

ORDER NO. 09-08-11
FIRE RESTRICTIONS
MODOC NATIONAL FOREST

Pursuant to 36 CFR 261.50(a) and (b), and to provide for public safety and protect natural resources, the following acts are prohibited within the Modoc National Forest. This Order is effective from July 25, 2008, through the end of the official 2008 fire season.

1. Building, maintaining, attending or using a fire, campfire, or stove fire, except in the Designated Recreation Sites listed in Exhibit A. 36 CFR 261.52(a).
2. Smoking, except within an enclosed vehicle or a building, within the Designated Recreation Sites listed in Exhibit A, or while stopped in an area at least three feet in diameter that is barren of all flammable material. 36 CFR 261.52(d).
3. Welding, or operating an acetylene or other torch with an open flame. 36 CFR 261.52(i).
4. Using an explosive. 36 CFR 261.52(b).
5. Operating an internal combustion engine, except on National Forest System roads or trails, or within the Designated Recreation Sites listed in Exhibit A. 36 CFR 261.52(h).

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this Order:

1. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission. Persons with a valid California Campfire Permit are not exempt from the prohibitions listed above. However, persons with a valid California Campfire Permit may use a portable stove or lantern using gas, jellied petroleum, or pressurized liquid fuel.
2. Any Federal, State or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

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

Executed in Alturas, California, this 23rd day of July, 2008



STANLEY G. SYLVA
Forest Supervisor
Modoc National Forest

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 USC 551 and 18 USC 3559, 3571 and 3581.



File Code: 1730
Route To: 5100

Date: July 23, 2008

Subject: Categorical Exclusion

To: The files

Currently the Forest is experiencing hot windy weather, low fuel moistures, and a shortage of resources to numerous extended attack fires in the region (Preparedness Level 5). The long range forecast indicates no change in sight. In order to provide for public safety and to protect the resources, fire restrictions need to be implemented. These restrictions would prohibit the use of internal combustion engines off forest system roads, or open flame use, i.e. campfires and smoking, except in designated recreation sites.

At this time the Forest is experiencing 1000 hour timelag fuel moistures of 11%, and live fuel moistures of 136% in manzanita. The burning index has not exceeded 80 this fire season but it is anticipated that it will in the second half of July. Energy release component at Canby weather station exceeded the 90th percentile during the month of July (25 years data). FSM-5109.18, 50 defines the specifications to implement fire restrictions. These specifications are based upon the National Fire Danger Rating System burning index, live fuel moistures, and 1000 hour timelag fuels. Implementation criteria are: live fuel moisture of <100%, 1000 hour timelag fuel moisture <13%, and a burning index of 80+. Presently we meet one of these three criteria, in addition the Geographic Area is in a preparedness level five, this allow for fire restriction implementation. BLM field offices plan to implement fire restrictions approximately the same time as the Modoc.

Fire restriction implementation will restrict the public from having campfires and smoking, except in designated fire safe areas. It will also restrict off-road system use and the use of internal combustion engines off of system roads (i.e. chainsaws, wood splitters, etc.). These restrictions will decrease the risk of a fire start in fire hazardous areas. The fire restrictions are specifically exempted in the South Warner Wilderness Area and the Big Sage Fire Management Unit because of minimal threat of fire spread.

This action is categorically excluded from documentation in an environmental assessment or an environmental impact statement pursuant to section 31.1b (1) Handbook: "Orders issued pursuant to 36 CFR part 261". There are no anticipated physical or biological impacts which can be foreseen as a result of this order. Thus, there are no extraordinary circumstances regarding this order.

Pursuant to 36 CFR 261.50(a), I am implementing a Forest Order 09-08-11 to restrict open flame or internal combustion use in the Forest effective July 25, 2008 to remain in effect until the official end of the 2008 fire season.

STANLEY G. SYLVA
Forest Supervisor
Modoc National Forest





File Code: 1730
Route To: 5100

Date: July 23, 2008

Subject: Civil Rights Impact Analysis on Fire Restrictions – Modoc National Forest

To: The Files

Who: Modoc National Forest

What: Plans to implement a special order to restrict fires, campfires, stove fires, welding, using explosives, internal combustion engines and limit smoking to specified areas.

Such closures are common and have taken place in previous high fire danger years. The policy is discussed in FSM 5100, the Fire Prevention Handbook and the Modoc Fire Restriction and Emergency Closure Plan.

