

**USDA FOREST SERVICE
NORTHERN REGION**
26 Fort Missoula Road
Missoula, MT 59804
Regional Forester's Closure Order
R1-2020-02

WEED FREE FORAGE AND MULCH PRODUCTS ORDER

Pursuant to 16 U.S.C. § 551, and 36 C.F.R. § 261.50(a) and (b), the following acts are prohibited on all National Forest System lands administered as National Forests or National Grasslands within the Northern Region (Region 1) of the United States Forest Service in the states of Idaho, Montana, North Dakota, South Dakota and Washington (the "Restricted Area"). The Restricted Area includes all land, roads and trails located within the boundaries of the following National Forests and National Grassland:

| <u>National Forests</u> | | <u>National Grassland</u> |
|-------------------------|------------------------|---------------------------|
| Bitterroot | Beaverhead-Deerlodge | Dakota Prairie |
| Custer Gallatin | Flathead | |
| Idaho Panhandle | Kootenai | |
| Nez Perce-Clearwater | Helena-Lewis and Clark | |
| Lolo | | |

PROHIBITIONS

Possessing, storing, and transporting straw, hay, grain, seed, or other forage or mulch product without:

1. Documentation that it is certified as weed free by a State certification process that meets or exceeds the North American Weed Free Forage standards, <https://www.naisma.org/wp-content/uploads/2020/04/NAISMA-WFF-Minimum-Standards-Final4-16-20.pdf>, or comparable standard; and
2. Tags, twine, or other weed free certification marking on all individual bales, containers, sacks, etc., as required by the product's State of origin.

36 C.F.R § 261.58(t).

PURPOSE

The purpose of this order is to restrict the introduction or spread of noxious weeds on National Forest System lands.

EXEMPTIONS

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

1. Persons with a special use authorization or other Forest Service authorization specifically exempting them from the effect of this Order. 36 C.F.R. § 261.50(e)(1).

2. 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. 36 C.F.R. § 261.50(e)(4).

3. Persons transporting forage or mulch products across the Restricted Area without unloading or using the products on NFS lands, roads or trails. 36 C.F.R. § 261.50(e)(6).

IMPLEMENTATION

This order will be in effect starting October 8, 2020, and will remain in effect through August 31, 2022.

A copy of this order shall be posted as prescribed under 36 CFR § 261.51.

VIOLATIONS

Violation of these prohibitions is 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 six (6) months, or both (16 U.S.C. § 551 and 18 U.S.C. §§ 3559, 3571, and 3581(b)(7)).

INFORMATION

Further information regarding this Order may be obtained at the Northern Region Office in Missoula, MT, telephone number (406) 329-3058.

Executed in Missoula, Montana, this ____ day of _____.

LEANNE MARTEN
Regional Forester