

**Order Number: # BKF-181-2024**



**U.S. Department of Agriculture, U.S. Forest Service  
Black Hills National Forest**

**Stage 2 Fire Restrictions**

**PROHIBITIONS**

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50 (a) and (b), the following is prohibited on all National Forest System (NFS) lands, roads, and trails, in the Bearlodge, Northern Hills, Mystic, and Hell Canyon Ranger Districts, Black Hills National Forest, described below and shown on the attached map incorporated into this Order as Exhibit A (the “Described Area/Roads/Trails”):

1. Igniting, building, maintaining, attending, or using a fire, campfire, charcoal barbecue, or grill, except if using a device solely fueled by liquid or gas that can be turned on and off in an area barren or cleared of all flammable materials within three feet of the device. 36 CFR § 261.52(a)
2. Smoking is prohibited, except in an enclosed vehicle or building. 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. Welding or operating an acetylene or other torch with open flame. 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)
6. Possessing or using a motor vehicle off NFS roads, except when parking in an area devoid of vegetation within 10 feet of the motor vehicle. 36 CFR § 261.56.
7. Violating South Dakota Codified Laws (SDCL) § 34-35-15 and/or Wyoming Statute 35-9-301 concerning burning, fires or which is for the purpose of preventing, or restricting the spread of fires. 36 CFR § 261.52(k).

## **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.

## **DESCRIBED AREA**

The Described Area is all NFS lands in the Bearlodge, Northern Hills, Mystic, and Hell Canyon Ranger Districts on the Black Hills National Forest in the State of South Dakota and the State of Wyoming, as shown in Exhibit A

## **PURPOSE**

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

## **IMPLEMENTATION**

1. This Order shall be in effect from October 4, 2024, at 5:00pm through December 25, 2024, at 11:59pm, 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://www.fs.usda.gov/alerts/blackhills/alerts-notice>.
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 Black Hills National Forest Supervisor's Office in Custer, SD, (605) 673-9200, for more information about this Order.

6. This Order supersedes any previous Orders prohibiting the same or similar acts in the same Described Area.

Signed and issued on \_\_\_\_\_.

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Forest Supervisor  
Black Hills National Forest



Forest Service  
U.S. DEPARTMENT OF AGRICULTURE

## Black Hills National Forest – Order Number BKF-181-2024, Exhibit A Stage 2 Fire Restrictions

