



UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
ROGUE RIVER SISKIYOU NATIONAL FOREST
MEDFORD OR

ORDER NO. 06-10-20-17-02

Temporary area closure to provide for public health and safety

Pursuant to 16 USC § 551 and 36 CFR § 261.50 (a) and (b), the following act is prohibited in the Ashland Forest Resiliency Closure Area on the Siskiyou Mountains Ranger District within the Rogue River-Siskiyou National Forest as described below and shown in Exhibit A. This Order will be effective beginning February 25, 2017 and ending June 30, 2017, or until sooner rescinded.

PROHIBITION:

1. Going into or being upon National Forest System lands. **36 C.F.R. 261.53(e)**.

CLOSURE AREA:

The Ashland Forest Resiliency Closure Area is located within T.39S., R.1E., portions of Section 27, 33, 34, and 35, and T.40S., R.1E., portions of Sections 1, 2, 3, 4, 9, 10, 11, and 12, Willamette Meridian, as shown on Exhibit A. This includes the area north of 4 Corners and south and west of the National Forest boundary. Portions of Forest Service Roads 2060, 2060500, 2080, and 2080600 and all of Trails 1003 (Catwalk), 1012 (Eastview) and 1017 (Bull Gap) are included in this order.

EXEMPTIONS:

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

1. Persons with a permit specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local officer, or member of any organized rescue or fire fighting force in the performance of an official duty.

This prohibition is in addition to the general prohibitions in 36 C.F.R. Part 261, Subpart A.

Executed in Medford, Oregon, this 24th day of February 2017.

ROBERT G. MACWHORTER
Forest Supervisor
Rogue River-Siskiyou National Forest

CIVIL RIGHTS IMPACTS ANALYSIS
UNITED STATES DEPARTMENT OF AGRICULTURE
Forest Service
Pacific Northwest Region (R6)
CIVIL RIGHTS IMPACT ANALYSIS
Prohibited Acts: Area Closure
Rogue River-Siskiyou National Forest

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:

- Prohibition provides for public health and safety during helicopter logging operations. See Forest Order NO. 06-10-20-17-02 for a list of all prohibited acts that are being incorporated into this closure order. This order would be posted on the ground along with regulatory signs, where applicable.
- Permit motor vehicle access to fire fighting, emergency, and other exempted uses.

Unfavorable Impacts

The proposed action would:

- Prohibit all public use on the National Forest System lands in portions of the Ashland Creek watershed area, and during specified times, as indicated on attached Exhibit A-Map.

Mitigation Measures

Mitigation would include personal contacts by Forest Service and Stewardship Partners at key access points to explain the purpose of the closure.

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 and will apply equally to all individuals within the area depicted on Exhibit A-Map.



Robert G. MacWhorter
Forest Supervisor
Rogue River-Siskiyou N.F.

2/24/17
Date

Rogue River Siskiyou Order NO. 06-10-20-17-02

Enforcement Plan:

Forest Service Law Enforcement Officers (LEOs) and District Forest Protection Officers will enforce the specified CFR Regulation in the Forest Order within the limits of their authority, jurisdiction and according to Forest Service policy. District employees in the area will notify the District Ranger and local LEO if violations of the order are observed.

Notification to the public regarding the closure will be made by Media Release, and by Forest Service staff. Copies of the Forest Order will be available at the nearest District office and the Forest Service website.

The areas will be posted to reasonably notify the public using the area. Signs will be maintained on a regular basis, with the Forest Order and map posted on sign boards.

Assessment of Need and Enforcement Plan








Prohibition Objective: The closure of the roadways to public access is necessary to ensure public health and safety during helicopter logging operations associated with the Ashland Forest Resiliency (AFR) Stewardship Project.