When: When the fire danger reaches critical levels and the risk of large fires from accidental ignitions is likely. Currently the forest is experiencing hot, dry weather, dropping live fuel moistures, and low thousand hour fuel moistures. In addition, the Energy Release Component (ERC) is currently 80. Thus, we are planning to implement Fire Restrictions beginning midnight, July 25, 2008.

The Order will be lifted at the official end of the 2008 fire season.

Where: Throughout the entire forest except where such activities are allowed by some types of permit or in a designated recreation, fire safe or wilderness area as listed in the attachment to the Special Order.

How: Special order: *Enforced by Law Enforcement and Fire Prevention personnel*

Why: To minimize the risk of large damaging fires resulting from accidental ignitions resulting from improper use of such activities.

The Forest has a history of wildfires being started by such activities. Restrictions have proven to be an effective way to reduce those wildfires.

This Order affects those people who may want to do such activities and are not covered by a permit, contract or are not in a designated area.

The Forest Supervisor may approve the issuance of a special permit for an activity restricted by this order if a request is received.



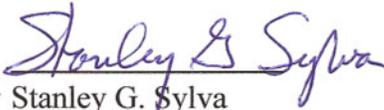
In years past no such request has been received. There are no known groups or organizations that have a need to use such practices for special purposes such as ceremonies or ethnic rituals.

This is an administrative action following the Forest Service Handbook 5109.18 - Fire Prevention. No known adverse impacts will be imposed on either the general population or any minority groups.

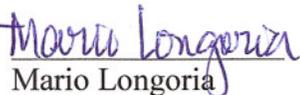
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Reviewed and approved by:



