

ORDER NO. 21-101

**EMERGENCY ORDER OF THE FOREST SUPERVISOR
CLOSING AN AREA TO ENTRY, TO WIT,**

**BEAVER CREEK-ROCKY RUN-ODEY RUN AREA
GREENBRIER RANGER DISTRICT
MONONGAHELA NATIONAL FOREST, WEST VIRGINIA**

Under authority of the Act of Congress dated June 4, 1897, as amended (16 U.S.C. 551), and pursuant to the Secretary of Agriculture's regulation set forth at 36 CFR 261, sub Part B (36CFR 261.50 (a) and (b)), the following acts and omissions are prohibited in the Beaver Creek-Rocky Run-Odey Run Area located along the Randolph-Pocahontas County line north-northwest of Cass Scenic Railroad in the state of West Virginia. The area is further defined as being bounded by sections of FR 235, FR 267, Oats Run, Savers Fork, Rocky Run, Beaver Creek, private ownership line near Spruce, private ownership line west of Beech Flat, and a section of county line between Randolph and Pocahontas Counties. The said area being described and designated as shown on the map set forth as Exhibit A, which is attached hereto and made a part hereto:

1. To go into, enter, use or be upon any area designated in Exhibit A attached, which are closed for the protection of public health and safety (36 CFR 261.53 (e)) and for the protection of property (36 CFR 261.53(f)) .
2. Being on any Forest Service system roads within the boundaries of the closed area as designated in Exhibit A attached (36 CFR 261.54(e)).

THESE RESTRICTIONS ARE NECESSARY FOR PUBLIC SAFETY AND TO PROTECT NATIONAL FOREST PROPERTY. THEY ARE IN ADDITION TO THE GENERAL PROHIBITIONS SET FORTH IN 36 CFR PART 261. THE PROHIBITIONS WILL BE IN EFFECT FROM THE DATE OF THIS ORDER UNTIL SPECIFICALLY WITHDRAWN BY TERMINATION ORDER OF THE FOREST SUPERVISOR.

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

1. Persons with a permit specifically authorizing the otherwise prohibited act or omission (36 CFR 261.50(e)(1)); and,
2. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty (36 CFR 261.50(e)(4)),

Violation of these prohibitions is punishable by a fine of not more than \$5000.00 for an individual or \$10,000.00 for an organization, or imprisonment for not more than six (6) months, or both (16 U.S.C. 551, 18 U.S. C. 3559 and 3571).

Dated this 25th day of February, 2010, at Elkins, West Virginia.

United States Department of Agriculture
Forest Service

/s/ Clyde N. Thompson_
CLYDE N. THOMPSON
Forest Supervisor
Monongahela National Forest