



## WALLOWA-WHITMAN NATIONAL FOREST

Forest Order # T-2012-0616-EC-01



### BALD MOUNTAIN FIRE CLOSURE

This closure is necessary to provide protection to forest visitors from the current fire safety hazards associated with the Bald Mountain Fire in the Eagle Cap Wilderness Area. Safety hazards associated with fire suppression include; erratic wildland fire behavior, and overhead support aircraft.

Pursuant to 36 CFR, Sec. 261.50(a) and (b), the following acts are prohibited on the area described in this order within the Wallowa-Whitman National Forest, until further notice.

- 1) It is prohibited for any person to be on any trail described in Attachment A of this order.

**36 CFR 261.55 (a)**

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

- (1.) Persons with a permit specifically authorizing the prohibited act or omission.
- (2.) Any Federal, State or local law enforcement officer, or member of an organized rescue or firefighting force in the performance of an official duty.

These prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

This order supersedes and terminates Forest Order T-2012-0616-HC-02

Done at Baker City, Oregon, this 20 day of September, 2012.

\_\_\_\_\_  
KEVIN MARTIN  
Forest Supervisor  
Wallowa Whitman National Forest

Violation of these prohibitions is punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months, or both. (16 U.S.C. 551 and 18 U.S.C. 3559 and 3571)



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## Supporting Documentation

### Statement of Need:

This temporary closure is needed to provide protection to forest visitors from entering current and potential wildland fire areas associated with the The Bald Mountain Fire. The closing of the trails listed in attachment A will prevent the entry of the public into the area where this fire activity is occurring and prevent interference with firefighters' efforts to suppress the fire.

**Enforcement Procedures:** Enforcement will be done by Law Enforcement Officers (LEO), Special Agents and Forest Protection Officers (FPO). If a person suspected of violating this order is observed, Officers will use discretion as appropriate when enforcing this order

### Posting:

Posting will be provided by the Districts/ Forest and the forest order posted at the main road and trail entrances to the closure area

## Enforcement Plan

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Appropriate Staff with LEI input	9/19/2012
Review proposed order	Patrol Captain	9/19/2012
Approve proposed order	Forest Supervisor	
Post order in accordance with 36 CFR 261.51	District Staff Officer and Staff	
Prepare news release for local media describing the order and management objectives	District Ranger PAO	
Civil Rights Assessment	Civil Rights Officer	

Enforcement Plan approved for implementation:

KEVIN MARTIN  
Forest Supervisor

WALTER MERRITT  
Patrol Captain

9/19/2012

Date



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### Attachment A

For the purpose of this order, the restriction applies to any type of use on the following trails, as shown on the attached map in Appendix A:

- 1) **Bear Creek Trail** (# 1653) from the intersection with Trail 1680 north to the mouth of Twin Basin Creek.
- 2) The entire **Miner Basin Trail** (#1671) from the intersection with Trail 1653 to the intersection with Trail 1680.
- 3) **Washboard Trail** (#1680) from the intersection with Trail 1653 north to Twin Basin.

