

SUB PART B ORDER REQUEST/JUSTIFICATION FORM

DATE: March 19, 1993

ORDER NUMBER: ~~261-57~~ R-93-007

SUBMIT THE FOLLOWING INFORMATION.

1. STATE THE DESIRED PROHIBITED ACT:

Entering the Glacier View, Goat Rocks, Indian Heaven, Mt. Adams, Tatoosh, Trapper Creek or William O. Douglas Wildernesses without a permit.

2. REASON FOR THE ORDER:

To improve collection of accurate user information to be used as a basis for management actions aimed at reducing resource damage and site degradation resulting from overuse.

3. HAVE OTHER METHODS BEEN TRIED TO RESOLVE THIS PROBLEM? DESCRIBE:

Public contact, visitor information/education and regulation compliance by Forest Officers have all been tried. Much of this work has served to "move" the problems from one area to another, but has not been successful in comprehensively addressing the overall situation. A permit system will assist in the development of an overall management plan.

4. PERIOD OF TIME THE ORDER WILL BE IN EFFECT:

EXPIRATION DATE:

Effective May 1, 1993 until rescinded.

5. LIST THOSE EXEMPT FROM ORDER:

1. Persons with a permit.
2. Any Federal, State, or Local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

6. HAS THIS REQUEST BEEN PRESENTED TO THE DMT FOR THEIR INPUT?:

This request has been presented to and approved by those District Rangers who administer Wilderness.

7. HAS AN ENFORCEMENT PLAN AND A SIGN PLAN BEEN ESTABLISHED?: Yes, attached.

Who will enforce the order?: Authorized Forest Officers

Who will ensure proper signing?: District Wilderness Coordinators.

8. WILL THIS ORDER BE REVIEWED ANNUALLY FOR NEED AND PROPER ENFORCEMENT?:

Yes.

9. ADVERTISE: YES XX NO      HOW OFTEN            WHAT PAPER             
CHARGE TO MANAGEMENT CODE           

This should be advertised in all major papers. A list will be provided.

Done at Wenatchee, Washington this 7<sup>th</sup> day of APRIL, 1993.

Sonny J. O'Neal  
SONNY O'NEAL, Forest Supervisor  
Wenatchee National Forest

Done at Vancouver, Washington this 6<sup>th</sup> day of May, 1993.

for Randall D. Sheppard  
TED STUBBLEFIELD, Forest Supervisor  
Gifford Pinchot National Forest

Done at Mountlake Terrace, WA this 25<sup>th</sup> day of March, 1993.

Walter S. Weaver  
WALTER S. WEAVER, Acting Forest Supervisor  
Mt. Baker-Snoqualmie National Forest

Done at Okanogan, Washington this 30<sup>th</sup> day of March, 1993.

Sam Gehr  
SAMUEL GEHR, Forest Supervisor  
Okanogan National Forest

Violation of these prohibitions is punishable by a fine of not more than \$5,000 or imprisonment for not more than six (6) months, or both. Title 16 USC, Section 551.

ORDER # 242  
R- 93-001

**DEFINITIONS:**

Trail -

This definition includes all system trails identified in the trail inventory of the respective National Forests.

Closed for restoration, wilderness restoration, or rehabilitation -

This includes any area posted by the Forest Service as a RESTORATION SITE, WILDERNESS RESTORATION SITE, WILDERNESS REVEGETATION SITE, or REHABILITATION SITE. Signing will consist, at a minimum, of two conspicuously placed 4x6 inch signs with the words RESTORATION, REVEGETATION, or REHABILITATION printed on it.

## ENFORCEMENT PLAN

This plan is for restriction Orders for the Gifford Pinchot, Wenatchee, Mt. Baker-Snoqualmie, and Okanogan National Forests. A similar prohibition against shortcutting trail switchbacks has been in effect in wilderness areas on these Forests for many years. The order related to being in a revegetation area is new to take into account numerous areas within and outside wilderness where these efforts are being undertaken.

### YEAR ONE:

1. Authorized Forest Officers may, upon observing a switchback being shortcut, issue a Notice of Violation.
2. District Rangers will approve rehabilitation areas posted for closure. Warnings may be written by authorized Forest Officers for violations of the rehabilitation closure regulation.

### YEAR TWO:

1. District Rangers will review rehabilitation areas approved for closure. Authorized Forest Officers may, upon observing violations of this Order, issue a Notice of Violation.
2. Warnings are suitable when the Officer is certain that the individual(s) involved are unaware of these restrictions.

This order will be enforced on an "as observed", or game warden, system of enforcement. Violation compliance check frequency will depend on the management level the area receives. Action for problem areas will be identified in annual action plans.

## Wilderness Permit System Enforcement

Notification - Information and signing explaining permit requirements will be clearly and consistently posted at all Wilderness trailheads. The same information will be available at all Gifford Pinchot and Wenatchee National Forest District Offices and the Supervisors Offices.

The notification messages will include information explaining that the intent of the permit system is to collect visitor use information that is needed to assist in the management of Wilderness. The message will emphasize that the permits are required for both overnight and day use.

Field Contacts - Wilderness Rangers (both Level I and Level II) will be responsible for determining compliance with the permit system and explaining the purpose and need for the permit system to the public. These Forest Officers will receive training that specifically focuses on the law enforcement aspects of the Wilderness permit system through Level I and Level II training sessions, as well as at District workshops and/or in public contact/good host workshops. All contacts should be considered an opportunity to educate and inform Wilderness users of the need to manage use in Wilderness and to explain that good visitor use information is an essential tool in being able to manage Wilderness use effectively.

As a general rule, in the first year of mandatory permits, for the William O. Douglas Wilderness, Notices of Violation will not be issued unless extraordinary circumstances exist. Extraordinary circumstances could include contacting someone that has already received a warning for not having a permit or a person that refuses to cooperate in having a permit issued to them. In the latter example, as in many other types of Wilderness violations, Wilderness Rangers may need to call on additional law enforcement support to issue a NOV and/or be prepared to walk away from a situation before it gets confrontational or hostile. Wilderness Rangers will be directed to explain the purpose of the permits and will be prepared to issue permits to people who do not have them. They will also explain that, in the future, they must obtain a permit prior to entering Wilderness. In those cases where people do not have a permit, Wilderness Rangers will issue a permit at that time. Wilderness Rangers will attempt to obtain valid identification of the individual. Documentation will be completed for each permit violation.

In 1993, for Wildernesses other than the William O. Douglas Wilderness, we are prepared to issue NOV's to people who are in Wilderness and do not possess a valid permit. Emphasis will still be placed on visitor education. Specific circumstances will ultimately dictate whether a NOV is issued in each case.

The issuance of a NOV, as in any case, will be dictated by officer discretion, personal safety and other situational circumstances. The NOV need not be issued at the site.