

LOLO NATIONAL FOREST

Building 24, Fort Missoula

Missoula, MT 59804

**SPECIAL RESTRICTIONS
2008 MUSHROOM HARVESTING SEASON
CLOSURE ORDER**

Pursuant to Title 36 CFR 261.50(a), the following are prohibited within the described areas burned by the fires of 2007 on the Lolo National Forest. These restrictions are in addition to those enumerated in Subpart A, 261, Title 36 Code of Federal Regulations and become effective when signed, and will remain in effect from May 1, 2008 to September 30, 2008 or until rescinded or revoked.

Mushroom Uses Defined:

- 1) **Commercial-Use:** The collection or use of mushrooms on National Forest System lands where the primary purpose is for the sale of the mushrooms regardless of whether the use or collection is intended to produce a profit (36 CFR 261). For the 2008 mushroom season, Commercial-Use on the Lolo National Forest requires a Forest Products Removal Permit (Auth: 16 USC 472a, 551; 30 USC 601, 602; 43 USC 1201; 16 CFR 223; & 43 CFR 5420).
- 2) **Personal-Use:** The collection of 5-20 gallons of mushrooms per permit where the primary purpose is not for commercial-use, but rather for personal consumption or use and not for the sale of the mushrooms. For the 2008 mushroom season, Personal-Use on the Lolo National Forest requires a Forest Products Removal Permit (Auth: 16 USC 472a, 551; 30 USC 601, 602; 43 USC 1201; 16 CFR 223; & 43 CFR 5420).
- 3) **Incidental-Use:** The collection of less than 5 gallons of mushrooms over the course of the season where the primary purpose is not for commercial-use, but rather for personal consumption or use and not for the sale of the mushrooms. For the 2008 mushroom season, Incidental-Use on the Lolo National Forest does not require a permit.

This Order Applies to the Following Areas:

- 1) **Chippy Fire Mushroom Commercial-Use Area:** The area consisting of National Forest Lands on the Plains/Thompson Falls Ranger District within the Big Rock Creek, Chippy Creek, Semem Creek, and Bear Creek drainages as defined on the north by the hydrologic divide between Big Rock Creek and Schroder Creek, on the south by the hydrologic divides between Bear Creek and Little Rock and Alder Creeks, on the east by the Flathead Indian Reservation Boundary, and on the west by the Thompson River as displayed by the shaded area on the attached map (36 CFR 261.50(c)).

- 2) **Jocko Lakes Fire Mushroom Commercial-Use Area:** The area consisting of National Forest Lands on the Seeley Lake Ranger District within the Placid, Finley, and Boles Creek drainages as described by Sections, 3, 10, 20, 22, 26, 28, 29, and 34, T16N, R17W, and Section 4, T15N, R16W as displayed by the shaded area on the attached map (36 CFR 261.50(c)).
- 3) **Railley Fire and Conger Fire Areas:** The areas consisting of National Forest Lands on the Seeley Lake Ranger District within the Bob Marshall Wilderness as displayed and labeled on the attached map.
- 4) **Sawmill Complex Fire Area:** The area consisting of National Forest Lands on the Missoula Ranger District within the Welcome Creek Wilderness as displayed and labeled on the attached map.
- 5) **Fisher Point, Wyman, Blackcat, Chippy, Jocko Lakes, Ovando Point, East Boyd, Fisher, Forest Grove, Four Mile Sloway, North Deborgia, St. Regis Complex, Sunnyside, and Verde Fires:** The areas consisting of National Forest Lands on the Lolo National Forest as displayed and labeled on the attached map and not described in paragraphs 1 thru 4 of this order.
- 6) **Jocko Lakes Fire – Hidden Lake Timber Sale Area:** The area consisting of National Forest Lands on the Seeley Lake Ranger District within the Hidden Lake Timber Sale located in Section 13, and Section 24, T16N, R16W as displayed by the shaded area on the attached map.

Prohibited Acts in the Chippy Fire and Jocko Lakes Fire Commercial Mushroom Collection Areas:

- 1) Non-commercial use as defined by the collection of mushrooms for Personal-Use and/or Incidental-Use.

Prohibited Acts in the Sawmill Complex Fire, Conger Fire, and Railley Fire Areas:

- 1) Commercial-Use mushroom harvest and/or collection of mushrooms for Personal-Use.

Prohibited Acts in the Fisher Point, Wyman, Blackcat, Chippy, Jocko Lakes, Ovando Point, East Boyd, Fisher, Forest Grove, Four Mile Sloway, North Deborgia, St. Regis Complex, Sunnyside, and Verde Fire Areas outside of the Chippy Fire and Jocko Lakes Fire Commercial-Use Areas:

- 1) Commercial-Use mushroom harvest.

Prohibited Acts in the Jocko Lakes Fire – Hidden Lakes Timber Sale Area:

- 1) Commercial-Use Mushroom Harvest Camping.

Order No. F08-003-Lolo

Exemptions:

- 1) Persons with a permit, specifically authorizing the otherwise prohibited act or omission (36 CFR 261.50 (e)(1)).
- 2) Any federal, state, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty (36 CFR 261.50(e)(4)).

Penalty:

Violations of these restrictions are punishable by a fine of up to \$5000 or imprisonment for up to 6 months, or both (16 USC 551).

Notification:

A copy of this order shall be posted as described under 36 CFR 261.51

/s/ Deborah Austin
DEBORAH L.R. AUSTIN
Forest Supervisor
Lolo National Forest

April 25, 2008
Date