

ORDER NO. 02-13-06  
EMERGENCY CLOSURE  
CLEVELAND NATIONAL FOREST

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), and to protect natural resources and provide for public safety, the following acts are prohibited on the Descanso Ranger District within the Cleveland National Forest. This Order is effective from July 11, 2013, through the end of the official fire emergency.

1. Going into or being upon National Forest System lands within the Chariot Fire Closure Area, as shown on Exhibit A. 36 CFR 261.52(e).
2. Being on National Forest System roads within the Chariot Fire Closure Area, as shown on Exhibit A. 36 CFR 261.54(e).
3. Being on National Forest System trails within the Chariot Fire Closure Area, as shown on Exhibit A. 36 CFR 261.55(a).

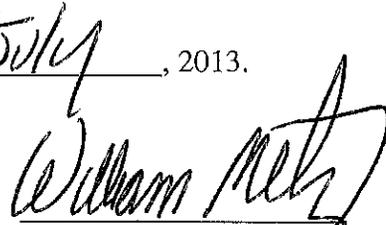
Pursuant to 36 CFR 261.50(e), the following persons are exempt from this Order:

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. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.
3. Owners or lessees of private land within the Chariot Fire Closure Area, to the extent necessary to gain access to their land.

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

A violation of these prohibition 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 six months, or both 16 USC 551 and 18 USC 3559, 3571, and 3581.

Done at San Diego, California, this 11<sup>th</sup> day of July, 2013.

  
WILLIAM METZ  
Forest Supervisor



**Date:** July 11, 2013

**TO:** File

WM 7/11/13

**FROM:** Will Metz/Forest Supervisor

**RE:** FOREST ORDER NO. 02-13-06/Emergency Closure

It is my decision to issue a Forest Order authorizing a temporary closure of a portion of the Descanso Ranger District in the Chariot Fire burn area and adjacent locations with the addition of a class of persons and areas exempt from the Order. The area affected encompasses areas of Mount Laguna along Sunrise Hwy and surrounding locations affected by fire, as shown on Exhibit A. The restrictions will be in effect from July 11, 2013 through the end of the official fire emergency to address resource protection, protection of public and private property, and public health and safety concerns related to the fire. The order will also serve to protect forest resources and critical watersheds within the fire area.

There is a need for this action because of the threat to human life, property, and resource values threatened by wildfire. An emergency situation has been identified as existing as a result of a wildfire that originated on July 6, 2013. The fire has unofficially been contained at 7,055 acres however, firefighting and resource rehabilitation efforts are continuing. Movement of personnel and equipment pose a threat to public safety as the road and trail system within the burn area are narrow and hazardous. There are also aerial operations that pose a threat to persons within the burn area. Additionally, there are numerous natural hazards created by the fire, such as tree snags, stubs, root holes that have been created by roots burning beneath the surface of the soil, etc. The fire also burned over a 100 structures permitted on Forest Service land that has resulted in hazmat concerns.

An additional threat to public safety created by this fire is flash flooding caused by loss of vegetation and exposed soils. The time frame of this closure has historically had severe monsoonal thunderstorms that result in some flash flooding; however, the loss of the vegetative resources increases the probability of severe flash flooding and or mud flows in the burn area and adjoining areas.

In addition to the public health and safety aspect of the Chariot Fire there are numerous archeological, historical, and culturally relevant sites that have been exposed by the fire. Many of these sites are cataloged; however, numerous other sites, now exposed by the fire have not yet been surveyed.

The topography of the area is steep with sensitive soils. The topography combined with sensitive soils invite erosion when traversed by either mechanical means or by primitive means.



This Closure is felt to be the most immediate and effective method to reduce the potential for loss of life, and loss of significant physical, and cultural resource values on the forest. The Closure area was designed to provide for the viability of projects and businesses currently in operation on Mt. Laguna where they could be accommodated.

This decision is categorically excluded from documentation under Forest Service Handbook 1909.15, Section 31.12(1) – Orders issued pursuant to 36 CFR Part 261 – Prohibitions to provide short-term resource protection or to protect public health and safety. This is not a project or activity implementing the Cleveland National Forest Land and Resource Management plan that is documented in a decision memo, decision notice, or record of decision. This action is not subject to review or appeal under the requirements of 36 CFR 215.8 (4).

As a result of the above-mentioned analyses, I find there are no extraordinary circumstances that might cause the action to have significant environmental effects; therefore the proposed action is excluded from documentation in an Environmental Impact Statement or Environmental Assessment. Extraordinary circumstances would include but are not limited to negative impacts on the following:

**1. Steep slopes or highly erosive soils.**

This action will promote retention of natural vegetation that will help stabilize the steep slopes and highly erosive soils located within the restricted area.

**2. Threatened and Endangered species or their critical habitat.**

One of the reasons for this action is to protect threatened and endangered species, and their habitats.

**3. Flood plains, wetlands, or municipal watersheds.**

This action will minimize impacts on flood plains, wetlands, and municipal watersheds.

**4. Congressionally designated areas, such as Wilderness, Wilderness Study areas, or National Recreation Areas.**

There are three congressionally designated Wilderness Areas within the Forest but none are affected by this Closure.

**5. Inventoried Roadless areas.**

There are 13 inventoried road less areas comprising approximately 88,000 acres within the Cleveland National Forest but none are affected by this Closure.

**6. Research Natural Areas.**

There are three Research Natural Areas within the Forest. Protection of these areas will be enhanced by the restrictions.

**7. Native American religious or cultural sites, archaeological sites or historic properties or areas.**

One of the reasons for this action is to protect Native American religious or cultural sites, archaeological sites or historic properties, located within the restricted area.

Coordination with the following co-operating agencies was conducted prior to implementation of the fire restriction order:

1. Cal Fire Department
2. San Diego County
  - Sheriff's Department
3. State of California
  - Dept. of Fish and Wildlife
  - Highway Patrol
  - Cal-Trans
  - Department of Parks and Recreation
4. Angeles, Los Padres and San Bernardino National Forests

No significant issues were raised during these scoping conducted with the cooperators identified above.