

CHUGACH NATIONAL FOREST

Region 10, Alaska

Order No. 10-04-00-04-02

FOREST ORDER

WINTER MOTOR VEHICLE CLOSURE

COPPER RIVER DELTA

This closure order implements the direction for motorized access contained in the Chugach National Forest Revised Land and Resource Management Plan and Record of Decision (Chugach Plan), signed May 31, 2002. The Chugach Plan analyzed public uses of the forest and provides for a balance of the lands available to fulfill the needs of different user groups with different values and desires for recreational experiences. The Chugach Plan identifies the areas of the forest that are closed to meet the needs of all forest users and to manage and protect forest resources.

The purpose of this order is to identify the areas of the Chugach National Forest that are closed to certain types of winter motor vehicle use as determined in the Chugach Plan and to identify the effective dates that these areas are closed. A motor vehicle means any vehicle that is self-propelled or any vehicle that is propelled by electric power obtained from batteries, but not operated on rails (36 C.F.R. § 261.2). A vehicle means any device in, upon, or by which any person or property is or may be transported (36 C.F.R. § 261.2). The closed areas are described below and identified on each area map attached to this order. The type of motor vehicle use prohibited and the effective closure dates are identified.

This order does not prohibit the use and operation of motor vehicles, including snowmachines (snowmobiles and all motorized over snow vehicles, including off highway vehicles) within a highway right-of-way granted to the State of Alaska. The applicable laws of the State of Alaska govern the use and operation of motor vehicles, including snowmachines, within such highway rights-of-way. For purposes of this order, the definition of “subsistence uses” in Section 803 of the Alaska National Interest Lands Conservation Act (ANILCA), 16 U.S.C. § 3113, applies.

This order may be modified by a subsequent order of an authorized Forest Officer. This order, and any modifications, will remain in effect until terminated by an authorized Forest Officer.

Administration of this closure order is under 36 C.F.R. 261.54(a), 36 C.F.R. 261.55(b), 36 C.F.R. 261.56, and 36 C.F.R. 261.58(y). Pursuant to 36 CFR 261.50(a), the following acts are prohibited on the Chugach National Forest:

I. CLOSED TO CERTAIN MOTOR VEHICLE USE EXCEPT FOR SUBSISTENCE USES

As directed in the Chugach Plan, the following areas are dedicated to nonmotorized winter recreation. The use of snowmachines (snowmobiles and all motorized over snow vehicles, including off highway vehicles) and the landing of, or the dropping or picking up of any materials, supplies, or persons by means of, helicopters that are utilized for winter recreational activities is prohibited in the following areas from December 1st of each year through April 30th of each year. The use of snowmachines by a rural Alaska resident for subsistence uses is allowed provided the individual is lawfully engaged in an authorized subsistence activity, during permitted dates, is in compliance with all public safety regulations, and such individual can readily identify himself as a qualified subsistence user.

1. EAST COPPER RIVER DELTA

All National Forest System land and waters within the area beginning at the east bank of the Copper River on the west, the south bank of the Martin River on the north, the base of the Ragged Mountains and Little Russian Slough on the east, and the mean high tide line of the Gulf of Alaska on the south as shown on the attached East Copper River Delta map. This area is in or partially within Section 36, T17S, R2E; Sections 20 thru 36, T17S, R3E; Sections 17, 19, 20, 29 thru 33, T17S, R4E; Sections 1, 11 thru 15, 22 thru 27, T18S, R2E, Sections 1 thru 30, T18S, R3E, Sections 4 thru 9, 16 thru 21, 29, 30, T18S, R4E; CRM.

2. ALAGANIK SLOUGH

All National Forest System land within a line beginning at a point on the Alaganik Slough 100 feet west of the junction of the Alaganik road and boat launch, thence westerly along the northern edge of Alaganik Slough, to the junction with the Gulf of Alaska, thence continuing along the mean high tide line of the Gulf of Alaska to the junction with the eastern edge of Glacier River, thence northerly up the eastern bank of the Glacier River to the junction with the Sheridan River, thence northerly up the eastern bank of the Sheridan River to the boundary with Eyak Village Corporation land, which is 1,000 feet south of the Copper River Highway, thence easterly along the boundary with Eyak Corporation to a point 100 feet west of Alaganik Road, thence southerly at a distance of 100 feet west of Alaganik Road to the point of beginning, as shown on the attached Alaganik Slough map. This area is in or partially within Section 31, T16S, R1E; Sections 19 thru 23, 25 thru 36, T16S, R1W; Sections 25, 35, 36, T16S, R2W; Section 6, T17S, R1E; Sections 1 thru 8, T17S, R1W; Sections 1, 2, T17S, R2W; CRM.