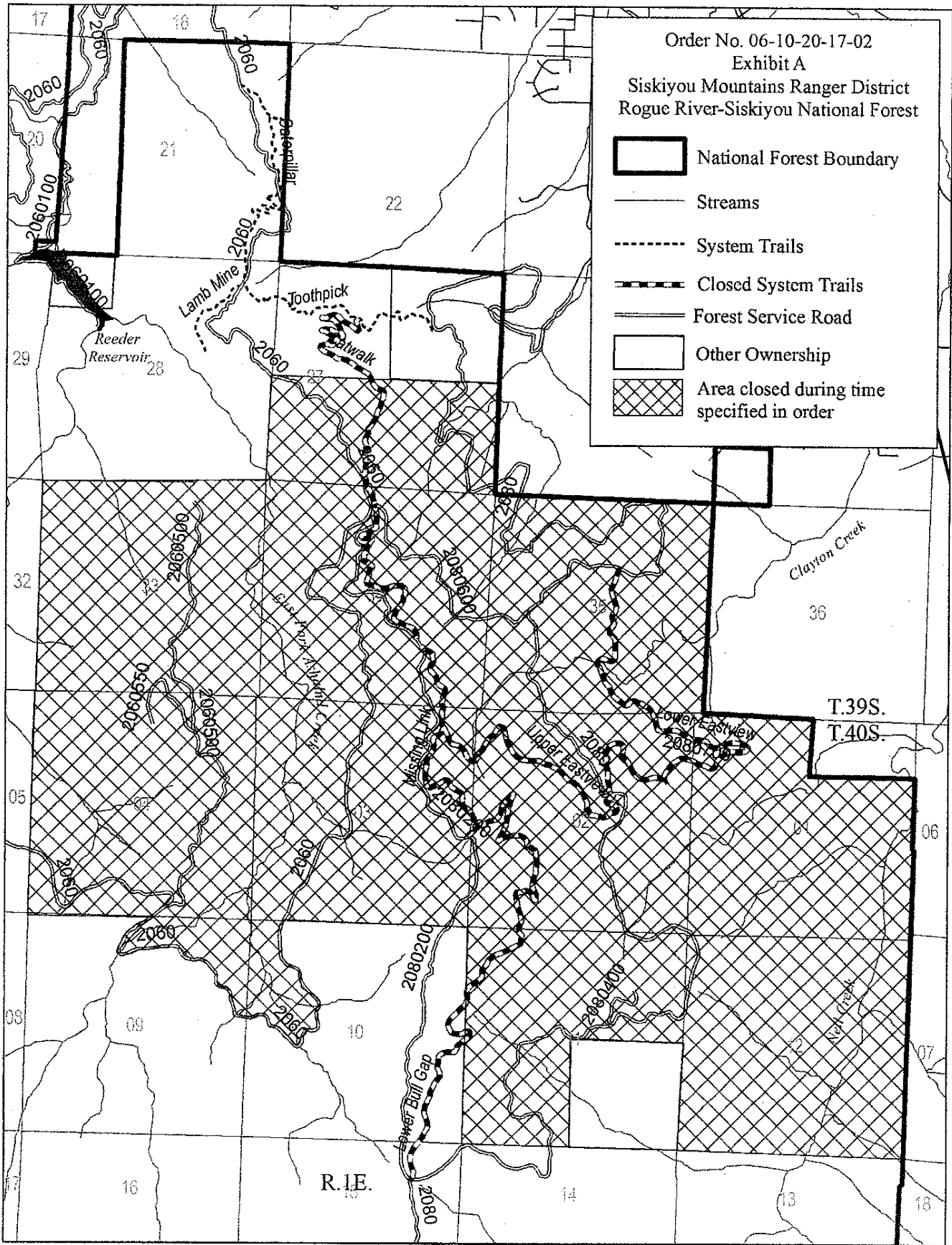
Public Notification Plan: Information associated with the closure will be made available to the public through media releases, partner organizations, and at Forest Service offices. The affected area will be posted with signs indicating the road is closed to public entry.

Enforcement Plan:

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Stewardship Coordinator	2/22/17
Review proposed order (Law Enforcement)	Patrol Captain	2/22/17
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	Public Affairs Officer	
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	

Order No. 06-10-20-17-02
Exhibit A
Siskiyou Mountains Ranger District
Rogue River-Siskiyou National Forest

-  National Forest Boundary
-  Streams
-  System Trails
-  Closed System Trails
-  Forest Service Road
-  Other Ownership
-  Area closed during time specified in order





02/24/2017

MEMORANDUM

FROM: ROBERT G. MACWHORTER
FOREST SUPERVISOR

TO: FILE

SUBJECT: Ashland Forest Resiliency Area Closure

FILE CODE: 1950

The intent of this memorandum is to describe the need for a temporary area closure and road closure to provide for public health and safety during helicopter logging operations associated with the Ashland Forest Resiliency (AFR) Stewardship Project and associated National Environmental Policy Act (NEPA) compliance.

BACKGROUND AND NEED:

The closure would be implemented concurrent with the start of helicopter yarding (February 25, 2017) and would remain in effect until June 30, 2017 or sooner, when the helicopter yarding is completed.

The Project Area is located within T.39S., R.1E., portions of Section 27, 33, 34, and 35, and T.40S., R.1E., portions of Sections 1, 2, 3, 4, 9, 10, 11, and 12, Willamette Meridian, on National Forest Lands administered by the Siskiyou Mountains Ranger District, Rogue River-Siskiyou National Forest. The land allocation for the Project Area is Late-Successional Reserve with a portion of the area located within the Ashland Municipal Watershed.

There is a high level of recreational use within National Forest lands adjacent to the City of Ashland. This public use consists of non-motorized use such as hikers, runners, and bicycle riders. This use occurs on roads, trails, and also includes cross-country use. Camping and motorized use inside the Ashland Watershed is prohibited by Forest Order RRF-002.

It is my decision to implement this closure based on the risk to the public from helicopter logging operations. During the process of transporting logs to the landing, it will be necessary for the helicopters to fly over roads and areas where the public currently uses to hike and ride bicycles. The Record of Decision (page A-16) for the AFR project includes mitigation for public safety:

“Utilize partial area closures during commercial tree removal and under burning operations to minimize the potential for accidental injury to recreationists during operations.”

Federal Aviation Administration requirements for rotorcraft operating with external loads provide that the pilot conduct operations “without hazard to persons or property on the surface”.



Further, Oregon Administrative Rules govern helicopter logging operations. Rule 437-007-1200 (12) states that: "When the helicopter is carrying a load or chokers, personnel must remain in the clear. Under no circumstances may personnel and occupied machines or vehicles be under a suspended load." (emphasis added). Upon review and consideration of potential site-specific environmental and social effects, I find my decision to authorize the AFR Area Closure will result in little or no adverse effects to the physical, biological, or social components of the environment. There are no conditions under section 31.2 of FSH 1909.15 which indicate the possible presence of extraordinary circumstances warranting further analysis and documentation.

SCOPING:

The Siskiyou Mountains District Ranger and staff have discussed the closure with potentially interested parties to include the local mountain biking community, City of Ashland Parks and Recreation, etc.

REASONS FOR CATEGORICALLY EXCLUDING THE ACTION:

Based on a review of the proposed order and consultation with District and Forest resource specialists, 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.



Robert G. MacWhorter
Forest Supervisor
Rogue River Siskiyou National Forest