

ORDER OF THE FOREST SUPERVISOR  
RESTRICTING THE OCCUPANCY AND USE, TO WIT:

NATIONAL FOREST LANDS  
CHIPPEWA AND SUPERIOR NATIONAL FORESTS

Under authority of the Act of Congress of June 4, 1897, as amended (16 U.S.C. 551), and pursuant to the Secretary of Agriculture's Regulations set forth at 36 CFR Part 261, Subpart B (CFR 261.50(a) and (b)), the following acts and omissions are prohibited on National Forest System lands in the Chippewa and Superior National Forests (Minnesota), said area being described and designated as shown on the maps set forth at Exhibit A and Exhibit B, which is attached hereto and made a part hereto.

ORDER

Possessing, storing or transporting any part of a tree or other plant in violation of, as described below, 36 CFR 261.58(t).

Only firewood that complies with at least one of the six conditions below will be allowed to enter land administered by the U.S. Forest Service (USFS):

1. Firewood offered for sale by the USFS.
2. Non-ash firewood, and was purchased from a vendor and harvested within the same county as the Forest Service facility in which the firewood will be used.
3. Firewood of any species harvested in Minnesota that has been certified by either the Minnesota Department of Agriculture or USDA Animal and Plant Health Inspection Service.
4. De-barked firewood of any species harvested in Minnesota, purchased from a vendor. De-barked means complete bark removal plus one half-inch of wood.
5. Firewood that is kiln-dried, clean (unpainted and unstained) dimensional lumber that is free of any metal or foreign substance. Pallet boards are not considered approved firewood and are not allowed as such on land administered by the USFS for the purposes of this order.
6. Manufactured logs (examples include logs made from extruded or pressed sawdust).

For conditions 1 to 4 above, all persons possessing firewood on USFS lands must provide USFS staff, or representative, with proof of purchase that includes the vendor name, contact information, quantity, the county and state of harvest and the date of purchase. This may be in the form of a vendor ticket, bundle label or sales receipt.

This closure is consistent with the emergency Federal regulations found at Title 7 Code of Federal Regulation (CRD), Part 301, set forth in Exhibit A and Exhibit B, which is attached hereto and made a part hereto; all of which are necessary to restrict the interstate movement of firewood from states with quarantined areas to prevent the artificial spread of Emerald Ash Borer to National Forest system lands in other states.

THESE RESTRICTIONS ARE NECESSARY FOR PUBLIC SAFETY AND TO PROTECT NATIONAL FOREST PROPERTY. THEY ARE IN ADDITION TO THE GENERAL PROHIBITIONS SET FORTH IN 36 CFR 261. THE PROHIBITIONS WILL BE IN EFFECT FROM THE DATE OF THIS ORDER UNTIL SPECIFICALLY WITHDRAWN BY TERMINATION ORDER OF THE FOREST SUPERVISOR. THIS ORDER SUPERCEDES AND RECINDS ORDER R903-09-01.

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

1. Persons with a permit granted either by USDA-Animal and Plant Health Inspection Service (APHIS), USDA-Forest Service, or Minnesota Department of Natural Resources, specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local officer in the performance of an official duty.
3. Any USDA, APHIS Administrator, Inspector or its agents thereof.

Violations of these prohibitions are 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 (6) months, or both. (16USC 551, 18 USC 3559 and 3571).

Dated this 03 day of September 2020, at Cass Lake and Duluth, Minnesota  
United States Department of Agriculture  
Forest Service

  
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Lee Stewart  
Forest Supervisor  
Chippewa National Forest

  
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