



MALHEUR NATIONAL FOREST



ORDER 06-04-00-24-08 PHASE C FIRE RESTRICTIONS

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a) and (b), the following acts are **prohibited** on all National Forest System Lands within the Prairie City and Blue Mountain Ranger Districts, in the Malheur National Forest, in the State of Oregon. This Order is effective from July 24th at 12:01 a.m., until October 31, 2024, 11:59 p.m., unless rescinded sooner.

PROHIBITIONS:

1. Building, maintaining, attending, or using a fire, campfire, charcoal briquette, or stove fire. 36 C.F.R. § 261.52(a).
2. Smoking, except within an enclosed vehicle or building. 36 C.F.R. § 261.52(d).
3. Operating a chainsaw or other equipment powered by an internal combustion engine. 36 C.F.R. § 261.52(h).
 - a. Generators are allowed when located in a location cleared of flammable material in a 10-foot diameter and contains a Forest Service approved spark arrestor.
4. Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order in accordance with U.S. Forest Service Standard 5100-1. 36 C.F.R. § 261.52(j).
5. Possess or use a vehicle off National Forest System roads. 36 C.F.R. § 261.56.
 - a. Except when parking in an area devoid of vegetation within 10 feet of the roadway.

CLOSURE AREA DESCRIPTION:

The Closure Area includes all National Forest System Lands within the Blue Mountain and Prairie City Ranger Districts on the Malheur National Forest in the State of Oregon, as shown on the attached map (Exhibit A). 36 C.F.R. § 261.50(c). Note that the Closure Area includes the Forest Service lands inside the towns of both John Day and Prairie City. Map detailing the precise locations of the Blue Mountain and Prairie Ranger Districts Boundaries can be found on the following website:

<https://usfs.maps.arcgis.com/apps/webappviewer/index.html?id=7d2d55a5b95240c297cd049c01f9bd76>

On that website, the boundaries between separate Ranger Districts are indicated by gray lines.

EXEMPTIONS:

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

1. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order, specifically exempting them from this Order).
2. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Any person is exempt from Prohibition 1 (above) when using a fire fueled solely by liquid petroleum or LPG fuels and flammable vegetation is cleared a minimum 3 feet away from open flame.



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4. Persons with a special use permit or contract from the Forest Service authorizing work within the Camp Fire Closure Area, and their employees, sub-contractors, or agents are exempt from the prohibitions listed above to the extent authorized by the special use permit or contract.

Violation of these prohibitions is punishable by a fine of not more than \$5,000 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. §§ 3551, 3559, 3571, and 3581).

Executed at John Day, Oregon, this 24th day of July 2024.

Ann Niesen
Forest Supervisor
Malheur National Forest



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Assessment of Need and Enforcement Plan

1. Background:

These restrictions have been deemed necessary because of increasingly dry fire conditions on the forest.

2. Intent of Subpart B Order:

These restrictions are intended to reduce the occurrence of human caused wildfires.

3. Enforcement Plan:

This Order will be enforced by LEOs, FPOs and Special agents. Education will be emphasized during initial implementation phase of this Order. Officers will exercise normal discretion in resolving violations. Evening patrols will be emphasized, especially on weekends.

4. Posting:

The forest and district staff are responsible for posting this Order.

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Appropriate Staff with LEI input	05/14/2024
Review proposed order	Patrol Captain	05/14/2024
Approve proposed order	Forest Supervisor	07/22/2024
Post order in accordance with 36 CFR 261.51	District Staff Officer and Staff	07/22/2024
Prepare news release for local media describing the order and management objectives	PAO	07/22/2024
Education will be emphasized during initial implementation phase of this order. Officers will exercise normal discretion in resolving violations. Officers will normally not issue citations unless the affected areas are adequately posted. Evening patrols will be emphasized, especially on weekends.	Law Enforcement Personnel/Forest Protection Officers	Upon Approval

Ann Niesen
Forest Supervisor
Malheur National Forest