3. COPPER SANDS

All islands and sandbars south of the mainland, west of Grass Island and east of Egg Island Channel as shown on the attached Copper Sands map. This area is in or partially within Sections 28, 29, 32, T17S, R2W; Sections 2, 4, 5, 8 thru 16, 21 thru 23, T18S, R2W: CRM.

II. CLOSED TO CERTAIN HELICOPTER USE:

As directed in the Chugach Plan, the following area is dedicated to non-helicopter oriented winter recreation. The landing of helicopters or dropping or picking up of any materials, supplies or person by means of a helicopter for purposes of engaging in winter recreation activities is prohibited in this area from December 1st of each year through April 30th of each year.

1. COPPER RIVER/BERING RIVER

All National Forest System land forming the Copper River and Bering River deltas within a boundary beginning with the eastern national forest boundary line then following the coastline from Cape Suckling to Little Russian Slough, thence up Little Russian Slough to the toe of the slope of the Ragged Mountains, following the toe of the slope of the Ragged Mountains to the junction with Little Martin River, thence following the Little Martin River to the eastern bank of the Copper River, thence following the eastern bank of the Copper River to the cleared center line for the Copper River/Kushtaka Lake road, thence along the northern road right-of-way line back to the eastern national forest boundary as shown on the attached Copper River/Bering River map. This area is in or partially within Sections 31 thru 33, T15S, R4E; Sections 1, 2, 12, 13, 23 thru 27, 34 thru 36, T16S, R3E; Sections 1 thru 36, T16S, R4E; Sections 5, 6, 18 thru 23, 25 thru 36, T16S, R5E; Sections 20 thru 22, 25 thru 36, T16S, R6E; Sections 30 thru 33, T16S, R7E; Sections 1 thru 4, 9 thru 17, 20 thru 24, 27 thru 32, T17S, R3E; Sections 1 thru 36, T17S, R4E; Sections 1 thru 36, T17S, R5E; Sections 1 thru 36, T17S, R6E; Sections 3 thru 9, 13, 14, 18 thru 20, 22 thru 36, T17S, R7E; Sections 18 thru 36, T17S, R8E; Sections 30, 31, T17S, R9E; Sections 1, 10, 11, 12, 14, 15, 21, 22, 27, 28, T18S, R2E; Sections 1 thru 4, 9 thru 17, 19 thru 36, T18 S, R4E; Sections 1 thru 36, T18S, R5E; Sections 1 thru 36, T18S, R6E; Sections 1 thru 36, T18S, R7E; Sections 1 thru 36, T18S, R8E; Sections 6, 7, 18, 19, 30, 31, T18S, R9E; Sections 1 thru 4, 10 thru 18, 20 thru 26, 36, T19S, R4E; Sections 1 thru 27, 29 thru 31, 33 thru 36, T19S, R9E; Sections 1 thru 36, T19S, R6E; Sections 1 thru 36, T19S, R7E; Sections 1 thru 36, T19S, R8E; Sections 6, 7, 18, 19, 30, 31, T19S, R9E; Sections 1, 2, T20S, R5E; Sections 1, 4, 5, 6, 11 thru 14, T20S, R6E; Sections 1 thru 28, 35, 36, T20S, R7E; Sections 1 thru 36, T20S, R8E; Sections 6, 7, 18, 19, 30, 31, T20S, R9E; Sections 1, 19 thru 30, T21S, R7E; Sections 1 thru 30, 33 thru 36, T21S, R8E; Sections 6, 7, 18, 19, 30, 31, T21S, R9E; Sections 1, 2, T22S, R8E; Sections 6, 7, T22S, R9E; CRM.

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

1. Persons with a permit specifically authorizing the otherwise prohibited act or omission.
2. Any federal, state or local law enforcement officer or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Any Forest Service contractors or permittees in the performance of their contract or permit.

These prohibitions are in addition to the general prohibitions in 36 C.F.R. Part 261, Subpart A.

Executed in Anchorage, Alaska, this 2nd day of March, 2004.

