

FOREST ORDER SJ-2020-01

**USDA FOREST SERVICE
SAN JUAN NATIONAL FOREST
Dolores Ranger District**

McPhee Reservoir Boat Launch Closure and Aquatic Nuisance Species Inspection Order

Pursuant to 16 United States Code (U.S.C.) § 551 and 36 Code of Federal Regulations (C.F.R.) § 261.50 (a), the following acts are prohibited on National Forest System Lands on the Dolores Ranger District of the San Juan National Forest, Montezuma County, State of Colorado as depicted on the attached map hereby incorporated into this Order as Exhibit A.

This Order is necessary to provide additional inspection and enforcement tools to help prevent the infestation of aquatic nuisance species (ANS) including Zebra and Quagga Mussels into McPhee Reservoir and to prevent water craft entering the reservoir that may carry aquatic nuisance species. This Order prohibits activities that are also prohibited under Colorado State Law (Colorado Revised Statutes 33-10.5-101 et seq.).

PROHIBITIONS:

- 1) Entering into the McPhee Reservoir with any “vessel or other floating device” except at the McPhee or Horse Creek boat ramps. 36 C.F.R. § 261.58(k)
- 2) Entering into the McPhee Reservoir at the McPhee or Horse Creek boat ramps with any “vessels or other floating device” when no Colorado Parks and Wildlife ANS inspectors are present or when physical barriers such as gates, traffic spikes or other closure devices are in place to deter launching of a vessel or other floating device. 36 C.F.R. § 261.58(k)

“Vessels or other floating device” means watercraft of any and all kinds including their motors or engines, trailers, compartments, and any other associated equipment or containers that routinely or reasonably could be expected to contain or have come into contact with water. The term does not include hand-launched rafts, kayaks, belly boats, float tubes, canoes, windsurfer boards, sail-boards, paddle boards or inner tubes.

EXEMPTIONS:

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

- 1) Persons with a Forest Service 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 firefighting force engaged in the performance of an official duty.

This Order shall take effect upon signing and shall remain in effect until rescinded, or until March 1, 2025, whichever occurs first.

Done at Durango Colorado this 26th day of February 2020.



Kara Chadwick
Forest Supervisor
San Juan National Forest

Violations of these regulations are punishable as a Class B misdemeanor, 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 U.S.C. § 551 and 18 U.S.C. § 3571