

Order Number: # 02-07-07-30-07-2024



**U.S. Department of Agriculture, U.S. Forest Service
Nebraska National Forests & Grasslands
Wall, Fall River and Pine Ridge Ranger Districts to include the
Oglala and Buffalo Gap National Grasslands**

STAGE 1 FIRE RESTRICTIONS

PROHIBITIONS

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a) the following acts are prohibited on all National Forest System (NFS) lands, on the Wall, Fall River and Pine Ridge Ranger Districts of the Nebraska National Forests & Grasslands, to include the Oglala and Buffalo Gap National Grasslands, described below and shown on the attached map incorporated into this Order as Exhibit A.

1. Igniting, building, maintaining, attending, or using a fire (including fires fueled by charcoal or briquettes) except if it is in:
 - a. A permanent metal or concrete fire pit or grate that the U.S. Forest Service has installed and maintained at its developed recreation sites (campgrounds and picnic areas);
 - b. A device solely fueled by liquid or gas that can be turned on and off used in an area barren or cleared of all flammable materials within three feet of the device; or
 - c. A fully enclosed metal stove with a chimney at least five feet in length and a mesh screen spark arrestor with a screen opening of a ¼ inch or less used in an area that is barren or cleared of all flammable materials within 10 feet of the device.

36 CFR § 261.52(a)

2. Smoking is prohibited, except in an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials. 36 CFR § 261.52(d)
3. Operating or using any internal or external combustion engine without a spark

arresting device properly installed, maintained and in effective working order meeting either U.S. Department of Agriculture, Forest Service Standard 5100-1a; or appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a). For chainsaw use a chemical pressurized fire extinguisher (with a minimum 8 oz. capacity and rating of 2A) must be kept with the operator, and a round point shovel with an overall length of at least 35 inches readily available for use. 36 CFR § 261.52(h), (j)

4. Blasting, welding, or operating acetylene or other torch with open flame, except if in a cleared area of at least 10 feet in diameter and a chemical pressurized fire extinguisher (with a minimum 8 oz. capacity and rating of Class 2A) is kept with the operator. 36 CFR § 261.52(i)
5. Using an explosive. This includes but is not limited to fuses, blasting caps, fireworks, rockets, exploding targets, tracers, and incendiary ammunition. 36 CFR § 261.52(b)

EXEMPTIONS

Pursuant to 36 C.F.R. § 261.50(e), the following persons are exempt from this Order:

1. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order), specifically exempting them from this Order or a written determination by a Forest Service authorized officer that a permit is not required under 36 C.F.R. § 251.50(e)(1) or (2)].
2. Any Federal, State, or Local Officer, or member of an organized rescue or firefighting resource in the performance of an official duty is exempt from Prohibitions #1, #3, #4 and #5.

DESCRIBED AREA

All NFS lands within the Wall, Fall River, and Pine Ridge Ranger Districts of the Nebraska National Forests & Grasslands, to include the Oglala and Buffalo Gap National Grasslands as shown in Exhibit A.

PURPOSE

The purpose of this Order is to protect public health, safety, and natural resources by preventing wildfires.

IMPLEMENTATION

1. This Order shall be in effect from 30 July 2024 at 0001 through 31 December 2024 at 0800, unless rescinded.

2. A map identifying the Described Area is attached and made part of this Order as Exhibit A. For a digital version of this Order and Exhibit A, go to <https://blackhillsfirerestrictions.com>.
3. Unless otherwise expressly defined in this Order, the terms used in this Order are defined by the regulations of the Secretary of Agriculture, 36 C.F.R. Chapter II, Parts 200-299. If there are terms in this Order that are not expressly defined in the Order or 36 C.F.R. Chapter II, Parts 200-299, their meaning shall be determined by their plain language definitions.
4. A violation of the above prohibitions is punishable as a Class B misdemeanor by a fine of not more than \$5,000 for individuals and \$10,000 for organizations, or by imprisonment for not more than six months, or both. 16 U.S.C. § 551; 18 U.S.C. §§ 3559, 3571, and 3581.
5. Contact the Wall Ranger District in Wall, SD (605) 279-2126, Fall River Ranger District in Hot Springs, SD (605) 745-4107, Pine Ridge Ranger District in Chadron, NE (308) 432-0300 and Nebraska National Forests & Grasslands Supervisor's Office in Chadron, NE (308) 432-0300, for more information about this Order.
6. This Order supersedes any previous Orders prohibiting the same or similar acts on the same Described Area.

Signed and issued on _29 July 2024.

Jack Isaacs
Forest Supervisor
Nebraska National Forests &
Grasslands