

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Wallowa-Whitman National Forest
FOREST ORDER NO. 06-16-05-22-11**

Double Creek, Nebo and Sturgill Fire Closure Order

Pursuant to 16 U.S.C. § 551 and 36 CFR § 261.50 (a) and (b), the following prohibitions are established within the Hells Canyon National Recreation Area, Wallowa Valley Ranger District, and Eagle Cap Ranger District of the Wallowa-Whitman National Forest within the areas described below and shown on Exhibits A, B and C. This order becomes effective on September 9, 2022, and will remain in effect until December 31, 2022, unless rescinded sooner.

PROHIBITIONS

1. Entering into or being upon an area closed for the protection of public health and safety. 36 CFR §261.53(e).
2. Being on a National Forest System Road. 36 CFR § 261.54(e).
3. Being in a National Forest System Trail. 36 CFR § 261.55(a).

EXHIBIT A--STURGILL FIRE CLOSURE AREA:

All National Forest System lands, roads, and trails within the following boundary:

Starting on Forest Service Road (FSR) 8210 at Two Pan Trailhead, following FSR8210 north to the Wallowa-Whitman National Forest boundary in T.2 S., R.43 E. Section 15. Then heads west following the Forest boundary to the intersection with the Eagle Cap Wilderness boundary in T.1 S., R.41 E Section 4. Then follows the Eagle Cap Wilderness boundary south to the intersection with Trail #1934 (West Eagle). Then follows Trail #1934 northeast to the junction with Trail #1922 (Main Eagle). Then North on Trail #1922 to the junction with Trail #1673 (Minam River). Then northeast on Trail #1673 to the junction with Trail #1670 (Minam Lake). Then north on Trail #1670 to the Two Pan Trailhead. All boundary trails will remain open, however boundary road FSR 8210 will be closed.

EXHIBIT B--NEBO FIRE CLOSURE AREA:

All National Forest System lands, roads, and trails within the following boundary:

Starting on Forest Service Road (FSR) 3960 at Indian Crossing Trailhead, following FSR3960 east to the junction with FSR 39 (Wallowa Mountain Loop). Then follows FSR 39 to the Wallowa-Whitman National Forest boundary in T.3 S., R.46 E. Section 29. Then heads west following the Forest boundary to the intersection with the Eagle Cap Ranger District boundary in T.3 S., R.45 E., Section 25. Then follows the Eagle Cap Ranger District boundary south and west to the intersection with Trail #1804 (East Fork Wallowa). Then follows Trail #1804 south to the junction with Trail #1831 (Polaris Pass). Then follows Trail #1831 west to the junction with Trail #1820 (West Fork Wallowa). Then follows Trail #1820 south to the junction with Trail #1816 (South Fork Imnaha). Then follows Trail #1816 east to Indian Crossing Trailhead. All boundary trails will remain open, however boundary roads FSR 39 and FSR 3960 will be closed.

EXHIBIT C--DOUBLE CREEK FIRE CLOSURE AREA

All National Forest System lands, roads, and trails within the following boundary:

Starting at the confluence of the Snake River and Imnaha River, following the Imnaha River south to the intersection with Wallowa-Whitman National Forest boundary in T.2 N., R.48 E. Section 16. Then south along the Forest boundary to Wallowa County Road 727. Then south on Road 727 to the junction with Trail #1746 (Crazyman). Then east on Trail 1746 to the Upper Crazyman Trailhead along FSR 3965125. Then east on FSR3965125 to FSR 3965. Then north on FSR 3965 to the intersection with the power line corridor from Hells Canyon Dam at T.3 S., R.49 E. Section 33. Then east along the power line corridor to the Snake River in T.4 S., R.49 E. Section 4. Then north along the Snake River to the confluence of the Snake River and Imnaha River. All boundary roads and trails will remain open. The Snake River will remain open to boat traffic.

EXEMPTIONS

Pursuant to 36 CFR § 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 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) Forest Service employees performing official duties.

These prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

Violations of these prohibitions are 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 6 months, or both (16 U.S.C. § 551; 18 U.S.C. §§ 3551, 3559, 3571, and 3581).

Executed in Baker City, Oregon this 9th day of September 2022.

Shaun McKinney

Forest Supervisor

Wallowa-Whitman National Forest

Wallowa-Whitman National Forest

Assessment of Need and Enforcement Plan

1. **Prohibition Objective:** The intent of the following order is to provide for public and employee safety by restricting access to the fire risk area described in Exhibits A, B and C.

2. **Public Notification Plan:** Information associated with the area closure will be made available to the public through media releases, partner organizations, and at Forest Service offices. The affected area will be posted with signs indicating the area is closed to public entry.

