



# ORDER



## PUBLIC USE RESTRICTIONS FREMONT-WINEMA NATIONAL FOREST Order No. 06-02-20-01

Pursuant to 16 USC §551, 36 CFR §261.50(a) and (b), to provide for public safety and protect natural resources, the following special restrictions and prohibitions are established on all lands that are within and administered by the Fremont-Winema National Forest, within the State of Oregon, and in the designated Forest recreation sites and areas listed on Exhibit A.

**These prohibitions are effective at 12:01 a.m. on July 24, 2020 and will remain in effect until November 1, 2020, or until rescinded.**

### PROHIBITION:

- (1) Building, maintaining, attending or using a fire, campfire, or stove fire.** 36 CFR §261.52(a)  
*This includes charcoal briquet fires*
- (2) Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least (3) three feet in diameter that is barren or cleared of all flammable material.** 36 CFR §261.52(d)
- (3) Possessing or using a vehicle off National Forest System roads.** 36 CFR §261.56  
*EXCEPT when operating in compliance with the Travel Management Rule and Motor Vehicle Use Map (MVUM) pursuant to 36 CFR §261.13.*
- (4) Operating any motor vehicle on National Forest System roads where vegetation comes into contact with the vehicle's undercarriage.** 36 CFR §261.54(d)
- (5) Operating an internal combustion engine.** 36 CFR §261.52(h)  
*Chainsaw use is prohibited anywhere on Fremont-Winema National Forest System lands. Portable generator use is allowed only within designated areas listed in Exhibit A.*
- (6) Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained, and in effective working order meeting either: (1) Department of Agriculture, Forest Service Standard 5100-1a; or (2) Appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a).** 36 CFR §261.52(j)
- (7) Welding, or operating an acetylene or other torch with open flame.** 36 CFR §261.52(i)

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

- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission.  
*“Person” means natural person, corporation, company, partnership, trust, firm, or association of persons. “Permit” means authorization in writing by a Forest Officer. “Forest Officer” means an employee of the Forest Service.*
- (2) Any Federal, State or local officer, or member of an organized rescue or fire fighting force while in the performance of an official duty.
- (3) Petroleum-fueled stoves, lanterns or heating devices, provided such devices meet the fire underwriter’s specifications for safety.
- (4) Campfires contained inside established fire rings within campgrounds listed on Exhibit A.
- (5) Campfires within Designated Wilderness Areas listed on Exhibit A.

Done in Lakeview, Oregon at \_\_\_\_\_ (*a.m./p.m.*), on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Barry L. Imler  
Forest Supervisor  
Fremont-Winema National Forest

**Violation of these prohibitions are punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment of not more than six (6) months, or both.**

*These restrictions are in addition to those prohibitions enumerated in Subpart A of 36 CFR. §261 and any other special restrictions pertaining to the above described lands.*

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**16 U.S.C. §551, 18 U.S.C. §3559, & §3571**

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**EXHIBIT A**  
**DESIGNATED CAMPGROUNDS**  
**Campfires Allowed in Established Fire Rings**

**Campfires are NOT ALLOWED on the Fremont Winema National Forest except for Campgrounds and Designated Wilderness Areas on this list**

**BLY RANGER DISTRICT**

Corral Creek Campground  
Gearhart Wilderness  
Heart Lake Day Use Area  
Holbrook Reservoir Forest Camp  
Lofton Reservoir Campground  
Sprague River Picnic Area  
Horseglade Trailhead

**LAKEVIEW RANGER DISTRICT**

Camp Cottonwood Organizational Camp  
Cottonwood Meadows Lake Campground & Day Use Area  
Deep Creek Forest Camp  
Dog Lake Campground  
Drews Creek Campground  
Mud Creek Campground  
Twin Springs Forest Camp  
Willow Creek Forest Camp

**PAISLEY RANGER DISTRICT**

Campbell Lake Campground  
Chewaucan Crossing Trailhead  
Clear Springs Forest Camp  
Currier Guard Station (Rental)  
Dairy Point Forest Camp  
Dead Horse Creek Forest Camp  
Dead Horse Lake Campground  
Happy Camp Campground  
Jones Crossing Forest Camp  
Lee Thomas Campground  
Marsters Spring Campground  
Sandhill Campground  
Upper Jones Forest Camp

**SILVER LAKE RANGER DISTRICT**

Antler Trailhead  
East Bay Campground  
Farm Well Campground  
Silver Creek Marsh Campground  
Thompson Reservoir Campground

**CHEMULT RANGER DISTRICT**

Corral Springs Campground  
Digit Point Campground (Miller Lake)  
Indian Spring Campground  
Jackson Creek Campground  
Mt. Thielsen Wilderness  
Scott Creek Campground  
Walt Haring Snow Park

**CHILOQUIN RANGER DISTRICT**

Head-of-the-River Campground  
Spring Creek Picnic Area  
Williamson River Campground  
Wood River Day Use Area

