



MALHEUR NATIONAL FOREST
Forest Order # 06-04-00-21-06
ORDER
PHASE C FIRE RESTRICTIONS



Pursuant to 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 This Order is effective from July 16th, 12:01 a.m., until October 31, 2021, 11:59 p.m., or until rescinded.

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 an 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.

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.
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).

Done at John Day, Oregon, this 12th day of July, 2021

Craig Trulock
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	
Review proposed order	Patrol Captain	
Approve proposed order	Forest Supervisor	
Post order in accordance with 36 CFR 261.51	District Staff Officer and Staff	
Prepare news release for local media describing the order and management objectives	PAO	
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

Craig Trulock
Forest Supervisor