3. **Enforcement Plan:** Forest Service LEOs and FPOs will patrol and enforce the order in cooperation with the other agencies. All signing will be maintained to ensure that the public is informed and to facilitate support by concerned citizens.

Enforcement Plan:

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Public Affairs Officer	9/9/22
Review proposed order (SO)	Executive Assistant	9/9/22
Review proposed order (Law Enforcement)	Patrol Captain	9/9/22
Approve proposed order	Forest Supervisor	9/9/22
Post order in accordance with 36 CFR 261.51	District Staff Officer and Staff	9/9/22
Prepare news release for local media describing the order and management objectives	Public Affairs Officer	9/9/22
District staff will be responsible for the management and enforcement of this closure. Any enforcement actions will be within normal policies and procedures established by the LEI Patrol Captain for the zone.	District Staff	9/9/22

Enforcement Plan approved for implementation:

Shaun McKinney

Forest Supervisor

Date



File Code:

Date: September 9, 2022

Route To:

Subject: Temporary Occupancy and Use Restrictions

To: District Rangers & Staff

Due to active wildfires on the Wallowa-Whitman National Forest, compounded by unfavorable weather conditions and limited firefighting resources, there is a risk to public safety. The Double Creek, Nebo and Sturgill fires are currently a Type I incident with over 167,000 acres in combined size and 15% containment. The fires have active suppression efforts taking place and it would be inherently dangerous to the public to have them in the same area. The temporary closure would restrict public access to all lands, roads, trails, and recreational facilities within the area closure boundaries.

This Forest Order includes an exemption for persons with a Forest Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order (Form FS-7700-48). Authorization under this exemption will be provided only if I or my delegate determine that the risk to personal health and safety is reasonable considering the circumstances of the request. We also may require appropriate personal protective equipment and other necessary safety measures. The Forest Service Line and Staff Officers are delegated the authority to issue permits.

I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under the National Environmental Policy Act. This action falls within the category identified in 36 C.F.R. § 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.

Shaun Mckinney
Forest Supervisor
Wallowa-Whitman National Forest



CIVIL RIGHTS IMPACTS ANALYSIS
UNITED STATES DEPARTMENT OF AGRICULTURE
Forest Service
Pacific Northwest Region (R6)
CIVIL RIGHTS IMPACT ANALYSIS - ORDER NO. 06-16-05-22-11

Prohibited Acts:

1. Entering into or being upon an area closed for the protection of public health and safety. 36 CFR § 261.53(e).
2. Being on a National Forest System Road. 36 CFR § 261.54(e).
3. Being in a National Forest System Trail. 36 CFR § 261.55(a)

Purpose

The purpose for developing a civil rights impact analysis is to provide the Forest Service decision maker information concerning potential civil rights impacts of the proposed action. Civil rights impacts are those which could affect the agency's ability to ensure equal opportunity in employment and in delivery of programs and services.

Favorable Impacts

The proposed action would:

- Ensure potential Forest visitor safety.

Unfavorable Impacts

The proposed action would:

- Restrict all activities on the National Forest System lands, roads, and trails within the closure area boundaries.

Mitigation Measures

No mitigation measures are proposed because the purpose of this order is to prevent activities that threaten public health and safety.

Social Impacts

The proposed action does not impose any unreasonable adverse impacts on the civil rights of any individuals because the closure categories are of general applicability. The overall benefits are reasonable, as compared to the unfavorable impacts.

Net Civil Rights Impact

No net negative Civil Rights Impacts because the closure categories are general in applicability.

