



FIRE AREA EMERGENCY CLOSURE
FREMONT-WINEMA NATIONAL FOREST
CHILOQUIN RANGER DISTRICT
Order Number 06-02-12-20-02



Pursuant to Title 36, Code of Federal Regulations §261.50 (a) and (b), the following acts are prohibited on National Forest System lands and roads within the following described area on the Chiloquin Ranger District, Fremont-Winema National Forest, as described in attached Exhibit A.

This order supersedes Order Number 06-02-12-20-01 and this prohibition will become effective October 7 and will remain in effect until December 31, 2020, unless rescinded earlier.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)**

The area described below will be closed to public access/entry due to hazards and hazardous conditions created as a result of the Two Four Two Fire.

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

Point of Beginning –

Beginning at the Forest Boundary (Boundary) located on the north line of section 26, T. 33 S., R 7.5 E., approximately 1.5 miles southeast of Fort Klamath, continue southerly along the Boundary near Crooked Creek. Travel around the National Forest System land in the NE1/4 of section 35 (T. 33 S., R. 7.5 E., section 35 NE1/4NE1/4, N1/2SE1/4NE1/4). A standalone National Forest System land parcel is closed in the Crooked Creek vicinity north of the Klamath State Fish Hatchery on the east side of Oregon State Highway 62 and is described as T. 33 S., R. 7.5 E., section 36, W1/2NE1/4SW1/4, NW1/4SW1/4, E1/2SW1/4SW1/4, W1/2SE1/4SW1/4. From section 35 in T. 33 S., R. 7.5 E, head northerly through section 26 for approximately ½ mile then turn to the east and follow the Boundary for approximately ½ mile. Turn to the south and follow the Boundary approximately 2.5 miles to the line between sections 36 in T. 33 S., R. 7.5 E., and section 1 in T. 34 S., R. 7.5 E. Continue to follow the Boundary in the Klamath State Fish Hatchery area through section 1, T. 34 S., R. 7.5 E., until reaching the south line of section 1. Follow the Boundary southeasterly through sections 12, 18, and the west line of section 19 (approximately ¾ mile) to the S1/2 of section 19, T. 34 S., R. 7 E. Follow the Boundary easterly through sections 19, 20, and 21 approximately three miles. Turn north and follow the Boundary northeasterly through sections 21 and 16 to the north line of section 16 in T. 34 S., R. 7 E. Turn east and follow the north line of section 16 to its junction with US Highway 97 (Hwy. 97). Head north following Hwy. 97 for approximately one mile in the vicinity of Collier Memorial State Park (near NFSR 9730). Head east, following the north lines of sections 9 and 10 for approximately 1.25 miles to the intersection of sections 2, 3, 10 and 11, T. 34 S., R. 7 E., traveling north on the eastern line of section 3 and then along the southwest edge of Forest Road 9730, leaving the road open. Along the northwest edge of Forest Road 9730 from the Junction with Hwy. 97, travel northeast approximately 1.25 miles to northeast corner of section 3, T. 34 S., R. 7 E. Follow the northern line of section 3 approximately .75 miles to Forest Road 9700-400 and continue northwesterly to the east line of section 33, T. 33 S., R. 7 E., and continue north to Forest Road 9732. Follow Forest Road 9732 northeasterly to the intersection with Forest Road 9732-140 in section 28, T. 33 S., R. 7 E., and then follow the Spring Creek tributary drainage northeast to Forest Road 6210. Travel west on Forest Road 6210 to the Boundary

on the eastern line of section 29, T. 33 S., R. 7 E., then follow the south line of the N1/2 of section 29 west and along the internal Boundary on the south and west lines of the NE1/4 of section 30, T. 33 S., R. 7 E. Follow the north line of section 30 west, continuing along the northern line of sections 25 and 26, T. 33 S., R. 7.5 E., to the point of beginning.

The National Forest System roads that delineate this area closure boundary are closed to the public. **Refer to attached map (Exhibit A).**