/s/ Susan Rutherford

Forest Supervisor/
Chugach National Forest

Violation of these prohibitions 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 months, or both. (16 U.S.C. § 551 and 18 U.S.C. § 3559 and § 3571)

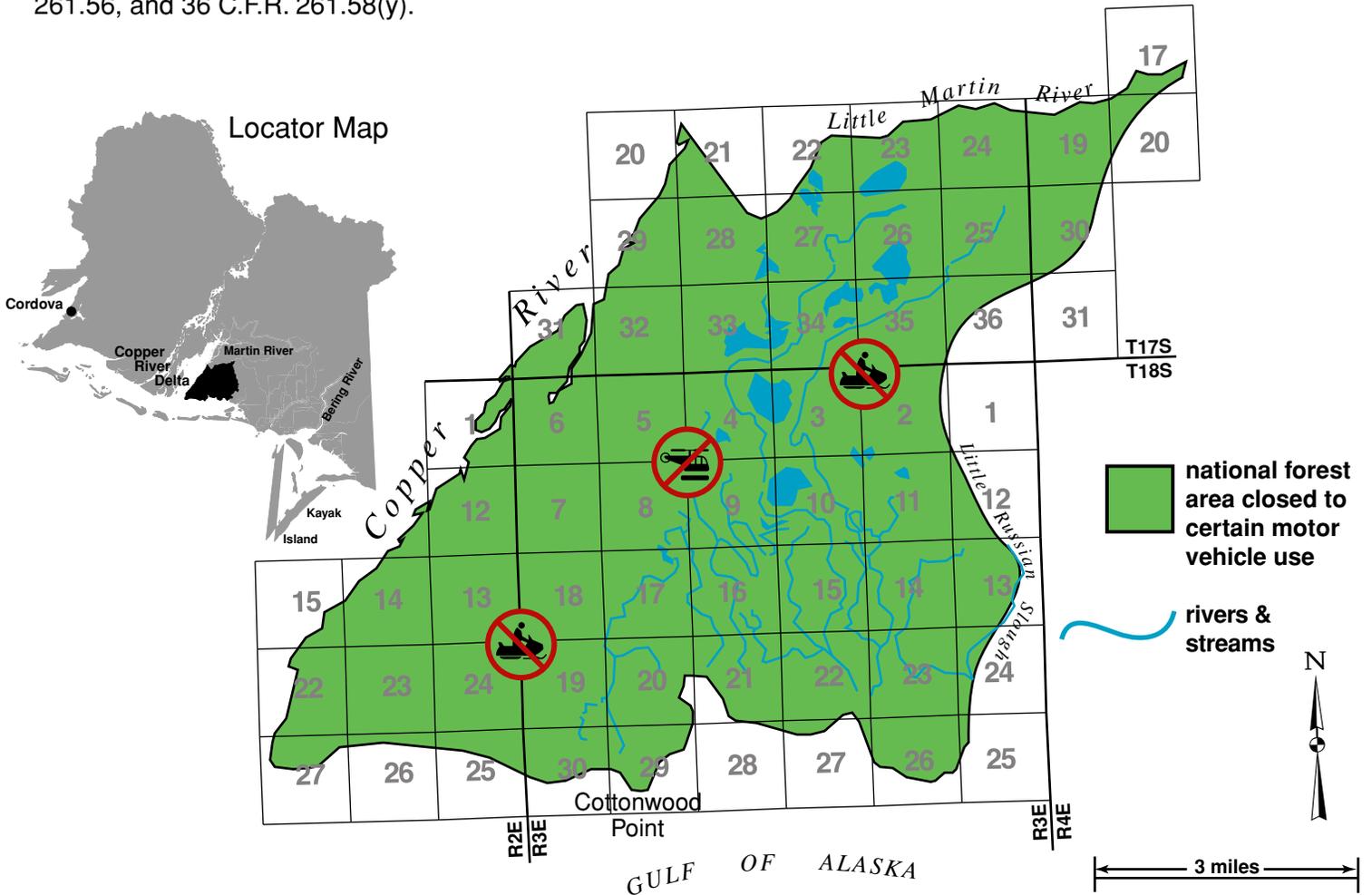
Winter Motor Vehicle Closure

CLOSED TO CERTAIN MOTOR VEHICLE USE

EXCEPT FOR SUBSISTENCE USES

East Copper River Delta

As directed in the Chugach Plan, the following areas are dedicated to nonmotorized winter recreation. The use of snowmachines (snowmobiles and all motorized over snow vehicles, including off highway vehicles) and the landing of, or the dropping or picking up of any materials, supplies, or persons by means of, helicopters that are utilized for winter recreational activities is prohibited in the following areas from December 1st of each year through April 30th of each year. The use of snowmachines by a rural Alaska resident for subsistence uses is allowed provided the individual is lawfully engaged in an authorized subsistence activity during permitted dates, is in compliance with all public safety regulations, and such individual can readily identify himself as a qualified subsistence user. Administration of this closure order is under 36 C.F.R. 261.54(a), 36 C.F.R. 261.55(b), 36 C.F.R. 261.56, and 36 C.F.R. 261.58(y).



