



**U.S. Department of Agriculture, U.S. Forest Service
Black Hills National Forest
Bearlodge & Hell Canyon Ranger Districts (WY)**

STAGE I FIRE RESTRICTIONS

PROHIBITIONS

Pursuant to 16 U.S.C. § 551 and 36 CFR § 261.50 (a), the following acts are prohibited on all National Forest System lands within the Bearlodge and Hell Canyon Ranger Districts on the Black Hills National Forest in the State of Wyoming (the "Restricted Area") 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 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, 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 a chainsaw without an effective and properly installed USDA- or Society of Automotive Engineers (SAE)- approved spark arresting device, a chemical pressurized fire extinguisher (with a minimum 8 oz. capacity and rating of 2A) 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(j).
4. Blasting, welding, or operating acetylene or other torch with open flame without being in a cleared area of at least 10 feet in diameter and keeping a chemical

pressurized fire extinguisher (with a minimum 8 oz. capacity and rating of 2A) 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 CFR § 261.50(e), the following persons are exempt from prohibitions #1, #3, #4, and #5 specified above:

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) are exempt from Prohibitions #1, #3, #4, and #5: (i) provided the written exemption also includes an appropriate mitigation plan authorized in writing by the appropriate Forest Service official.
2. Any federal, state or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty is exempt from Prohibitions #1, #3, #4, and #5.

DESCRIBED AREA

The Described Area is all NFS lands in the Bearlodge and Hell Canyon Ranger Districts on the Black Hills National Forest in the State of Wyoming, 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 July 23, 2024, at 12:00am through December 15, 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.

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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 on the same Described Trails.

Signed and issued on _____.

Forest Supervisor
Black Hills National Forest