**KLAMATH RANGER DISTRICT**

Annie Creek Sno-Park  
Aspen Point Campground  
Cold Springs Trailhead  
Crystal Springs Day Use Area  
Ester Applegate Organization Camp  
Fourmile Lake Campground  
Lake of the Woods Resort  
Lake of the Woods Summer Home Sites  
Low Echo Organization Camp  
Malone Springs Day Use Area  
Mountain Lakes Bible Organization Camp  
Mountain Lakes Wilderness  
Mt. McLoughlin Organization Camp  
Odessa Campground  
Pelican Guard Station Day Use Area/Interpretive Site  
Rainbow Bay Day Use Area  
Recreation Creek Summer Home Sites  
Rocky Point Resort  
Sky Lakes Wilderness  
Sunset Campground



File Code: 1950  
Route To:

Date: July 22, 2020

Subject: Documentation of Civil Rights Impact Analysis (CRIA) and National Environmental Policy Act (NEPA) Compliance for Title 36 Code of Federal Regulations (CFR) Subpart B Prohibition – National Forest Area and Road Closure #06-02-20-01

To: Project File

Proposed Action: Issuing a Title 36 CFR Subpart B Order (Order) special restrictions and prohibitions will be established on all lands, with the exception of the designated sites considered fire-safe or at a reduced risk of wildfire, within the Fremont-Winema National Forest due to high fire danger and limited resource availability. This closure will become effect at 1201 AM July 24, 2020, and will remain in force until November 30, 2020, unless rescinded sooner. Similar closure orders in the past, including Public Use Restrictions in 2016, 2017 and 2018, did not cause significant long-term impacts and reduced the risk of potentially harmful human-caused wildfires.

Criteria for activation of prohibitions in high hazard areas though Forest Orders are based on National Fire Danger Rating System indices and fuel moisture conditions. The Forest currently meets the criteria for activation of restrictions. Per the Fire Management Plan, “For federal agencies, the best practice is to implement Public Use Restrictions to coincide with going to Industrial Fire Protection Level (IFPL) III. When the IFPL precaution value has been above a three for seven consecutive days and the weather pattern shows no relief, (various personnel) will discuss moving to IFPL III.”

Fire and Fuels specialists have determined through measurements that IFPL levels are at a level III for more than a week and the extended weather pattern is hot and dry. Further, we are currently in a pattern of periodic “Red Flag Warnings” with forecasts for “abundant lightning on dry fuels” and little moisture with these storms. This increases the likelihood of numerous naturally-caused wildfires which can stretch local firefighting resources during the summer. Minimizing the risk of human-caused wildfires through restrictions during these conditions allow firefighting resources to be used effectively. Further, we are in an unprecedented time and seeing a dramatic increase in recreation traffic and use in the Forest. This increased use increases the chances of human-caused wildfires and needing to evacuate recreation sites.

The sites and areas listed in Exhibit A are areas that have either been declared fire-safe, with fire rings and active fuel reduction maintenance or where risk of wildfires is significantly lower. In the case of the Wilderness Areas, they are at a higher elevation where the risk of wildfire is lower and a campfire or portable gas stove or lantern is at times necessary for recreation users to be comfortable as temperatures get colder at night in late-August through September when fire restriction are still necessary for lower elevations of the Forest.

Indices that can trigger restrictions are precaution values at 3 or greater across the majority of the Forest for seven consecutive days. Currently that, combined with weather and fuel conditions warrant fire restrictions going into effect.

The Forest Supervisor is responsible for certifying whether or not a CRIA must be conducted prior to making the decision on the proposed action per Forest Service Handbook (FSH) 1709.11, sec. 30.6 and ensuring that appropriate documentation is prepared for a determination that there will be no potential major civil rights or social impacts related to the proposed action, and therefore documenting a CRIA and statement of findings are not required.

Civil rights impacts are defined as “alterations in people’s civil rights status that occur in conjunction with a new policy, program, project; are not attributable to any external factors; and are perceived by those affected as socially significant” (FSH 1709.11, sec. 30.5(12)).

No potential major civil rights or social impacts related to the proposed action (issuing Title 36 CFR Subpart B prohibition in an area designated by an Order) were identified during scoping. Similar actions on previous Orders



on NFSL did not cause impacts. Civil Rights Impact Analysis (CRIA) preparer identified the following variables to permit the measurement of any potential impacts:

- Customs and traditions on the NFSL; and
- Scope and intensity of support and/or opposition to the proposed actions.

Scoping occurred with Forest Fire and Recreation Staff, as well as District Rangers.

I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement or Environmental Assessment under the NEPA. This action falls within the category identified in Title 36 CFR § 220.6(d)(1) – prohibitions to provide short-term resource protection or to protect public health and safety – and does not require documentation in a decision memo, decision notice, or record of decision. I have determined that there are no extraordinary circumstances associated with this temporary closure. Implementation of the decision may begin immediately.

BARRY L. IMLER  
Forest Supervisor