Shaun McKinney
Forest Supervisor
Wallowa-Whitman National Forest

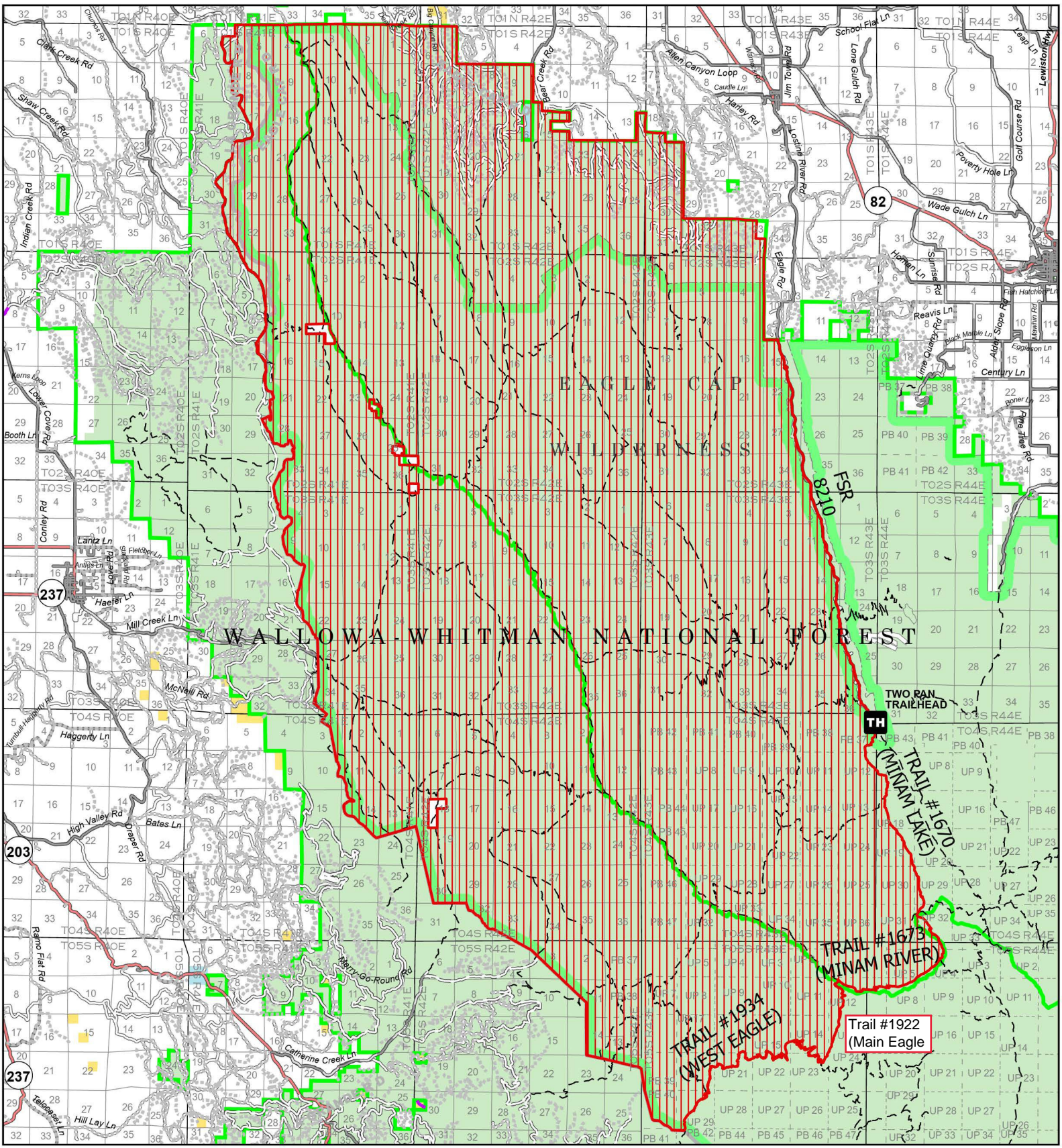
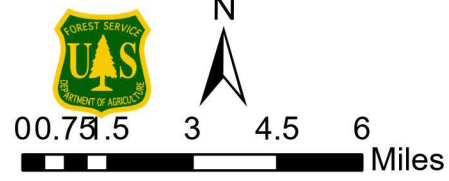
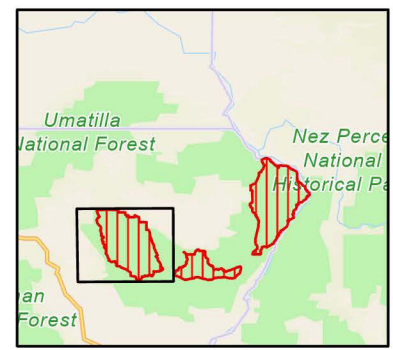


Exhibit A
Temporary Area Closure - Sturgill Fire
Wallowa Valley Ranger District
Order Number 06-16-05-22-11



- Temporary Closure Area
- - - Trail
- Proclaimed FS Boundary
- Administrative FS Boundary
- FS Wilderness Boundary
- TH Trailhead



