

**Special Restriction**  
**AREA CLOSURE FOR OCCUPANCY AND USE REGULATIONS**  
**USDA - FOREST SERVICE**  
**BLACK HILLS NATIONAL FOREST**

Pursuant to 36 C.F.R., Section 261.50 (a & b), the following acts are prohibited within the Red Point Travel Management Boundary of the Black Hills National Forest, as depicted on the attached map hereby incorporated into this Order as Exhibit A. This Order shall be in effect until rescinded, or until December 31, 2008, whichever event comes first. The purpose of this Order is to prevent post-burn resource damage associated with off-road motorized travel.

**PROHIBITIONS:**

To possess or use a motorized vehicle off National Forest System roads.  
36 C.F.R. 261.56

**EXEMPTIONS:**

Pursuant to 36 C.F.R. 261.50(e), the following are EXEMPT from the order:

1. Persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State or Local officer, or member of an organized rescue or firefighting force engaged in the performance of an official duty.

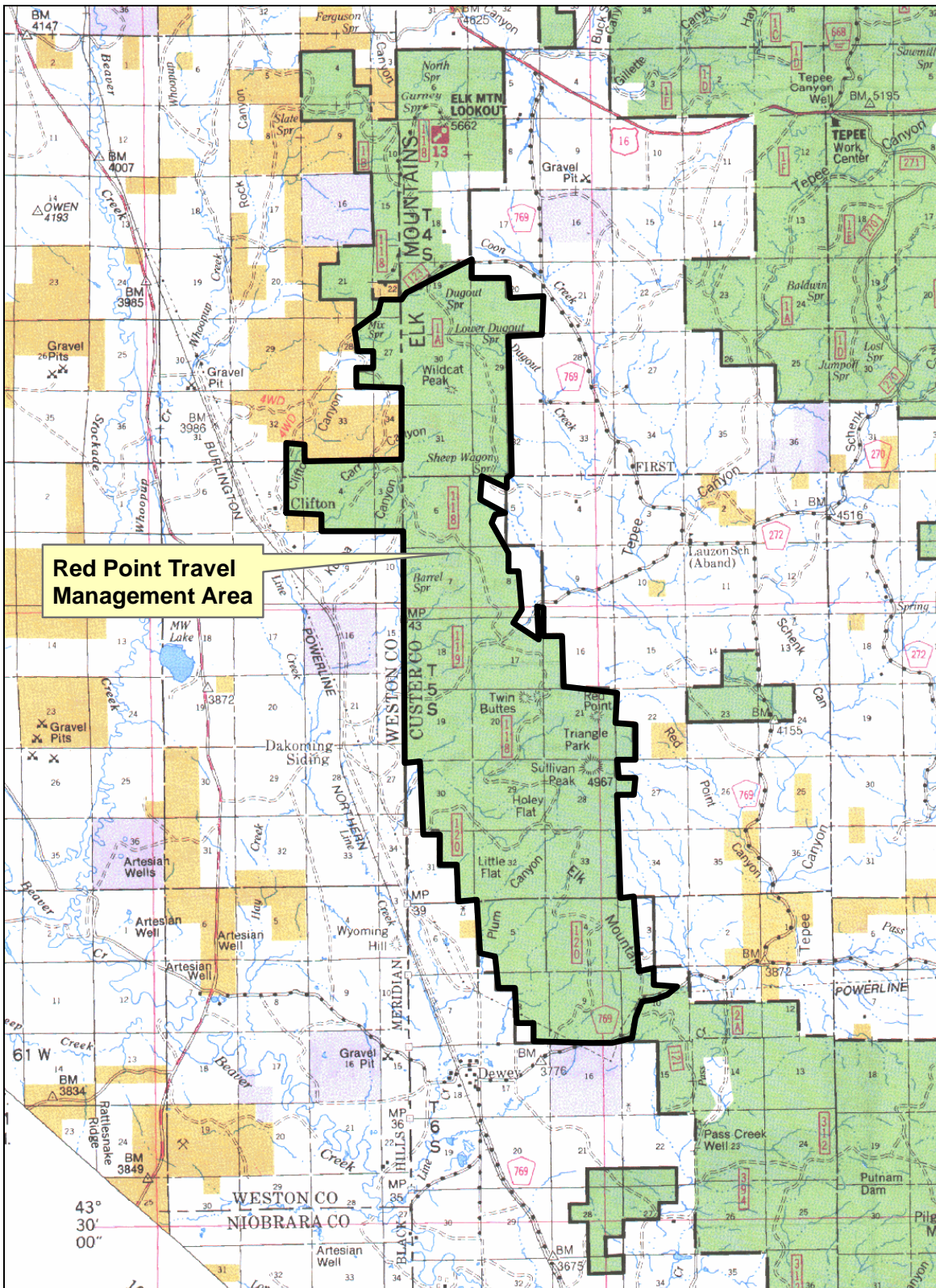
Violations of this prohibition are punishable as a Class B misdemeanor, by a fine of not more than \$5,000 for an individual, or \$10,000 for an organization, or imprisonment for not more than six (6) months, or both. *Title 16, United States Code, Section 551, Title 18, United States Code, Section 3571.*

Done at Custer, South Dakota, this 19th day of April, 2007.

