanor, by a fine of not more than \$5,000 for an individual or \$10,000 for a legal entity other than an individual, or imprisonment for not more than six (6) months, or both (16 USC 551 and 18 USC 3559 and 3571).



United States
Department of
Agriculture

Forest
Service

Region One

200 East Broadway
P.O. Box 7669
Missoula, MT 59807

File Code: 2300/5300

Date: May 9, 2014

Route To:

Subject: Regional Order Occupancy and Use Restrictions

To: Forest and Grasslands Supervisors, Staff Directors

The Northern Region (Region 1) of the USDA Forest Service is issuing a new Regional Forester's Order that restricts the use of explosives and exploding targets on all NFS lands in Region 1, including but not limited to lands, waters, roads, trails or interests therein administered by the Forest Service. This order will take effect immediately and will remain in effect for one year from the date of signature. The WO is currently working on the specific prohibition contained in this order and it will be incorporated into Title 36 CFR 261, Subpart A once that process is completed. When the prohibition is contained in the Subpart A regulations, this temporary order will be rescinded.

This order is issued pursuant to Title 16 United States Code 551, and Title 36 Code of Federal Regulations 261.50(a) and (b). It prohibits the act described on all NFS lands administered as National Forests or Grasslands within the Northern Region in the states of Idaho, Montana, North Dakota, South Dakota, and Washington.

This Regional Order is supplemental to those restrictions in 36 CFR 261 Subpart A, as well as any Forest/Grassland Supervisor Order issued under 36 CFR 261 Subpart B. If you currently have a Forest/Grassland Supervisor Order issued under 36 CFR 261 Subpart B which covers the same prohibition as this Regional Order, you may wish to rescind that order. However, before rescinding any orders, please consult with your local Patrol Captain.

The purpose of the order is to enhance public safety, and to protect our natural resources and property by restricting the use of explosives and exploding targets. The widening use of exploding targets on our National Forests and Grasslands has led to serious injuries, catastrophic wildfires, destruction of property and a significant loss and/or damage to our natural resources. This order provides authority for FS law enforcement officials on all Forests/Grasslands in Region 1 to enforce this restriction and to enhance our ability to protect our natural resources and the people who use them.

The case file for this order, including the assessment of need, enforcement plan, and civil rights impact analysis has been completed and is located in the RO, LEI Office.

Contact Patrol Commander Walter Merritt at 406-329-3648, if you would like to review these documents or if you have any further questions.

/s/ Jonathan L. Herrick
JONATHAN L. HERRICK
Special Agent in Charge

/s/ Faye L. Krueger
FAYE L. KRUEGER
Regional Forester

Enclosure

cc: pdl r1 lei
pdl r1 district rangers