NAD 1983 UTM Zone 11N

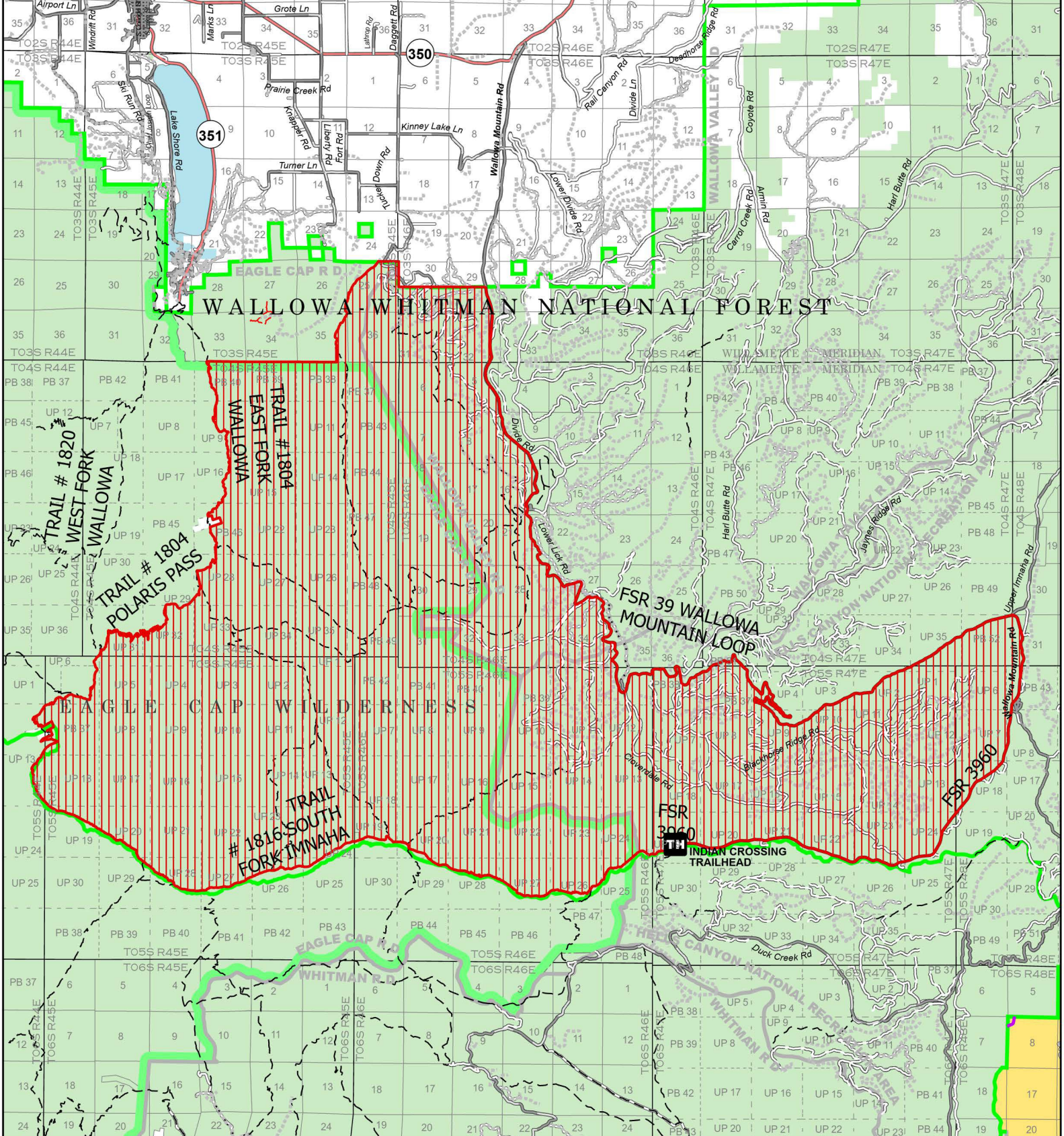
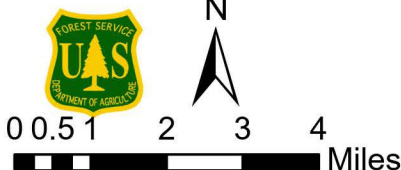
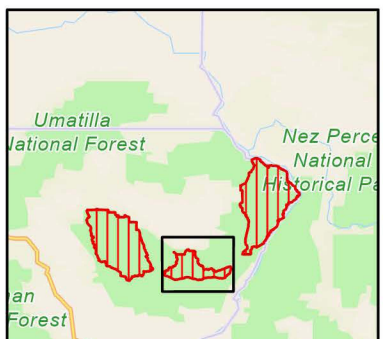


Exhibit B
Temporary Area Closure - Nebo Fire
Wallowa Valley Ranger District
Order Number 06-16-05-22-11



- Temporary Closure Area
- - - Trail
- · - · - National Designated Trail
- Proclaimed FS Boundary
- Administrative FS Boundary
- Ranger District Boundary
- FS Wilderness Boundary

