



**FIRE AREA EMERGENCY CLOSURE**  
**FREMONT-WINEMA NATIONAL FOREST**  
**PAISLEY RANGER DISTRICT**  
**Order Number 06-02-03-20-03**



Pursuant to 16 USC § 551 and 36 CFR §261.50 (a) and (b), to protect public health and safety from hazards and hazardous conditions created as a result of the Brattain Fire, the following acts are prohibited on National Forest System lands and roads on the Paisley Ranger District, Fremont-Winema National Forest, that are described below and shown in attached Exhibit A.

This order supersedes Order Number 06-02-03-20-02 and this prohibition will become effective September 13 and will remain in effect until December 1, 2020, unless rescinded earlier.

**PROHIBITION:**

- (1) **Going onto or being within an area closed for public health and safety. 36 CFR § 261.53 (e)**
- (2) **Being upon a closed road. 36 CFR § 261.54 (e)**

**CLOSURE AREA:** All legal descriptions are located within the Willamette Meridian and described as follows:

Approximately one mile north of Marster Spring Campground, start at the junction of the Fremont-Winema National Forest Boundary (Boundary) and National Forest System road (NFSR) 33 on the north line of section 9, T. 34 S., R. 18 E. Follow the Boundary east along the north lines of sections 9, 10, 11 and 12 in T. 34 S., R. 18 E., then turning south follow the east lines of sections 12, 13, 24, 25, and 36 in T. 34 S., R. 18 E., near Brattain Butte. East of Morgan Butte, continue to follow the Boundary southeasterly through and along sections 6, 7, 17, 20, 21, 27, and 34 approximately 9 miles to the start of NFSR 3510 in T. 35 S., R. 19 E., section 34. Travel approximately 13 miles westerly along the closed NFSR 3510 through Moss Pass crossing the Chewaucan River to reach its junction with NFSR 33 in T. 35 S., R. 18 E., section 20. Turning southwesterly, follow the closed NFSR 33 approximately 3 miles to its junction with the open NFSR 28 in T. 35 S., R. 17 E., section 36. Head northwesterly near Elder Creek and follow the open NFSR 28 for approximately 6 miles past the access road to Campbell and Deadhorse Lakes to its junction with NFSR 3315 in T. 34 S., R. 17 E., section 19, north of Ingram Guard Station. Continuing northwesterly on the open NFSR 28 approximately 11 miles to its junction with the closed NFSR 29 in T. 33 S., R. 15 E., section 21. Turning northeasterly along the closed NFSR 29 (aka the Government Harvey Road) approximately 10 miles to the Boundary on the north line of section 7 in T. 33 S., R. 17 E. Following the Boundary for approximately 8 miles in the southeasterly direction along the north and east lines of section 7, through section 17, along the north lines of sections 20, 21, 22, 23, and 24 in the Hadley Butte vicinity. From there, head southeasterly for approximately 3.5 miles along the east line of section 24, the north and east lines of section 30 and the east line of section 31 in T. 33 S., R. 18 E. Follow the north and east lines of section 5 and a portion of the north line of section 9, approximately 1.7 miles reaching the point of beginning at NFSR 33.

**CLOSED ROADS:**

NFSR 3510-018 from approximately 4 miles southeasterly of Oregon State Highway 31, at the junction of Lake County Road 2-10A (aka Clover Flat Road) in section 33, T. 34 S., R. 19 E., heading southwesterly along Schoolhouse Creek approximately three miles to the junction of the Boundary along the west line of section 7 in T. 35 S., R. 19 E.

NFSR 3510 from the start of the road in T. 35 S., R. 19 E., section 34, approximately 13 miles westerly to its junction with NFSR 33 in T. 35 S., R. 18 E., section 20.

NFSR 33 from its junction with NFSR 3510 in T. 35 S., R. 18 E., section 20 heading southwesterly approximately 3 miles to its junction with NFSR 28 in T. 35 S., R. 17 E., section 36.

NFSR 29 (aka Government Harvey Road) from its junction with Oregon State Highway 31 approximately 13 miles southwesterly to its junction with NFSR 28 in T. 33 S., R. 16 E., section 21 near the Sycan River.

NFSR 3315 (aka High Road) from the end of Lake County Road 2-08 (aka Mill Street) in T. 33 S., R. 18 E., section 23 approximately 5 miles to the Boundary on the east line of section 30, T. 33 S., R. 18 E.

