

ORDER NUMBER 326

TRAIL CLOSURE

Wallowa-Whitman National Forest
Eagle Cap Ranger District

Pursuant to 36 CFR Section 261.50 (a), until further notice, the following acts are prohibited upon portions of Forest development trails listed below on the Eagle Cap Ranger District, within the Wallowa-Whitman National Forest.

1. Possessing or using any motorized vehicle as stated below on Forest development trails (36 CFR 261.55(b)).

Description of trail:

- A. Huckleberry Mountain Trail #1667 beginning at Forest Road #8250-160 to the wilderness boundary in T.1S., R. 43E., Section 31. Willamette Meridian.

Pursuant to 36 CFR Section 261.50 (e), the following persons are exempt from this order:

1. Any Federal, State, or local Law Enforcement Officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
2. Persons with a permit authorizing the otherwise prohibited act.

Done at Baker City, Oregon this 7th day of May, 1996.


R. M. Richmond
Forest Supervisor

Violation of these prohibitions is punishable by a fine of not more than \$5000.00 or imprisonment for not more than 6 months or both.
Title 16 USC Section 551.

United States
Department of
Agriculture

Forest
Service

Eagle Cap Ranger District
88401 Hwy. 82
Enterprise, OR 97828

Caring for the Land and Serving People

Reply to: 2320/5400

Date: April 6, 1996

Subject: Eagle Cap Wilderness Special Orders

To: Forest Supervisor

I request a Special Order for the Eagle Cap Wilderness as described below. This will provide protection for the wilderness resource, opportunities for primitive and unconfined recreation, and serve to further implement the Eagle Cap Wilderness Stewardship Plan. I have enclosed the justification statement, law enforcement plan, and sample special orders for your review and processing.

Justification for Closing the Huckleberry Mountain and Goat Creek Trails to Motorized Vehicles

The Huckleberry Mountain and Goat Creek Trails lead from trailhead parking areas into the Eagle Cap Wilderness. The portions of the trails (about 1.6 miles) outside the wilderness boundary are not closed to motor vehicles. This allows users to operate trail bikes and all terrain vehicles on the narrow wilderness access trails at the same time as hikers and recreation livestock users causing a public safety concern and a conflict between visitors. All other trails leading into the wilderness from the Eagle Cap and Pine Ranger Districts, and the Hells Canyon NRA are presently closed to motorized vehicles.

During 1995, Eagle Cap Wilderness personnel observed signs of motorized vehicles on these trails but there is no documented evidence of accidents or visitor conflicts. Closing the trails does not cause a major loss of motorized recreation opportunity.

The required action is to issue a Special Order closing the Huckleberry Mountain Trail to motorized vehicles.

KENDALL CLARK
District Ranger

LAW ENFORCEMENT PLAN
REVISED EAGLE CAP WILDERNESS REGULATIONS

The Eagle Cap Ranger District is revising some regulations to better implement the Eagle Cap Wilderness Stewardship Plan. As part of this effort, the new part "B" wilderness regulations described above are planned for implementation during the coming year. It is extremely important that every effort be made to educate the public to these new regulations and the reason for them. At this time, the District is facing a shortage of funding; therefore, it is likely there will be fewer people in the field making public contacts, providing information, and enforcing the new regulations. The majority of public education on the new regulations will have to take place prior to the public actually entering the Eagle Cap Wilderness.

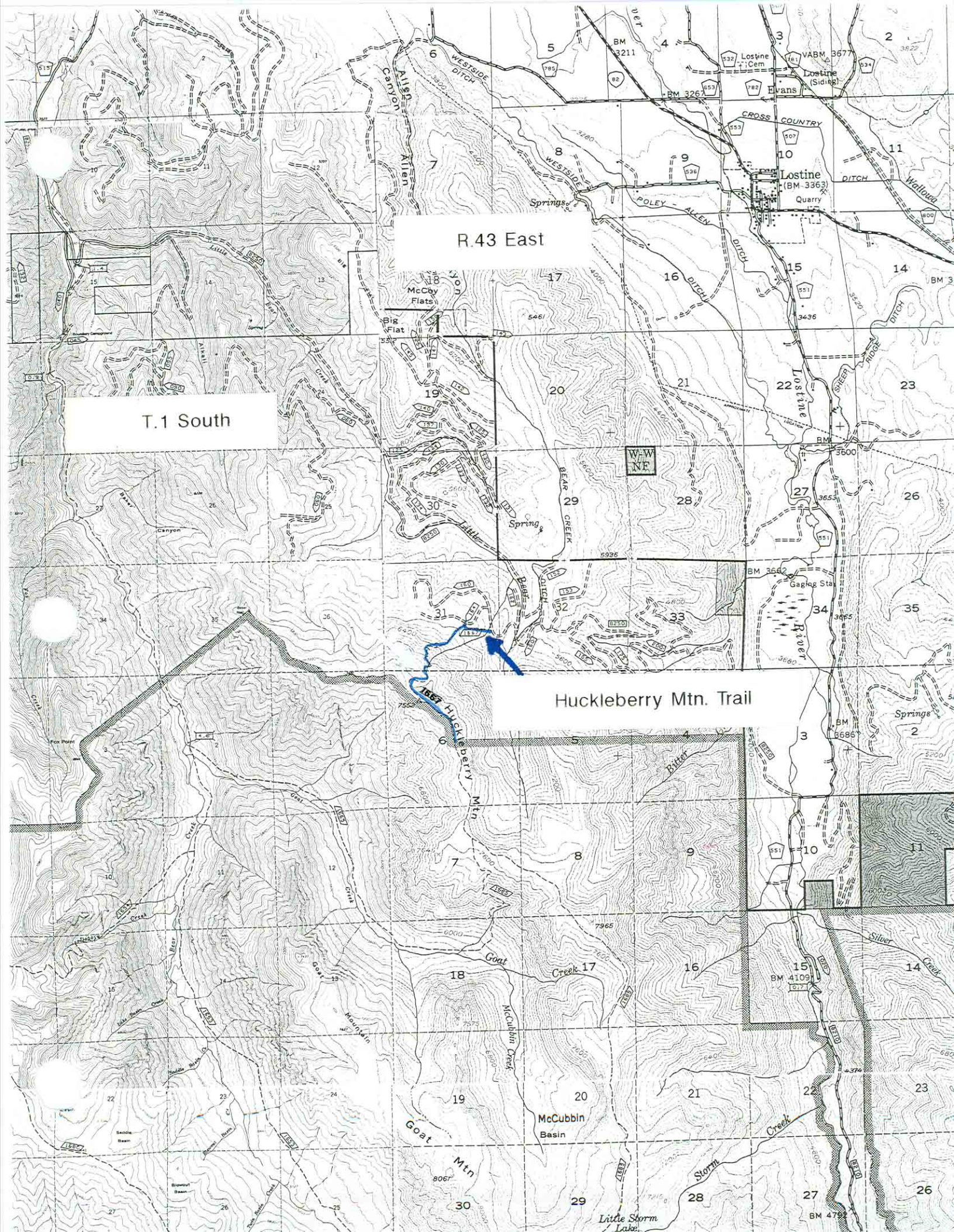
LAW ENFORCEMENT PLAN:

1. The regulations will be posted in accordance with 36 CFR 261.51. Posting will be accomplished in the following ways:
 - a. Placing a copy of the order imposing each prohibition in the Forest Supervisor's office, District offices, or equivalent offices who have jurisdiction over the lands affected by this order.
 - b. Displaying each prohibition imposed by an order in such location and manner as to reasonably bring the prohibition to the attention of the public (at wilderness trailheads).
2. There will be extensive use of the news media to call attention to the new regulations and to explain the need for such regulations.
3. Copies of the new regulations will be readily available at the Wallowa Mountains Visitor Center and copies will also be available at the visitor/information centers of the other districts in the area.
4. Each permitted outfitter operating on the Eagle Cap Ranger District and in the Eagle Cap Wilderness will receive a copy of the new regulations.
5. A copy of the regulations, printed on a pocket sized card, will be available at the trailheads with the self-issued wilderness permit for visitors.
6. All Eagle Cap Wilderness staff (Wilderness rangers, trail crew and recreation staff) will receive training concerning the new regulations, the justification for each new regulation, and the proper enforcement action to be taken when violations are noted.
7. All Eagle Cap Wilderness staff that are trained and currently approved as Forest Protection Officers will be supplied with Incident Report forms (5300-1) and also with Notice of Violation Forms (5300-4). At the minimum, every violation noted will be documented on the 5300-1 Incident Report.

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8. Violations that are clearly malicious, willful, deliberate; or violations where the safety or rights of other users are in jeopardy shall receive a Notice of Violation (FS 5300-4). In all other cases, the Forest Officers will use their discretion when considering whether a Notice of Violation is necessary and/or appropriate for the circumstance. Wider discretion should be used in dealing with the new regulations--We should first educate the public to the new regulations and provide an adjustment period.
9. Any violation observed by a forest officer that he/she feels is either unsafe to make the contact or the violation is above their ability to deal with, will report such violation to the forest law enforcement officer as soon as possible. This should be documented on an incident report (FS 5300-1) with as many details as the forest officer is able to obtain. It may be appropriate to report some incidents immediately by radio to dispatch and have them relay it on to the forest law enforcement officer.
10. All forest officer contacts with the public will be made in a safe and professional manner. The forest officer should be in uniform while making public contacts. If the officer is not in uniform, he/she should display proper forest service identification to the people contacted.

JODY L. WILLIAMSON
Law Enforcement Officer
Wallowa-Whitman National Forest



R.43 East

T.1 South

Huckleberry Mtn. Trail