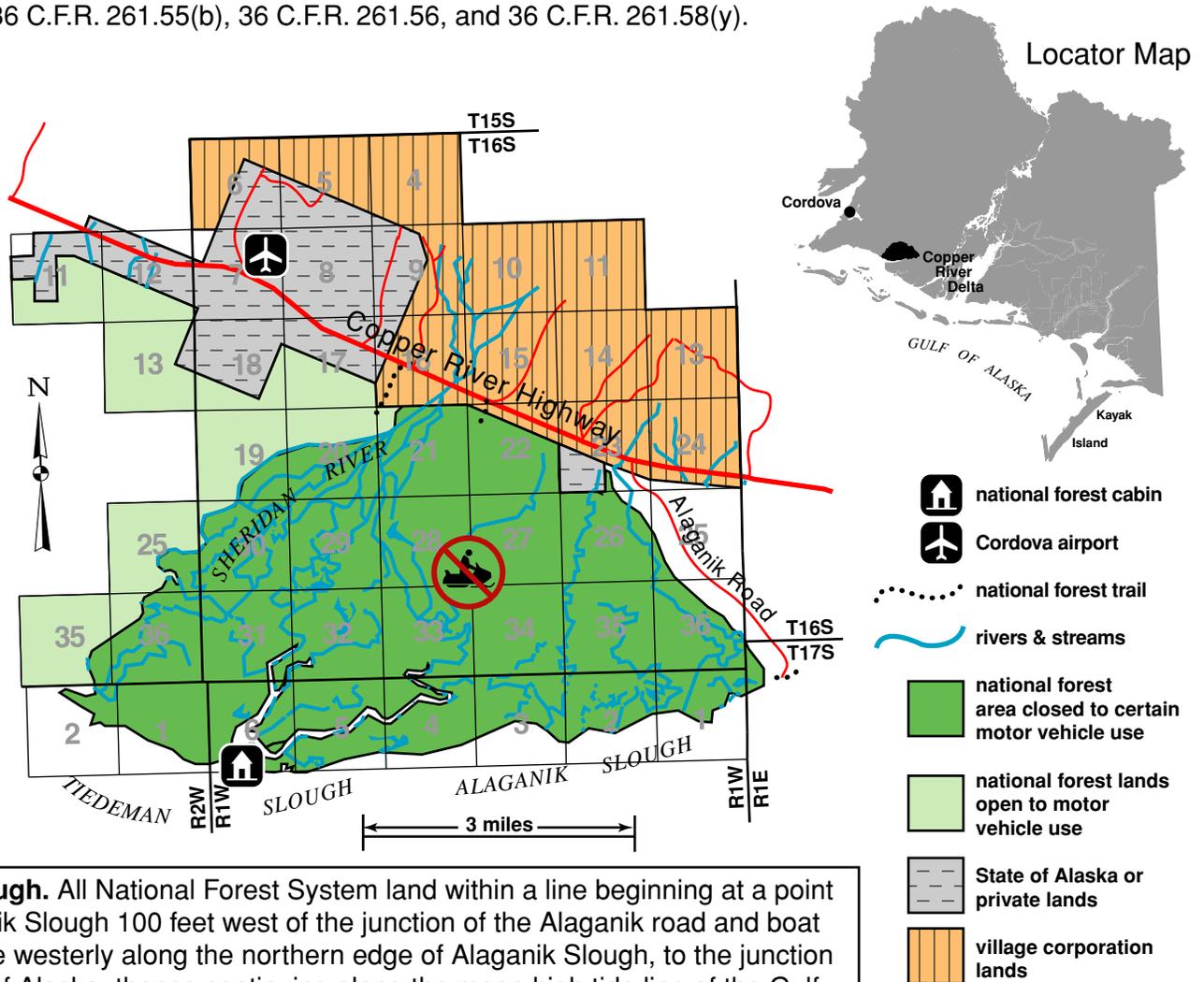
East Copper River Delta. All National Forest System land and waters within the area beginning at the east bank of the Copper River on the west, the south bank of the Martin River on the north, the base of the Ragged Mountains and Little Russian Slough on the east, and the mean high tide line of the Gulf of Alaska on the south as shown on the attached East Copper River Delta map. This area is in or partially within Sections 20 thru 36, T17S, R3E; Sections 17, 19, 20, 29 thru 32, 33, T17S, R4E; Sections 1, 11 thru 15, 22 thru 27, T18S, R2E, Sections 1 thru 30, T18S, R3E, Sections 4 thru 9, 16 thru 20, 30, 31 T18S, R4E, CRM.