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

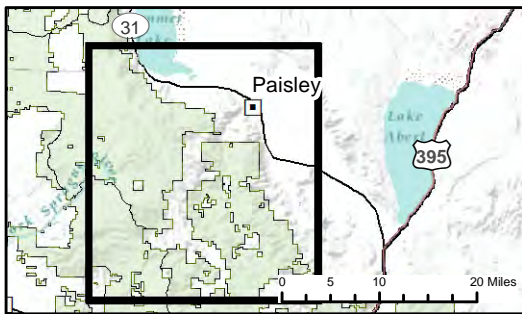
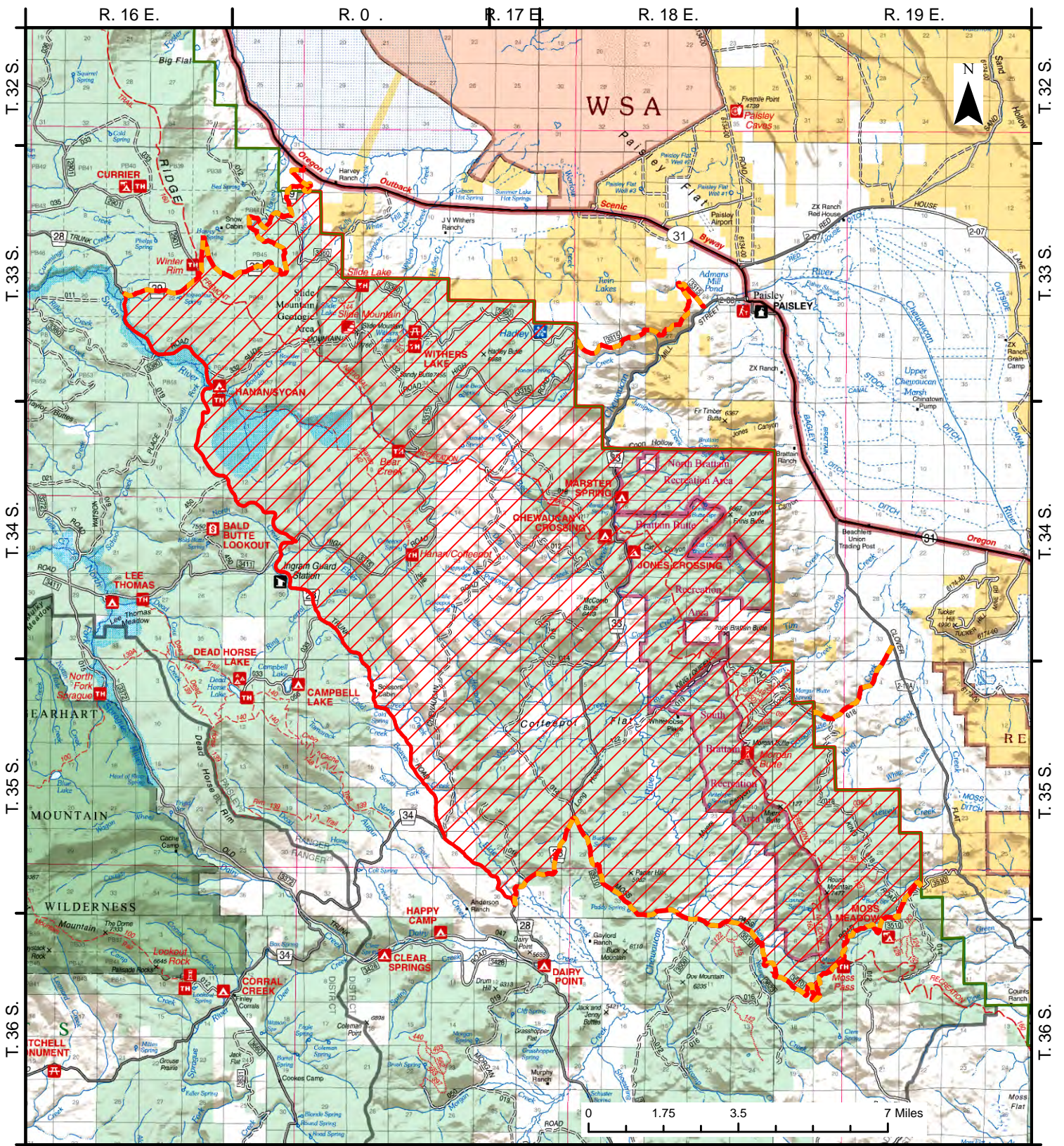
- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission. *“Person” means natural person, corporation, company, partnership, trust, firm, or association of persons. “Permit” means authorization in writing by a Forest Officer. “Forest Officer” means an employee of the Forest Service.*
- (2) Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
- (3) Owners or lessees of land in the affected area.

**This restriction is in addition to those prohibitions enumerated in Subpart A of 36 C.F.R. §261 and any other special restrictions pertaining to the described lands.**

Done in Lakeview, Oregon at \_\_\_\_\_ *a.m./p.m.*, on this 13th day of *September, 2020*.




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Barry L. Imler, Forest Supervisor  
Fremont-Winema National Forest

**Violations of this prohibition are punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment of not more than 6 months, or both (16 U.S.C. § 551; 18 U.S.C. §§ 3559, 3571).**



**Brattain Fire Emergency Closure Notice Exhibit A**  
**06-02-03-20-03**  
**Fremont-Winema National Forest**  
**09-12-2020**

**Legend**

-  National Forest Land
-  Road Closure
-  Area Closure





File Code: 1950  
Route To:

Date: September 13, 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 A and B Prohibition – National Forest Area and Road Closure #06-02-03-20-03

To: Project File

Proposed Action: Issuing a Title 36 CFR Subpart A and B Order (Order) prohibiting entry in a closed area or roads on the Paisley Ranger District associated with the Brattain Fire suppression activities from September 13, 2020 through December 1, 2020 or until the order can be rescinded. Similar emergency fire area closures, including the Watson Creek Fire on the Paisley Ranger District in 2018, did not cause significant long-term impacts.

Issuing an Order to close the area referenced in Exhibit A is necessary for public and firefighter safety during suppression of the Brattain Fire. The Brattain Fire is an uncontrolled wildfire burning in the area. It is uncertain when the fire will be controlled so that wildfire and suppression related hazards will decrease in the area. This closure is needed to mitigate those risks.

The purpose of developing a CRIA is to provide the Forest Service decisionmaker with information concerning potential civil rights impacts of the proposed action. Civil rights impacts are “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 were identified during scoping. The proposed action does not impose any unreasonable adverse impacts on the civil rights of any individuals because the closure categories are general in applicability. Moreover, similar actions on previous Orders on NFSL did not cause impacts

Scoping occurred with the Paisley Ranger District Staff, the Incident Command Team, the District Duty Officer and the Agency Administrator assigned to the Brattain Fire.

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 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