*/s/ Craig Bobzien*

**CRAIG BOBZIEN**  
Forest Supervisor

**EXHIBIT A**  
**BKF-095-07**  
**Red Point Travel Management Area**



## Management Objectives

BKF-095-07

1. Purpose of Order. The Red Point Fire was ignited by lightning on July 21, 2003. The fire lies south of Elk Mountain approximately 14 miles SE of Newcastle, Wyoming, with the small town of Dewey near the southern perimeter. High temperatures, low relative humidity and strong winds created conditions resulting in intense fire behavior with long-range spotting. The fire burned actively for six days. Before it was contained on July 30, the fire had consumed 17,950 acres. Of the 17,950 acres burned, 11,009 acres are on National Forest System lands.

The Red Point Fire affects Management Areas 3.31 – Backcountry Motorized Recreation Emphasis (6,678 acres), 5.1 – Resource Production Emphasis (160 acres), and 5.1a – Southern Hills Forest and Grassland Areas (3,928 acres). The vast majority of the closure area lies within MA 3.31 which restricts motorized travel to Forest Development Roads and designated trails (Guideline 3.31-9102).

The purpose of the order is to restrict motorized travel to marked, National Forest System Roads (i.e., only those roads marked with a number on a carsonite post) in order to meet Guideline 3.31-9102. Additionally, the restriction is recommended to prevent post burn resource damage associated with off-road motorized travel. The area is also unsafe in regards to falling trees and snags, even some of the designated routes are littered with down trees and difficult to maneuver through.

Bottom Line: This closure order is needed to prevent resource damage to a sensitive burn area as well as public safety.

2. Scope of Order. The closure order will restrict motorized travel to marked, Forest System roads in the area defined on the map entitled Red Point Travel Management Area. The Order applies to all persons except those identified as being exempt. This is an interim order that will be assessed annually with a termination date of December 31, 2008.

3. Enforcement Plan. The general public will be informed through travel management signs that are currently located on the routes that access the area. These signs describe that motorized travel is restricted to designated routes only. The area will be patrolled by Law Enforcement Officers and Forest Officers as budgets and other priorities allow.

**SUBPART B**

**ORDER REQUEST JUSTIFICATION FORM  
ORDER NUMBER: BKF-095-07**

**SUBMIT THE FOLLOWING INFORMATION:**

1. **STATE THE DESIRED ACT:** Implement the Area Closure for the Red Point Travel Management Area.
  
2. **REASON FOR THE ORDER:** The purpose of the order is to restrict motorized travel to marked, National Forest System Roads (i.e., only those roads marked with a number on a carsonite post) in order to meet Guideline 3.31-9102. Additionally, the restriction is recommended to prevent post burn resource damage associated with off-road motorized travel. The area is also unsafe in regards to falling trees and snags, even some of the designated routes are littered with down trees and difficult to maneuver through.
  
3. **HAVE OTHER METHODS BEEN TRIED TO RESOLVE THIS PROBLEM?** There are really no other methods to address the issue. The majority of the area lies within MA 3.31 and in that area motorized travel is restricted to system roads and designated trails. Since the fire, it is even more important to address the issue of off-road travel in this burn area. Erosion, spread of noxious weeds and wildlife disturbance are all concerns in this area because of lack of ground cover and mixture of high to moderate burn intensities. Falling trees and limbs also pose a hazard to the general public, even on designated routes.
  
4. **PERIOD OF TIME THE ORDER WILL BE IN EFFECT:** December 31, 2008.
  
5. **LIST THOSE EXEMPT FROM THE ORDER:** Forest Service contractors or permittees engaged solely in the performances of permit or contract obligations, persons carrying written permission from the District Ranger, Forest Service personnel engaged in the performance of an official duty and any Federal, State or local law enforcement officer, or member of an organized rescue or firefighting force engaged in the performance of an official duty.
  
6. **HAS AN ENFORCEMENT PLAN AND SIGN PLAN BEEN ESTABLISHED?** Yes.
  - a. **WHO WILL ENFORCE THE ORDER?** Forest Service LEOs and District FPOs.
  - b. **WHO WILL ENSURE PROPER SIGNING?** District Travel Management Coordinator.
  
7. **WILL THIS ORDER BE REVIEWED ANNUALLY FOR NEED AND PROPER ENFORCEMENT?** Yes.
  
8. **HAS THE PUBLIC BEEN NOTIFIED?** Yes, travel management signs restricting travel to designated routes only have been installed on the access routes into the burn area since August 2003.

9. COMPLETE THE ORDER USING THIS CHECKLIST. When complete, forward the original request to the Supervisor's Office, Attention: Supervisory Law Enforcement Officer. The request will be routed to the appropriate Staff Officer, Public Information Officer, and Forest Supervisor.

**Recommended:**     /s/ *Randall Griebel*     **March 8, 2007**  
District Specialist (Randall Griebel, Wildlife Biologist) Date

**Reviewed:** \_\_\_\_\_  
District Ranger, Bearlodge Date

**Reviewed:**     /s/ *Mike Lloyd*     **March 13, 2007**  
District Ranger, Hell Canyon Date

**Reviewed:** \_\_\_\_\_  
District Ranger, Mystic Date

**Reviewed:** \_\_\_\_\_  
District Ranger, Northern Hills Date

**Reviewed:** \_\_\_\_\_  
South Zone Law Enforcement Officer Date

**Reviewed:**     /s/ *Travis Lunders*     **March 20, 2007**  
North Zone Law Enforcement Officer Date

**Reviewed:**     /s/ *Travis Lunders*     **March 20, 2007**  
North Zone Patrol Captain Date

**Reviewed:**     /s/ *Franklin O. Carroll*     **April 19, 2007**  
Public Information Officer Date

**Reviewed:** \_\_\_\_\_  
Forest Staff Officer Date