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

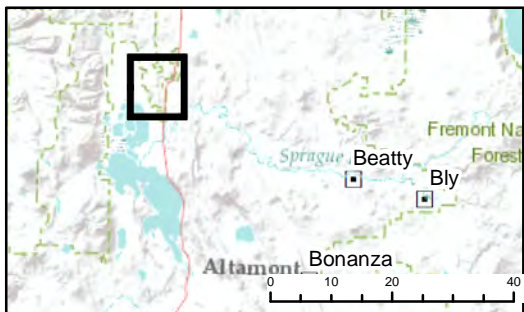
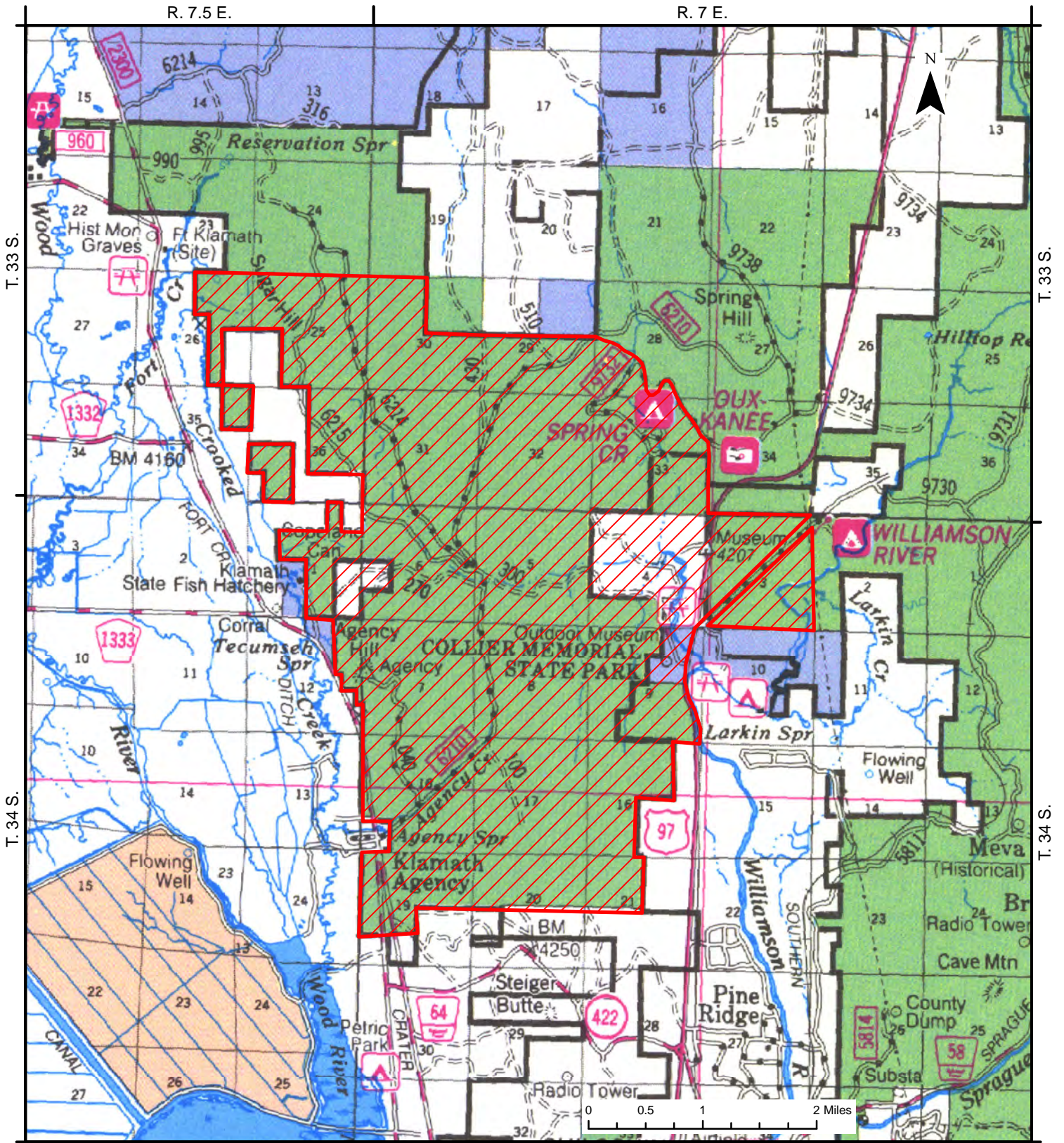
- (1) Persons with a permit specifically authorizing the otherwise prohibited act or Omission. *“Person” means natural person, corporation, company, partnership, trust, firm, or association of persons. “Permit” means authorization in writing by a Forest Officer. “Forest Officer” means an employee of 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.

These restrictions are 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 6th day of *October, 2020*.

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

Violations of this prohibition 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 6 months or both.



Two Four Two Fire Emergency Closure Notice Exhibit A
06-02-12-20-02
Fremont-Winema National Forest
10-06-2020

-  Area Closure
-  National Forest Land





File Code: 1950
Route To:

Date: October 6, 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 #06-02-12-20-02

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 Chiloquin Ranger District associated with the Two Four Two Fire suppression and Burned Area Emergency Response (BAER) activities from October 6, 2020 through December 31, 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, firefighter and employee safety during the ongoing suppression and post-fire rehabilitation work of the Two Four Two Fire. The Two Four Two Fire is a contained but uncontrolled wildfire burning in the area. The fire will continue to have interior burning and activity until winter snows. Firefighters and natural resource specialists continue to do critical work in the area, suppressing the fire, assessing and repairing damage and mitigating risks of additional resource damage as a result of the fire. This is substantially increasing traffic in the area. The area is also filled with snags – standing dead trees – and unstable soils, creating a public safety hazard within the firelines. This closure is needed to mitigate those risks.

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 the Chiloquin Ranger District Staff, the Incident Command Team, the District Duty Officer and the Agency Administrator assigned to the Two Four Two 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 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

