

# U.S. Department of Agriculture, U.S. Forest Service Nebraska National Forests & Grasslands Wall, Fall River, Ft. Pierre, Bessey and Pine Ridge Ranger Districts to include the Samuel R. McKelvie National Forest, Oglala and Buffalo Gap National Grasslands

### **STAGE 2 FIRE PROHIBITION**

### PROHIBITIONS

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a) the following are prohibited on the National Forest System (NFS) lands in, the Wall, Fall River, Ft. Pierre, Bessey and Pine Ridge Ranger Districts of the Nebraska National Forests & Grasslands, to include the Samuel R. McKelvie National Forest, Oglala and Buffalo Gap National Grasslands, described below in Exhibits A-E

- 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)
- 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 U.S. Department of Agriculture, Forest Service Standard 5100-1a,. 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)

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- 4. Welding or operating an acetylene or other torch with open flame. 36 CFR § 261.52(i)
- 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.

### 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 force in the performance of an official duty is exempt from Prohibitions #1, #3, #4, #5 and #6.

#### DESCRIBED AREA

The Described Area is NFS lands within the Wall, Fall River, Ft. Pierre, Bessey and Pine Ridge Ranger Districts of the Nebraska National Forests & Grasslands, to include the Samuel R. McKelvie National Forest, and the Oglala and Buffalo Gap National Grasslands, located in Blaine, Cherry, Dawes, Sioux, Thomas, Custer, Jackson, Stanley, Fall River, Pennington, Lyman and Jones Counties.

#### PURPOSE

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

#### IMPLEMENTATION

- 1. This Order shall be in effect from October 11<sup>th</sup>, 2024, at 0800 through December 31st at 2400, unless rescinded.
- 2. For a digital version of this Order, 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,

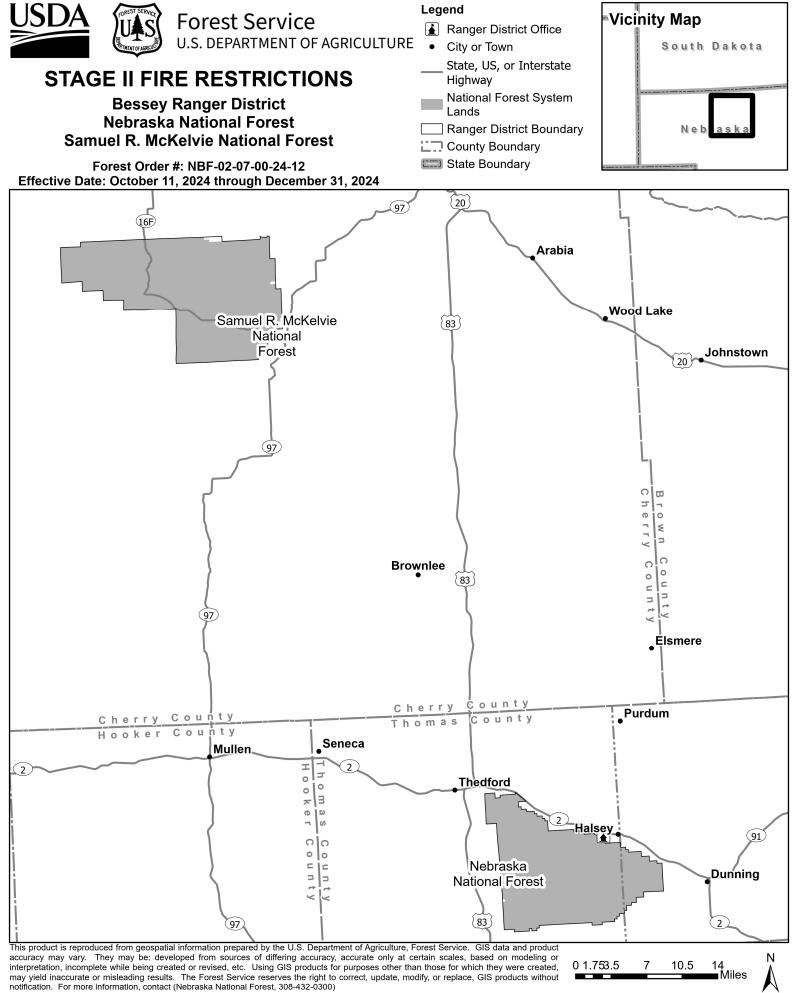
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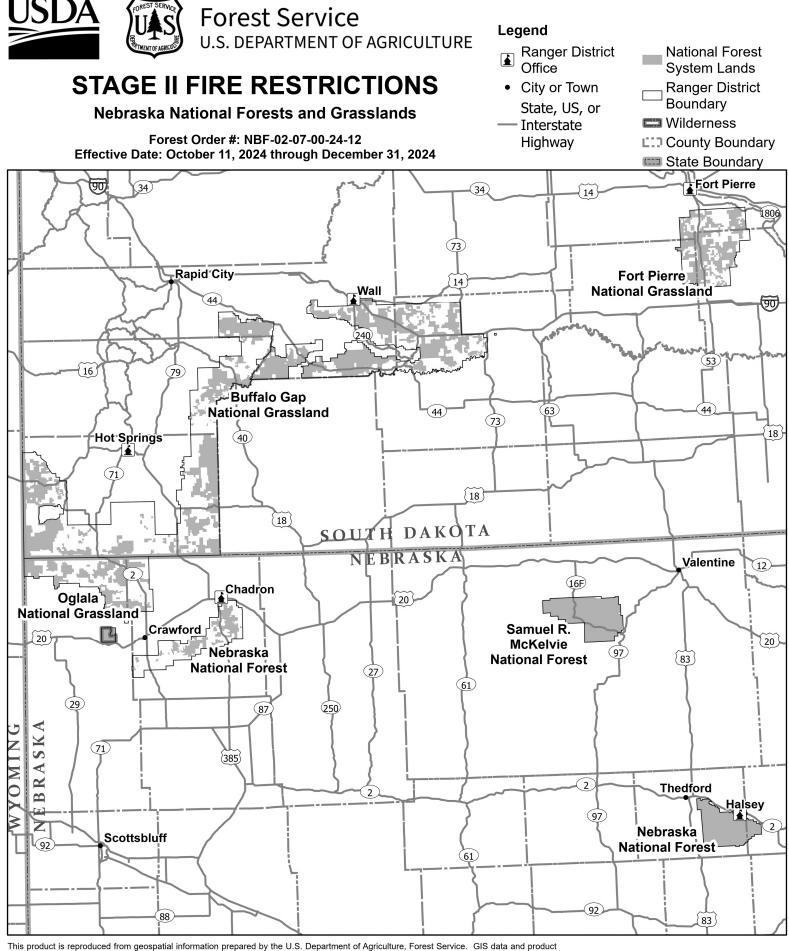
Parts 200-299. If there are terms in this Order that are not expressly defined in the Order or 36 C.F.R. Chapter II, Parts 200-299, their meaning shall be determined by their plain language definitions.