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Alaganik Slough

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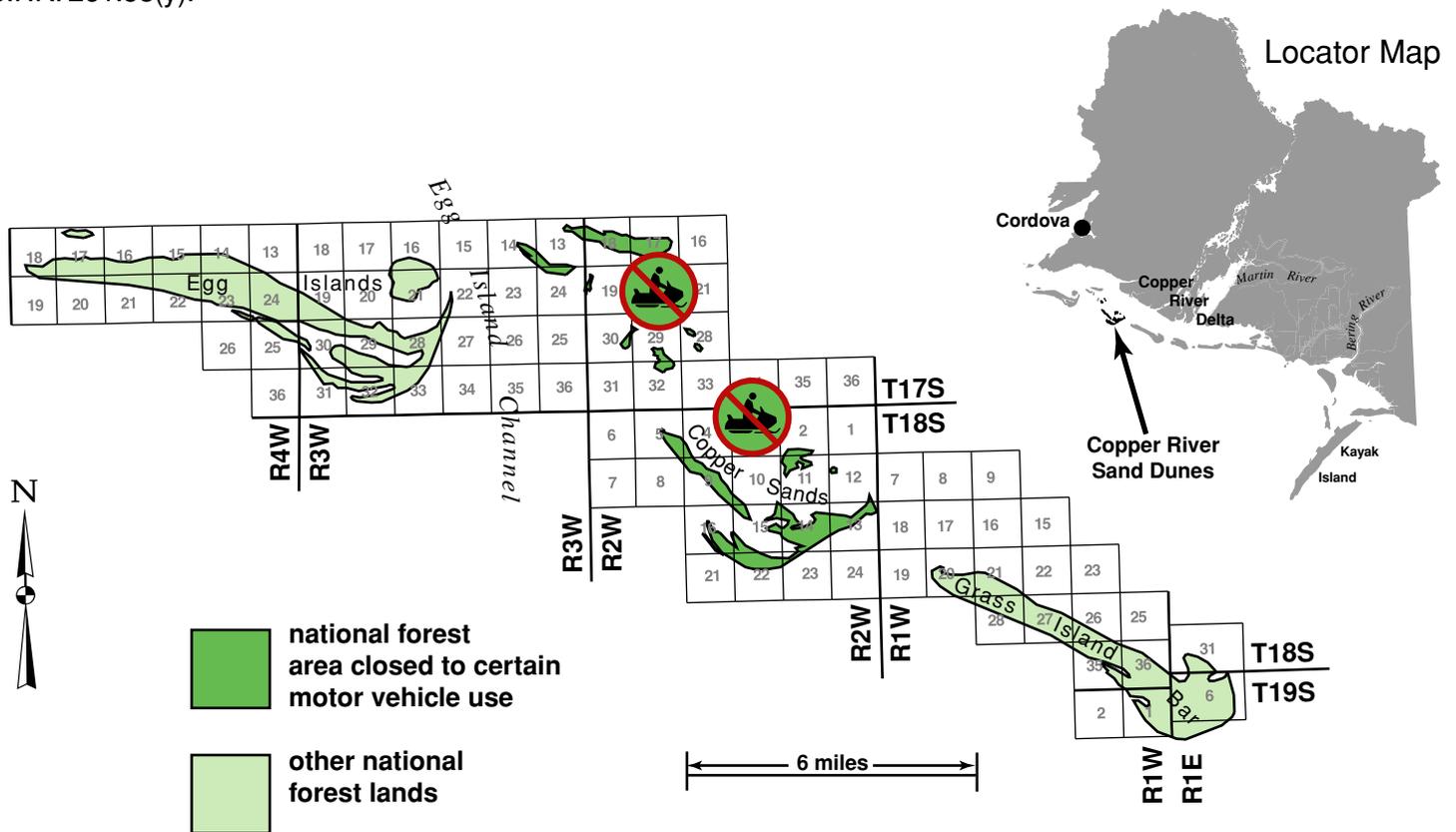
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Copper Sands