NAD 1983 UTM Zone 11N



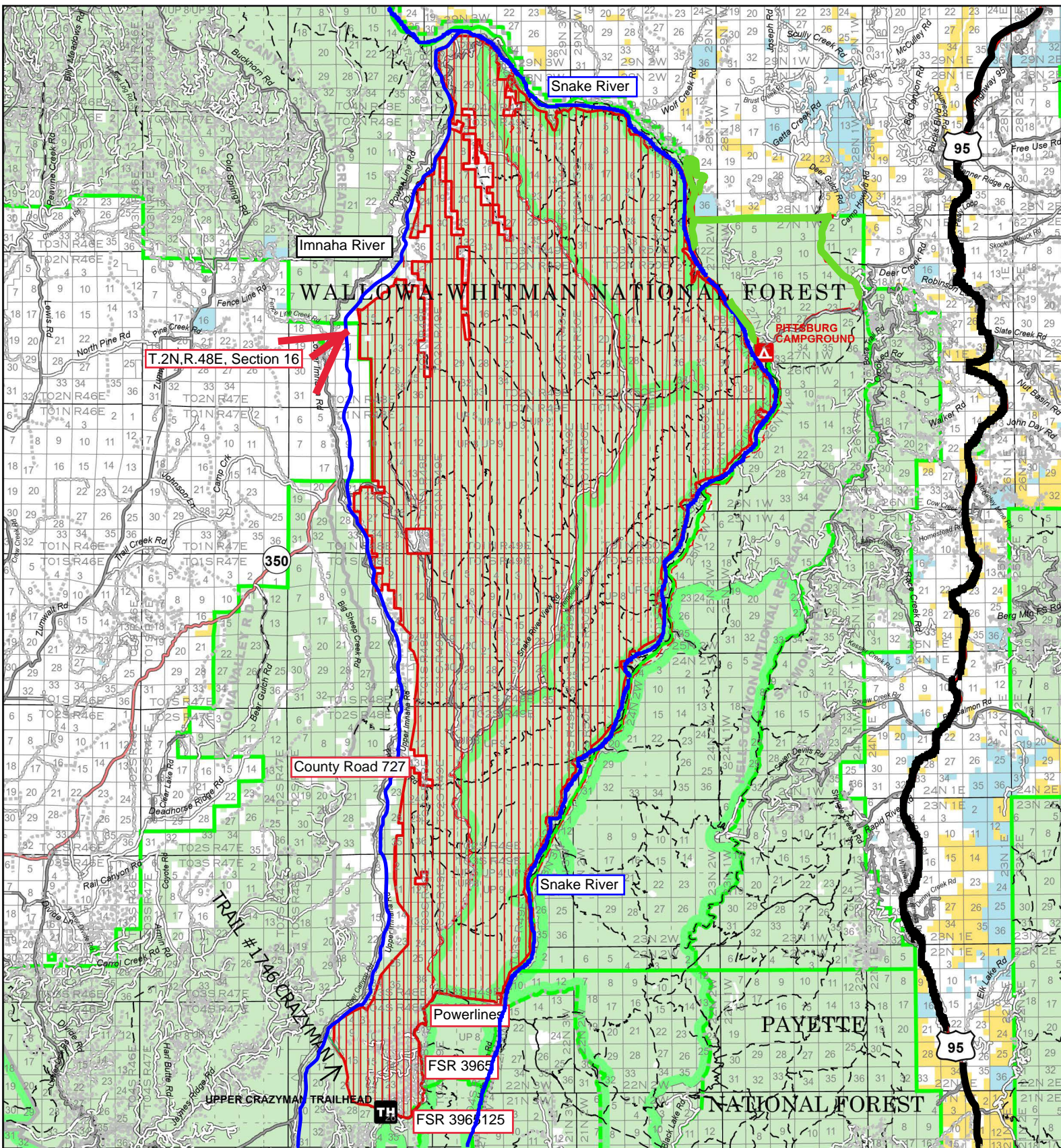
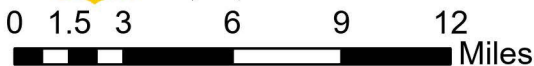


Exhibit A
Temporary Area Closure - Double Creek Fire
Wallowa Valley Ranger District
Order Number 06-16-05-22-11



- Temporary Closure Area
- Temporary Closure Order
- - - Trail
- - - National Designated Trail
- - - National Designated Trail
- Proclaimed FS Boundary
- Administrative FS Boundary
- Ranger District Boundary
- FS Wilderness Boundary

NAD 1983 UTM Zone 11N

