

ORDER NUMBER: BRD-01-99

SPECIAL RESTRICTION

FOREST DEVELOPMENT ROAD NO. 203
CIRCLE ROAD

FOREST DEVELOPMENT ROAD NO. 259
GASTON ROAD

FOREST DEVELOPMENT ROAD NO. 212
NATICK ROAD

FOREST DEVELOPMENT ROAD NO. 277
WHITETAIL ROAD

SCOTT LOOKOUT USE AREA

BESSEY RANGER DISTRICT
NEBRASKA NATIONAL FOREST

Pursuant to 36 CFR 261.53 (e), the following acts are prohibited for the protection of PUBLIC HEALTH and SAFETY within the Bessey Ranger District, Nebraska National Forest, until rescinded.

OPERATING VEHICLES KNOWN AS OHV/ATV 'S AS DEFINED BY STATE LAW ON FOREST DEVELOPMENT ROAD NO. 203, ALSO IDENTIFIED AS THE CIRCLE ROAD; FOREST DEVELOPMENT ROAD NO. 259, ALSO IDENTIFIED AS THE GASTON ROAD; FOREST DEVELOPMENT ROAD NO. 212, ALSO IDENTIFIED AS THE NATICK ROAD; FOREST DEVELOPMENT ROAD NO. 277, ALSO IDENTIFIED AS THE WHITETAIL ROAD; AND THE SCOTT LOOKOUT USE AREA.

36 CFR 261.54 (a)

FDR 203/Circle Road is defined as : the road that begins and ends on State Highway Spur No. 86 B, which is approximately 30 miles in length. (Attachment A)

FDR 259/Gaston Road is defined as: the road that begins with Nebraska State Highway 2 and ends at the junction with FDR 203, which is approximately 9 miles in length. (Attachment A)

FDR 212/Natick Road is defined as: the road that begins on State Highway Spur 86B and ends at the junction with south FDR 203 road junction, which is approximately 18 miles in length. (Attachment A)

FDR 277/Whitetail Road is defined as: the road that begins on FDR 203 and ends at the Whitetail Campground, which is approximately 3 miles in length. (Attachment A)

Scott Lookout Use Area is defined as: the area surrounding the Scott Lookout Tower bounded by FDR 203 on the east for approximately 1/2 mile, then west following a fence line for approximately 1/4 mile as a southern boundary, then turning north for approximately 1/4 mile following a fence line for the western boundary and then proceeding east along a fence line to the intersection of FDR 203 and State Highway Spur 86 B encompassing an area of approximately 200 acres.

Pursuant to 36 CFR 261.50 (e) the following are **EXEMPT** from this order:

- (1) Persons with a permit specifically authorizing the prohibited act or omission.
- (2) Any Federal, State or local, or member of an organized rescue or fire fighting force in the performance of official duties.

Done at Chadron, Nebraska, this 13th day of July 1999.


MARY H. PETERSON
Forest Supervisor

Violation of this prohibition is punishable by a fine of not more than \$5,000.00 for an individual or \$10,000.00 for a legal entity other than an individual, or imprisonment for not more than one (1) year or both. Title 16 USC, Section 551.

JUSTIFICATION

This order will provide all Forest users a safer environment and allow Forest Service Law Enforcement to respond to issues of public health and safety. Increased ATV/OHV use on listed roads and areas has resulted in numerous conflicts with others users and several accidents and near misses with other vehicles. This order will reduce potential occurrence of conflicts and accidents.

SUBPART B ORDER
REQUEST/JUSTIFICATION FORM
ORDER NUMBER BRD-01-99

SUBMIT THE FOLLOWING INFORMATION.

1. STATE THE DESIRED PROHIBITED ACT: This order will assist in providing a safer environment for all Forest users and allow Forest Service Law Enforcement to respond to issues concerning public health and safety on the Bessey Ranger District.

2. REASON FOR THE ORDER: During the past several years OHV/ATV use has dramatically increased on the Bessey Ranger District for their recreational value. Because of this increase use, user conflicts, accidents and near misses involving OHV's with other types of motorized vehicles have increased resulting in several injuries to children and adults. The Forest Development Roads throughout the District have experienced increased demand with people traveling to both the Natick and Whitetail Campgrounds while also accessing the National Forest in general. User conflicts occur when the low profile ATV travel the narrow roads which are used by the general public pulling large trailer and/or horse trailers at a higher rate of speed. The most heavily used road is FDR 203 which has experienced the most conflict and accidents resulting in injuries. Other road experience the same user conflicts, but to a lesser degree.

The area surrounding the Scott Lookout is served by State Highway 86B, the most travel road on the District, and is the destination point of the Scott Lookout National Recreation Trail. Increasing conflicts between users is occurring. The proposed boundary can be found on the ground and consist of either roads and/or fencelines.

HAVE OTHER METHODS BEEN TRIED TO RESOLVE THIS PROBLEM? YES
DESCRIBE: Increased patrols, voluntary compliance and education, and CLE agreement with the Thomas County Sheriff's Department.

4. PERIOD OF TIME THE ORDER WILL BE IN EFFECT: Until Rescinded

5. LIST OF THOSE EXEMPT FROM THE ORDER: Those persons with a permit specifically authorizing the otherwise prohibited act or omission and any Federal, State or local officer, or member of an organized rescue or firefighting force in the performance of official duties.

6. HAS AN ENFORCEMENT PLAN AND A SIGN PLAN BEEN ESTABLISHED?:
Who will enforce the order?: FS LE&I District FPO's and the Thomas County Sheriff.

8. COMPLETE THE ORDER USING THIS CHECKLIST: When complete, forward the original to the NNF SO Attn. LEO. The request will be routed to the appropriate Staff Officer.

Reviewed: *J. M. Carpenter* Date *July 13, 1999*
District Ranger

Reviewed: *[Signature]* Date *May 3-1999*
Forest/Law Enforcement Officer

Reviewed: _/s/ Lester L. Pinkerton Date April 7, 1999
Supervisory Law Enforcement Officer

Reviewed: *Jerry Schumacher* Date *5/7/99*
Public Information Officer *SEE notes attached and in document.*

Reviewed: *David V. Coe* Date *May 6, 1999*
Forest Engineer

Reviewed: *J. L. Ellis* Date *5/10/99*
Forest Resource Coordinator

Nebraska National Forest
Bessey Ranger District
Thomas and Blaine Counties, Nebraska

T.23N

T.22N

T.21N

R.27W

R.26W

R.25W

Attachment A
 Order Number: BRD-01-99
SPECIAL RESTRICTIONS
 Forest Development Roads:
 No. 203 - Circle Road
 No. 259 - Gaston Road
 No. 212 - Natick Road
 No. 277 - Whitetail Road
 Scott Lookout Use Area



The U.S. Department of Agriculture (USDA) is an equal opportunity provider and employer. This GIS product may be modified at any time.

For more information contact:
 USDA Forest Service
 State Spur 86b (Off Highway 2)
 Box 39
 Halsey, NE 69142-0039
 (308) 533-2257

	Administrative Boundary
	Roads With Restrictions 86B
	Scott Lookout Use Area
	Township and Range
	National Forest System Land