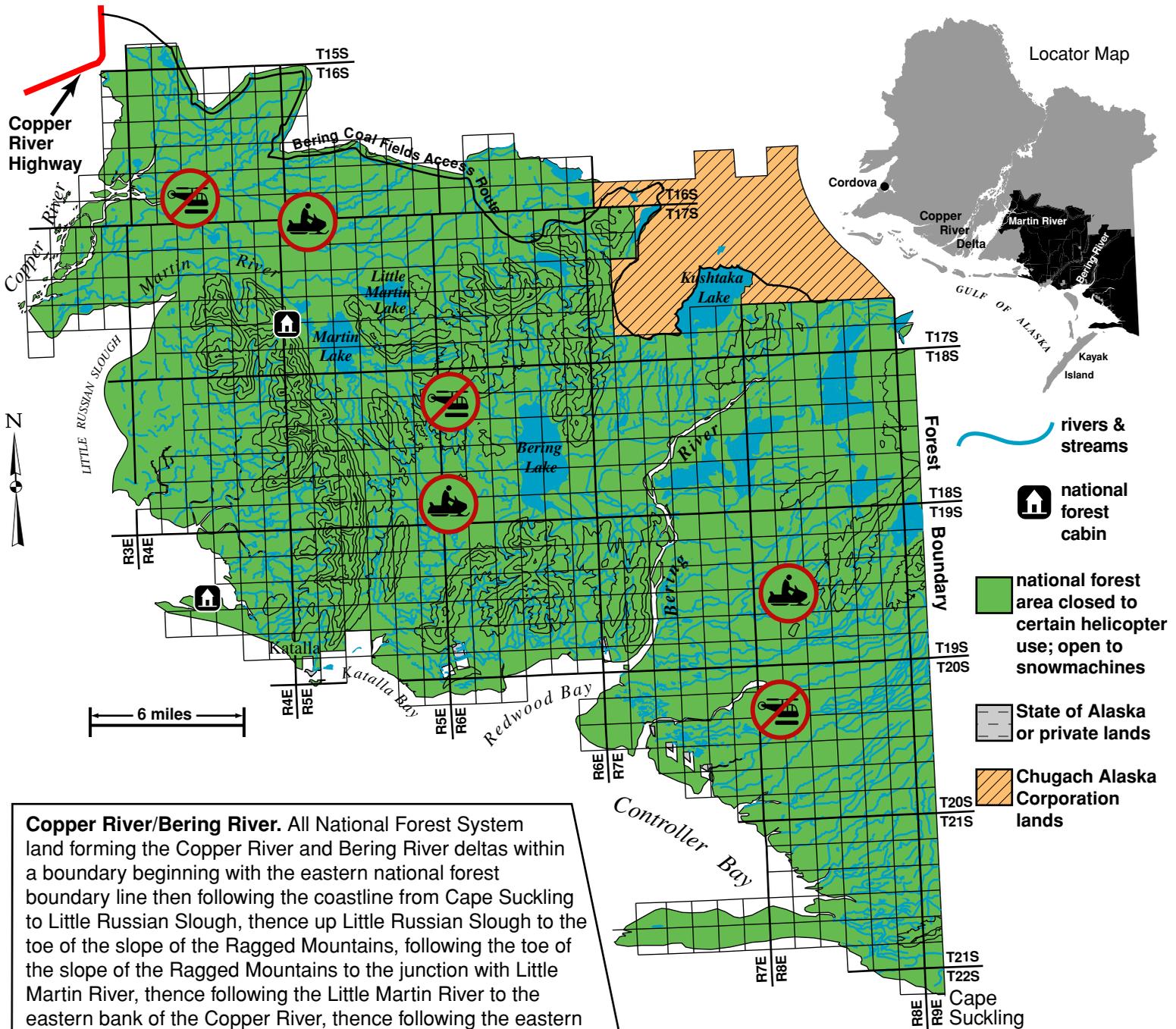
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Winter Motor Vehicle Closure CLOSED TO CERTAIN HELICOPTER USE Copper River/Bering River

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