ORDER NO. R-09-01

ORDER OF THE REGIONAL FORESTER CLOSING AN AREA TO ENTRY, TO WIT:

Emergency Closure

All Caves and Mines on National Forest System Lands in the Eastern Region Except the Shawnee National Forest

Under the authority of the Act of Congress dated June 4, 1897, as amended (16 U.S.C. 551), and pursuant to the Secretary of Agriculture's Regulations set forth at 36 CFR Part 261, Subpart B (36 CFR 261.50 (a) and (b)), the following acts and omissions are prohibited on all National Forest System lands, administered by the Eastern Region:

1. Entering any cave or mine on National Forest System lands within the Eastern Region, unless the cave or mine is posted open. 36 CFR 261.53 (a), (b) and (d)

These restrictions are necessary to protect endangered, threatened, and sensitive bat species. They are in addition to the general prohibitions set forth in 36 CFR Part 261. This emergency closure will be effective for one year, from April 24, 2009 through April 24, 2010, unless terminated earlier, by the Regional Forester.

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

1. Persons with a permit from the authorized Forest Service Officer specifically authorizing an otherwise prohibited act or omission.

2. Any Federal, State or local officer or member of an organized rescue or firefighting force working in the performance of an official duty.

Violation of these prohibitions set forth above is punishable by a fine of not more than $5,000 for an individual and $10,000 for an organization, or imprisonment for not more than six (6) months, or both. (16 U.S.C. 551, 18 U.S.C. 3559 and 3571).

Dated this 24th day of April, 2009, at Milwaukee, Wisconsin.

United States Department of Agriculture
Forest Service

for **KENT P. CONNAUGHTON**
Regional Forester
Eastern Region