

**ORDER NO. 353**

**UNITED STATES DEPARTMENT OF AGRICULTURE**

**CHEROKEE NATIONAL FOREST**

**Ocoee River Flume Rock Slide Area Closure Order**

Pursuant to 36 CFR, Section 261.50 (a), it is hereby ordered that the prohibition hereinafter applies to the south vegetation line of the Ocoee River up to the Flume, and a half mile upstream, and a half mile downstream from the rock slide, located on the Ocoee Ranger District, within the Cherokee National Forest, shown on the attached map. **ORDER EXPIRES ONE YEAR FROM DATE OF SIGNATURE.**

1. Entering or being in the area of the south vegetation line of the Ocoee River up to the Flume, and a half mile upstream, and a half mile downstream from the rock slide, 36 CFR 261.53 (e)

The above-prohibited act is set forth in Title 36 C.F.R. Section 261.53(e) for the purpose of public health and safety.

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

1. Persons with a permit specifically authorizing the otherwise act or omission.
2. Any U.S. Forest Service employee engaged in their official duties.
3. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

Executed in Cleveland, Tennessee, this \_\_\_ day of \_\_\_\_\_ 2010.

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**H. THOMAS SPEAKS, JR.**  
**Forest Supervisor**  
**Cherokee National Forest**

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

CIVIL RIGHTS, NEPA  
CHEROKEE NATIONAL FOREST  
ORDER NO. 353

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 close the south vegetation line of the Ocoee River up to the Flume, and a half mile upstream, and a half mile downstream from the rock slide within the Ocoee Ranger District on 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.

DURATION:

One (1) year from date of signature

NEPA JUSTIFICATION:

This action is consistent with 36 CFR 220.6(d)(1) and the Revised Land and Resource Management Plan. No extraordinary circumstances exist that might cause the action to have significant environmental effects. Therefore, this action is categorically excluded from documentation in an environmental assessment or environmental impact statement.

AGENCY: USDA-Forest Service, Cherokee National Forest

CONTACT: Forest Supervisor

DATE:

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H. THOMAS SPEAKS, JR.  
Forest Supervisor