Stanley G. Sylva
Forest Supervisor
Modoc National Forest

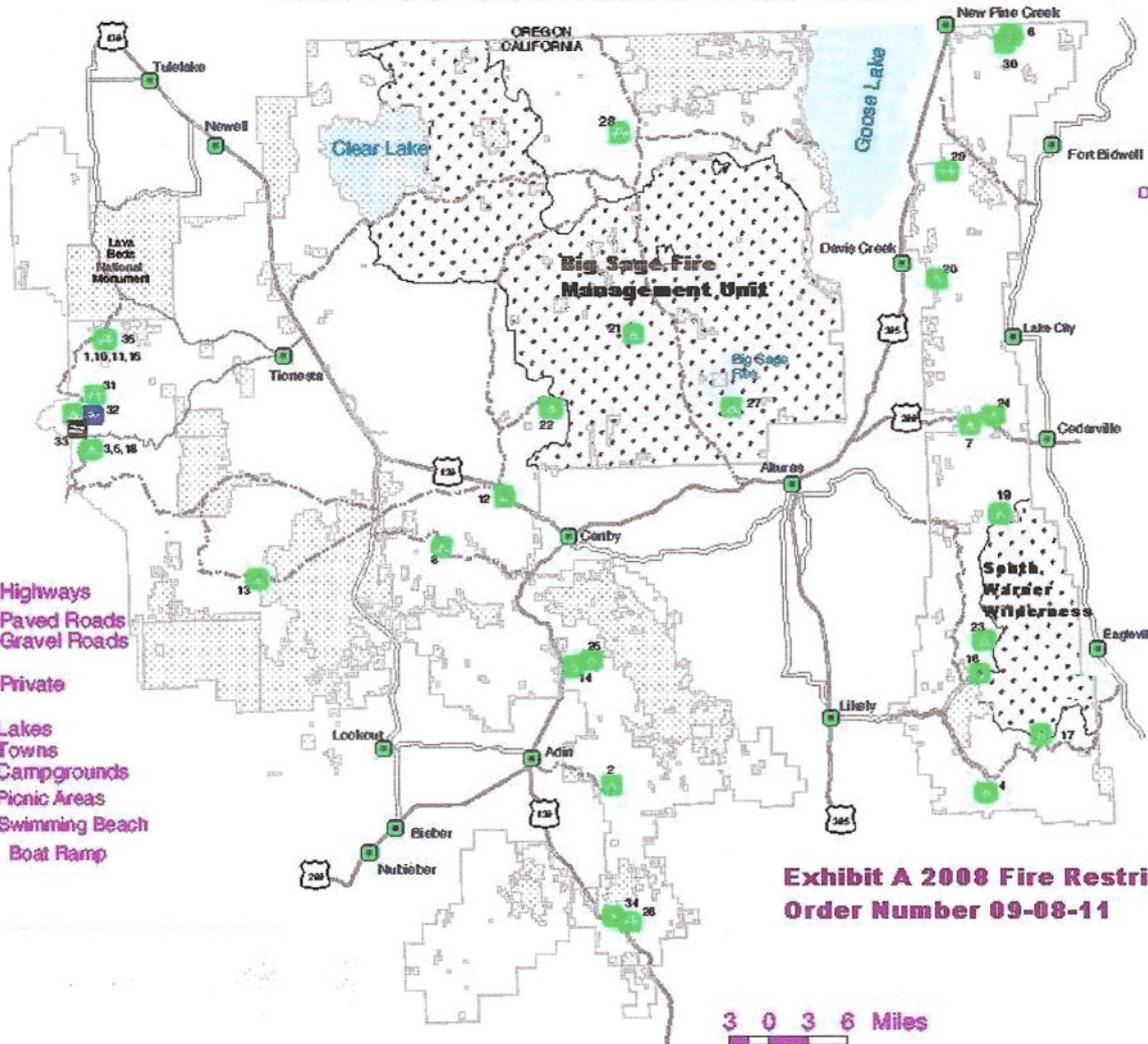


Mario Longoria
Civil Rights Officer
Modoc National Forest



Clifton Skye
Tribal Relations Specialist
Modoc National Forest

MODOC NATIONAL FOREST



DEVELOPED RECREATION SITES

Map No. CAMPGROUND

- 1 A.M. Hogue
- 2 Ash Creek
- 3 Blanche
- 4 Blue Lake
- 5 Bluejay Lake
- 6 Cave Lake
- 7 Cedar Pass
- 8 Chestwood Flat

- 10 Headquarters
- 11 Hemlock
- 12 Howard's Gulch
- 13 Lava Camp
- 14 Lower Fresh Creek
- 15 Medicine
- 16 Mill Creek Falls
- 17 Paterson
- 18 Payson Springs
- 19 Peppercorn
- 20 Plum Valley
- 21 Reservoir C
- 22 Reservoir F
- 23 Soap Springs
- 24 Stough Reservoir
- 25 Upper Fresh Creek
- 26 Willow Creek

Map No. PICNIC AREA ONLY

- 27 Big Sage
- 28 James Reservoir
- 29 Lassen
- 30 Lily Lake
- 31 Little Medicine Lake
- 32 Medicine Swimming Beach
- 33 Medicine Boat Ramp
- 34 Willow Creek (Picnic)
- 34 Doornob Snowmobile Park

- Highways
- Paved Roads
- Gravel Roads
- Private
- Lakes
- Towns
- Campgrounds
- Picnic Areas
- Swimming Beach
- Boat Ramp

Exhibit A 2008 Fire Restriction Map
Order Number 09-08-11

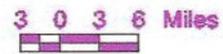


EXHIBIT A
Designated Recreation Sites
ORDER# 09-08-11

Doublehead / Big Valley Ranger District	Warner Mountain /Devils Garden RD
A.H. HOUGE	BLUE LAKE
BLANCHE LAKE	CAVE LAKE
BULLSEYE LAKE	CEDAR PASS
COTTONWOOD FLAT	LASSEN PICNIC AREA
HEADQUARTERS	LILY LAKE PICNIC AREA
HEMLOCK	MILL CREEK FALLS
DAN RYAN AREA	PATTERSON
MEDICINE LAKE	PEPPERDINE
PAYNE SPRINGS	PLUM VALLEY
LITTLE MEDICINE LAKE PICNIC AREA	SOUP SPRINGS
MEDICINE SWIMMING BEACH	STOUGH RESERVOIR
MEDICINE BOAT RAMP	SOUTH WARNER WILDERNESS
DOORKNOB SNOWMOBILE PARK	RESERVOIR C
ASH CREEK	RESERVOIR F
LAVA CAMP	BIG SAGE RESERVOIR
LOWER RUSH CREEK	JANES RESERVOIR
UPPER RUSH CREEK	DEVIL'S GARDEN DGIP WOODCUTTING AREA
WILLOW CREEK	HOWARD'S GULCH
WILLOW CREEK PICNIC AREA	BIG SAGE FIRE MANAGEMENT UNIT