- 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.
- Contact the Wall Ranger District in Wall, SD (605) 279-2126, Fall River Ranger District in Hot Springs, SD (605) 745-4107, Ft. Pierre Ranger District in Ft. Pierre, SD (605) 224-5517, Bessey Ranger District in Halsey, NE (308) 533-2257, 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 Stage 1 Order # 02-07-07-30-07-2024 prohibiting the same or similar acts on the same Described Area.

Signed and issued on 11 October 2024

Jack Isaacs Forest Supervisor Nebraska National Forests & Grasslands

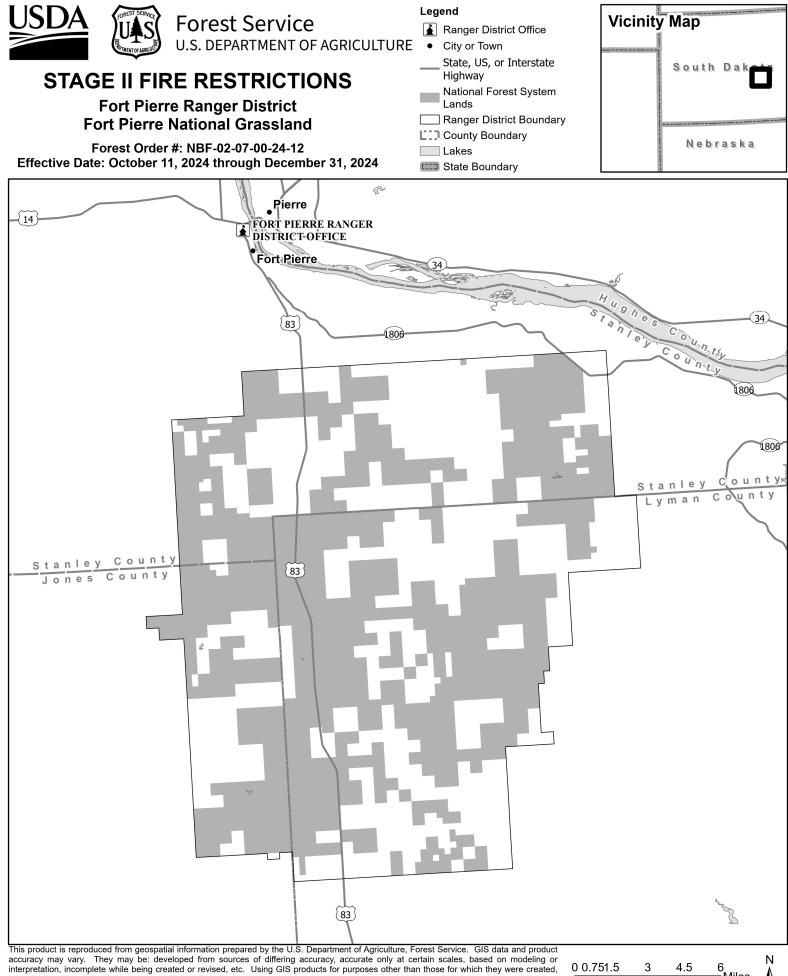




accuracy may vary. They may be: developed from sources of differing accuracy, accurate only at certain scales, based on modeling or interpretation, incomplete while being created or revised, etc. Using GIS products for purposes other than those for which they were created, may yield inaccurate or misleading results. The Forest Service reserves the right to correct, update, modify, or replace, GIS products without notification. For more information, contact (Nebraska National Forest, 308-432-0300)

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