

**USDA - FOREST SERVICE
BLACK HILLS NATIONAL FOREST
BEARLODGE RANGER DISTRICT**

AREA CLOSURE ORDER

Pursuant to 16 United States Code (U.S.C.) § 551 and 36 Code of Federal Regulations (C.F.R.) § 261.50 (a) and (b), the following acts are prohibited in those National Forest System Lands (the "Restricted Area") and on those National Forest System Trails (the "Restricted Trails") in the Cook Lake Area in the Black Hills National Forest, Crook County, Wyoming as further described below and as depicted on the attached map hereby incorporated into this Order as Exhibit A.

The Restricted Area encompasses Sections 1-2, 9-11, and 14-16 of Township 53 North, Range 63 West. The Restricted Area is further defined as beginning of the intersection of National Forest System Roads (NFSR) 830, 842 and 843. Traveling Northeast on NFSR 830 about 1.1 miles; then North/Northwest along the ridgeline for about 2.1 mile to the intersection of Beaver Creek and private property; then Southwest within the drainage for about 1.3 miles to private property; then turn onto County Road 63 Southwest for approximately 0.3 miles to private property; then following the drainage to the Southeast for about 0.8 miles to the intersection of Beaver Creek; then following the ridge to the East for about 1 mile to the intersection of NFSR 843; turn east along NFSR 843 for approximately 0.6 miles to the beginning point.

The purpose of this Order is to protect human life and provide public safety due to the potential of landslides from saturated soils, and high water in the Cook Lake area.

PROHIBITIONS:

1. Going into or be upon the Restricted Area. 36 C.F.R. § 261.53(e)
EXCEPT: Persons camping or parking within three hundred feet of the centerline on NFSRs 830 and 843, per the Black Hills National Forest Motor Vehicle Use Map are authorized to be in that area within three hundred feet of the centerline of NFSRs 830 and 843.
2. Being on a trail within the Restricted Area. 36 C.F.R. § 261.55(a)

EXEMPTIONS:

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

1. Any Federal, State or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
2. Any person with a Forest Service permit specifically authorizing the otherwise prohibited act or omission.
3. Any landslide or natural resource researchers from the United States Geological Survey, United States Corps of Engineers, State of Wyoming, Colorado School of Mines, or the South Dakota School of Mines, while in the official performance of their duties.

This Order will be in effect from May 9, 2015 through May 8, 2016, or until rescinded, whichever occurs first.

/s/ Jerome A. Krueger

JEROME A. KRUEGER

Acting Forest Supervisor

Any violation of this Order is punishable as a Class B misdemeanor or a fine of not more than \$5,000 for an individual or \$10,000 for an organization or imprisonment for not more than six (6) months, or both. [Title 16 USC 551, Title 18 USC 3571 (b)(6), Title 18 USC 3581 (b)(7)].

Management Objectives

(Include narrative statement of the management objectives associated with this Special Order).

The purpose of this Order is to protect human life and provide public safety due to the potential of landslides from saturated soils, and high water in the Cook Lake area. Studies are on-going to ascertain the threat. The Forest Service will determine future prudent courses of action as a result of those studies.



SUBPART B

ORDER REQUEST JUSTIFICATION FORM

ORDER NUMBER: BKF-128-2015

SUBMIT THE FOLLOWING INFORMATION:

1. STATE THE DESIRED ACT: Area Closure Order
2. REASON FOR THE ORDER: The purpose of this Order is to protect human life and provide public safety due to the potential of landslides from saturated soils, and high water in the Cook Lake area.
3. HAVE OTHER METHODS BEEN TRIED TO RESOLVE THIS PROBLEM? **(Y)** (N)
 - DESCRIBE: Studies are on-going to ascertain the threat.
4. PERIOD OF TIME THE ORDER WILL BE IN EFFECT: May 9, 2015 through May 8, 2016
5. LIST THOSE EXEMPT FROM THE ORDER:
 - A. Any Federal, State or local officer, or member of an organized rescue or fire fighting force or landslide researchers or Forest officers in the performance of an official duty.
 - B. Any person with a Forest Service permit specifically authorizing the otherwise prohibited act or omission.
6. HAS AN ENFORCEMENT PLAN AND SIGN PLAN BEEN ESTABLISHED? (Y) **(N)**.
 - WHO WILL ENFORCE THE ORDER? Federal LEOs and FTOs.
 - WHO WILL ENSURE PROPER SIGNING? Bearlodge Ranger District
7. WILL THIS ORDER BE REVIEWED ANNUALLY FOR NEED AND PROPER ENFORCEMENT? **(Y)** (N).
8. HAS THE PUBLIC BEEN NOTIFIED? **(Y)** (N)
 - DESCRIBE HOW: News releases: April 30, 2015; March 24, 2015; September 2, 2014; May 9, 2014; public meetings May 13, 2015; September 9, 2015.
9. COMPLETE THE ORDER USING THIS CHECKLIST.

When complete, forward the original request to the Supervisor's Office, Attention: Supervisory Law Enforcement Officer. The request will be routed to the appropriate Staff Officer, Public Information Officer, and Forest Supervisor.

Recommended: <u> /s/John Kelly </u> North Zone Specialist (John Kelley)	<u>4/30/15</u> Date
Reviewed: <u> /s/ Jeanette Timm for Steven J. Kozel </u> District Ranger, Bearlodge	<u>4/30/15</u> Date
Reviewed: <u> /s/Thomas Japhet </u> Office of General Counsel, Regional Office	<u>5/1/15</u> Date
Reviewed: <u> /s/TJ Friend </u> North Zone Law Enforcement Officer	<u>5/5/15</u> Date
Reviewed: <u> /s/Nancy Martinz </u> North Zone Patrol Captain	<u>5/5/15</u> Date
Reviewed: <u> /s/Scott Jacobson </u> Public Information Officer	<u>5/1/15</u> Date
Reviewed: <u> /s/Ralph G. Adam </u> Forest Staff Officer	<u>5/1/15</u> Date