R. 42 E

R. 43 E

# Bald Mountain Fire Trail Closure

T. 2 S

T. 2 S

T. 3 S

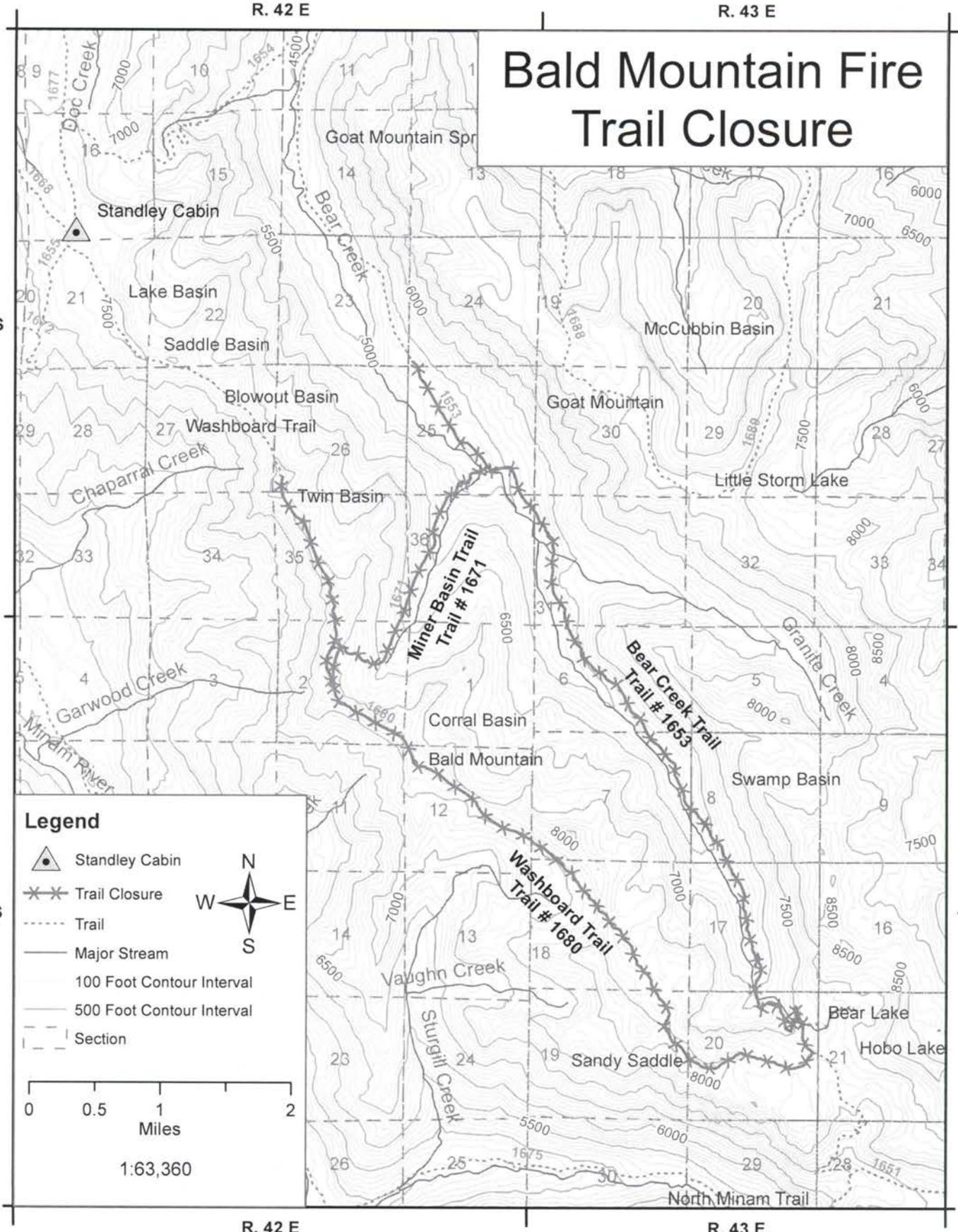
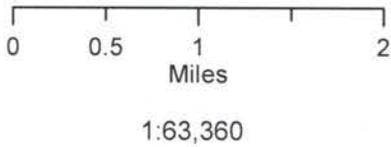
T. 3 S

R. 42 E

R. 43 E

### Legend

-  Standley Cabin
-  Trail Closure
-  Trail
-  Major Stream
-  100 Foot Contour Interval
-  500 Foot Contour Interval
-  Section





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**Civil Rights Impact Statement**  
**Bald Mountain Fire Closure**  
**Order Number. T-2012-0616-EC-01**

**Proposed Action:**

Due to the current and potential fire activity, it is proposed to prohibit use of the trails in and around the Bald Mountain Fire. The affected trails are described in attachment A of this order. The closures are necessary to provide protection to forest visitors from the current fire safety hazards.

1. For the protection of the public, it is prohibited for any person to go into or be upon any trail described in Attachments A of this order.  
**36 CFR 261.55 (a)**

The following person's are exempt:

- (1.) Any Federal, State or local law enforcement officer, or member of an organized rescue or firefighting force in the performance of an official duty.
- (2.) Any Forest Service employee when engaged in the performance of their official duties
- (3.) Persons with a permit from an authorized forest service officer specifically authorizing the prohibited act or omission

**Duration:**

September 19, 2012, to \_\_\_\_\_

**Employee/Community Involvement:**

The Wallowa-Whitman National Forest Civil Rights Point of Contact/Team has reviewed this statement and based on input from these subject matter specialists, no further scoping or input is necessary.

**Justification:**

This order is aimed at reducing and avoiding the public's exposure to hazards such as: erratic wildland fire behavior, overhead support aircraft, additional fire fighter vehicle traffic on roads, and use of heavy equipment for line construction and road maintenance.



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### **Mitigation:**

The following are suggested mitigations:

1. Ensure signing is adequate in significant locations.
2. Periodically monitor to see if enforcement is being applied equally to all.
3. Periodic Monitoring of the resources to check for damage and to the soil moisture level

### **Agency**

USDA Forest Service,  
Wallowa-Whitman NF  
1550 Dewey Avenue  
Baker City, OR 97814

### **Contact**

Tom Montoya, Deputy Forest Supervisor, and Cache Creek Fire Area Representative  
541-523-1259

Date:

Reviewed and approved: