

**ORDER OF THE FOREST SUPERVISOR
EMERGENCY OCCUPANCY AND USE CLOSURE FOR THE
CHEQUAMEGON-NICOLET NATIONAL FOREST**

Under authority of the Act of Congress of June 4, 1897, 16 USC 551, and pursuant to the Secretary of Agriculture's Regulations set forth at 36 CFR 261.50(a) and 261.50(b), the following acts or omissions are prohibited on National Forest System lands, roads and trails on the Chequamegon-Nicolet National Forest in Ashland, Bayfield, Price, Sawyer, Taylor, Vilas, Oneida, Florence, Forest, Langlade and Oconto Counties, Wisconsin:

Possessing, storing or transporting any part of a tree or other plant as described below (36 CFR 261.58(t)).

- a. Any firewood of any species purchased or gathered from a distance of more than 25 miles of a Chequamegon-Nicolet National Forest campsite, picnic site or destination, unless certified as described below.
- b. Any firewood from a federal or state quarantined county or area.

Approved firewood includes:

- Firewood gathered from the Chequamegon-Nicolet National Forest for the use at National Forest campsites, picnic areas or destinations within the Forest.
- Firewood purchased or gathered within a distance of 25 miles of the National Forest campground, picnic site or destination.
- Firewood certified by the Wisconsin Department of Agriculture, Transportation and Consumer Protection. Certified firewood can originate from more than 25 miles from the National Forest destination. Certified firewood, which is treated to kill pests, must list the certification number on the label of the firewood bundle or packaging. The label or packaging must state that the firewood has been treated.
- Kiln-dried, untreated/unpainted/unstained construction/dimensional lumber that is free of any metal or foreign substance. Pallet boards are not included in this category.

Firewood is defined as any part or portion of a tree that has been cut and removed from its original location and is to be used as fuel for heating, cooking or viewing in an open pit, grill, fireplace or stove.

PURPOSE OF EMERGENCY ACTION:

The Emerald Ash Borer (EAB) (*Agrilus planipennis*) is a destructive, non-native wood-boring insect that attacks ash trees (*Fraxinus* spp., including green ash, white ash, black ash, and several horticultural varieties of ash). This emergency action is necessary to prevent the artificial spread of Emerald Ash Borer (EAB) into non-infested areas of the National Forest System.

This closure is consistent with the emergency Federal regulations found at Title 7 Code of Federal Regulations (CFR), Part 301, all of which are necessary to restrict the interstate movement of certain articles from the quarantined areas to prevent the artificial spread of EAB to National Forest System lands.

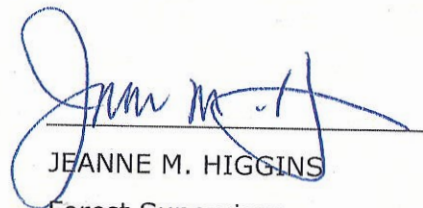
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Pursuant to 36 CFR 261.50(e), the following persons are exempt from this order:

1. Persons with a permit granted either by USDA-Animal and Plant Health Inspection Service (APHIS) or USDA-Forest Service specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local officer or member of any organized rescue or fire fighting force in the performance of an official duty.
3. Any USDA, APHIS Administrator, Inspector or its agents thereof.

THIS RESTRICTION IS IN ADDITION TO THE GENERAL PROHIBITIONS FOUND AT 36 CFR PART 261, SUBPART A, AND WILL REMAIN IN EFFECT FROM THE DATE OF THIS ORDER UNTIL TERMINATED OR RESCINDED BY THE FOREST SUPERVISOR.

Dated this 31 day of August, 2009, in Park Falls, Wisconsin.



JEANNE M. HIGGINS

Forest Supervisor

Chequamegon-Nicolet

National Forest

Violations of these prohibitions are punishable by a fine of not more than \$5,000 for an individual, or \$10,000 for an organization, or imprisonment for not more than 6 months, or both. [16 USC § 551, 18 USC §§ 3559 and 3571].