

**UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE - NORTHERN REGION  
BITTERROOT NATIONAL FOREST & NEZ PERCE-CLEARWATER NATIONAL FORESTS  
Order # 15-Bitt-06**

**REGIONAL CLOSURE ORDER - CAMPING RESTRICTIONS**

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 within the restricted areas defined below. This Forest 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. The closure order will be effective as of the last date of the Forest Supervisors’ signatures and will remain in effect until rescinded.

**Restricted Areas:** The Restricted Areas include the Selway-Bitterroot Wilderness on the Nez Perce - Clearwater National Forests as well as all National Forest System land within the Bitterroot National Forest other than those National Forest System lands located within the Frank Church River of No Return Wilderness.

**PROHIBITIONS:**

1. Camping or otherwise occupying a single location on all National Forest Service System lands within the restricted areas described above for a period longer than 16 consecutive days. The term “location” means the occupied undeveloped or developed campsite and the lands within a 5 mile radius. After leaving the location, a minimum of 7 days is required before any group or persons from that group may reoccupy the original locations. **36CFR 261.58(a)**
2. Using or leaving camping equipment at any location on all National Forest Service System lands within restricted areas described above for more than 16 consecutive days. The term “location” means the occupied undeveloped or developed campsite and the lands within a 5 mile radius. **36CFR 261.58(e)**

**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. Forest Service employees in the performance of their official duties.

This Forest Order shall be in effect until rescinded.

  
\_\_\_\_\_  
JULIE K. KING  
Forest Supervisor  
Bitterroot National Forest

4-21-15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
CHERYL F. PROBERT  
Forest Supervisor  
Nez Perce National Forests

4-27-15  
\_\_\_\_\_  
Date

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).

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**ASSESSMENT OF NEEDS**

**1. Background:**

The Forests and Grasslands within the Northern Region all have forest closure orders addressing the issue of the amount of time the public may camp in one location (Length of Stay (LOS)) on the forests. These restrictions are necessary to address the issue of persons residing on NFS lands and prevent people from occupying prime camping spots for unusually long periods of time. The LOS orders also serve to limit resource damage that is caused by long term camping. Currently, there are several different LOS limits in place on each unit ranging from 14 to 18 days. This all has led to a great deal of confusion to the general public and our cooperating agencies. Many of our forest share common boundaries and in many of these areas the two neighboring forest have different LOS limits which makes it difficult to explain to the public. This inconsistency makes it very difficult for our cooperators and partners (Game Wardens, Deputies, NPS, BLM, DNRC, and local law enforcement) to assist the agency in educating the public about our regulations. Likewise, we are often questioned by the public and our cooperators about the rationale behind the differences in the number of days listed on the current forest orders.

**2. Intent of order:**

The purpose of this closure order is to provide a consistent stay limit restriction on National Forest Service System lands within the Selway-Bitterroot Wilderness and the Forest Road systems adjacent thereto which will clear up the confusion related to the differences between the length of stay closure orders currently in place on each the forests and grassland within the Northern Region. This order will consolidate the existing closure orders related to length of stay in the Selway-Bitterroot Wilderness, and will specifically make the stay limit a maximum of 16 days. It will also establish that an individual or group has to move a minimum of 5 air miles away from the original camping area. The simplification of the order and consistent stay limits with each state the help the agency gain better compliance with the regulations from the general public and more cooperation in the enforcement of the regulations from partner agencies.

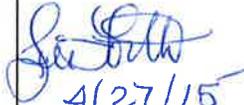
**3. Enforcement Plan:**

The following activities will occur in order to implement this special order in a manner that results in public compliance and safety.

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- a) In compliance with 36 CFR261.51 this order will be posted in the Nez Perce – Clearwater and Bitterroot Forest Supervisor Offices and District offices. Additionally closure signs will be placed region wide in a manner which is clearly visible to the public
- b) Emphasis will be placed on education upon implementation but knowingly and willful violations be addressed appropriately
- c) Law Enforcement Officers, Special Agents and Forest Protection Officers will patrol region-wide to ensure compliance is met.
- d) Forests and LEI employees will work with our cooperating agencies to educate them on the regulation

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| <u>Action</u>   | <u>Responsible Official</u>  | <u>Signature &amp; Date</u>  |
|---|--|--|
| Prepare proposed order  | Appropriate Staff with<br>LEI input  | M. Dale 4/1/15   |
| Review proposed order   | Morgan Dale, Patrol<br>Captain<br><br>Jill Forth, Patrol Captain                   | M. Dale 4/1/15<br><br><br>4/27/15 |
| Approve proposed order  | Forest Supervisor<br><br>Julie King<br><br>Forest Supervisor<br><br>Cheryl Probert | <br><br>4/24/15<br><br><br>4/27/15   |
| Post order in accordance with<br>36 CFR 261.51  | Forest and district Staff  |  |
| Prepare news release for local media<br>describing the order and management<br>objectives | Regional and Forest PAOs   |  |
| NEPA Review   | NEPA Coordinator   |  |
| Civil Rights Impact Statement   | Civil Rights Coordinator   |  |
| Office of General Counsel   | OGC Staff  |  |