

**ORDER OF THE FOREST SUPERVISOR
EMERGENCY OCCUPANCY AND USE CLOSURE FOR THE
CHEQUAMEGON-NICOLET NATIONAL FOREST**

Under authority of the Act of Congress of June 4, 1897, 16 USC 551, and pursuant to the Secretary of Agriculture's Regulations set forth at 36 CFR 261.50(a) and 261.50(b), the following acts or omissions are prohibited on National Forest System lands, roads and trails on the Chequamegon-Nicolet National Forest in Ashland, Bayfield, Price, Sawyer, Taylor, Vilas, Oneida, Florence, Forest, Langlade and Oconto Counties, Wisconsin:

1. Using a road for commercial hauling without a permit or written authorization, any part of an ash tree as described below, from a quarantined area as listed in the Federal Register (7 CFR Part 301 subpart 53.3) by Animal and Plant Health Inspection Service (APHIS). 36 CFR 261.54(c)
2. Possessing, storing or transporting any firewood as described below originating from outside of the area bounded by the Wisconsin border with Minnesota; the Wisconsin border with Michigan and US HWY 29. 36 CFR 261.58(t)

Definitions:

Part of an ash tree -

- a. Entire Ash (*Fraxinus* spp) trees.
- b. Ash limbs and branches.
- c. Ash logs or untreated ash lumber with bark attached. Uncomposted ash wood chips and uncomposted ash bark chips larger than 1 inch in diameter.

Firewood - any part or portion of a tree that has been cut and removed from its original location and is to be used as fuel for heating or cooking in open pit, grill, fireplace or stove.

PURPOSE OF EMERGENCY ACTION:

The Emerald Ash Borer (EAB) (*Agrilus planipennis*) is a destructive, non-native wood-boring insect that attacks ash trees (*Fraxinus* spp., including green ash, white ash, black ash, and several horticultural varieties of ash). This emergency action is necessary to prevent the spread of Emerald Ash borer (EAB) into non-infested areas of the National Forest System.

This closure is consistent with the emergency Federal regulations found at Title 7 Code of Federal Regulations (CFR), Part 301, all of which are necessary to restrict the interstate movement of certain articles from the quarantined areas to prevent the artificial spread of EAB to National Forest System lands.

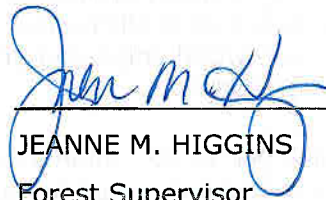
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Pursuant to 36 CFR 261.50(e), the following persons are exempt from this order:

1. Persons with a permit granted either by USDA-Animal and Plant Health Inspection Service (APHIS) or USDA-Forest Service 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.
3. Any USDA, APHIS Administrator, Inspector or its agents thereof.

THIS RESTRICTION IS IN ADDITION TO THE GENERAL PROHIBITIONS FOUND AT 36 CFR PART 261, SUBPART A, AND WILL REMAIN IN EFFECT FROM THE DATE OF THIS ORDER UNTIL AUGUST 31, 2009 OR TERMINATED OR RESCINDED BY THE FOREST SUPERVISOR, WHICH EVER COMES FIRST.

Dated this 20 day of August, 2008, in Park Falls, Wisconsin.



JEANNE M. HIGGINS

Forest Supervisor

Chequamegon-Nicolet

National Forest

Violations of these prohibitions are 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 6 months, or both. [16 USC § 551, 18 USC §§ 3559 and 3571].