



UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
DESCHUTES NATIONAL FOREST
BEND, OREGON

FOREST ORDER NO. 06-01-21-02

CAVE RESOURCE PROTECTION RESTRICTIONS

Pursuant to 16 USC §551, 36 CFR §261.50(a), and 36 CFR §290 the following special restrictions and prohibitions are established on the Deschutes National Forest, in the State of Oregon, described herein, and depicted on the attached Exhibits A and B.

GENERAL CAVE PROHIBITIONS:

If not prohibited from entering or being in a particular cave (see cave-specific prohibitions, below), within a cave:

- Building, maintaining, attending, or using a fire, campfire, or stove fire. **[36 CFR 261.52(a)]**
- Depositing any foreign material. **[36 CFR 261.53(a),(c)]**
- Camping. **[36 CFR 261.58(e)]**
- Smoking. **[36 CFR 261.52(c)]**
- Possessing a beverage which is defined as an alcoholic beverage by State law. **[36 CFR 261.58(bb)]**
- Possessing any glass containers and/or paint. **[36 CFR 261.53(a),(c)]**
- Possessing any domestic animals (with the exception of service animals as defined on www.ADA.gov). **[36 CFR 261.58(s)]**
- Using any hand-drying agent (chalk or other substances). **[36 CFR 261.53(c)]**
- Installing permanent anchors (e.g., bolts, pitons). **[36 CFR 261.53(a),(c)]**
- Slacklining. **[36 CFR 261.53(a),(c)]**
- Depositing any body waste (including domestic animal body waste) except into receptacles provided for that purpose. **[36 CFR 261.58(ee)]**
- Possessing, using, and/or operating an internal combustion engine. **[36 CFR 261.52(h)]**
- Possessing, using, and/or operating a motorized vehicle (such as off-highway vehicles, electric bikes, electric skateboards, one-wheels, etc.), and/or mechanized vehicle (such as mountain bikes, skateboards, etc.). **[36 CFR 261.53(a),(c), 36 CFR 261.56]**
- Broadcasting glitter, dust (beyond what is naturally produced by walking and crawling), smoke, or other substances into the air. **[36 CFR 261.53(a),(c)]**

CAVE-SPECIFIC PROHIBITIONS:

Lava River Cave:

- Entering or being in Lava River Cave (west tube, show cave) from September 15 through April 30 (winter closure), or until the beginning of the open season, whichever is latest. **[36 CFR 261.53(a),(c)]**
- Entering or being in Lava River Cave (west tube, show cave) from May 1 to September 14, or after the end of the open season, whichever is earliest, between the hours of 5:00pm and 9:00am. **[36 CFR 261.53(a),(c)]**
- Entering or being in the last 300 feet of the west tube (west tube, show cave). **[36 CFR 261.53(a)]**
- Entering or being in the gated east tube of the cave year-round. **[36 CFR 261.53(a)]**
- Climbing or bouldering of any kind within the cave. **[36 CFR 261.53(a),(c)]**

Skeleton Cave:

- Entering or being in the cave year-round. **[36 CFR 261.53(a),(c)]**
- Climbing or bouldering of any kind inside or outside the gate at the cave entrance from September 15 through April 30. **[36 CFR 261.53(a),(c)]**

Hidden Forest Cave:

- Climbing or bouldering of any kind within the cave. **[36 CFR 261.53(a),(c)]**

Bat, Charcoal #1, Charlie the Cave (both upper and lower chambers), Deg, Eternity, Infinity, Lavacicle, and Wind caves:

- Entering or being in the cave year-round. **[36 CFR 261.53(a),(c)]**

Arnold Ice, Lee's, Lower Quartz Mountain, and Skylight caves:

- Entering or being in the cave from September 15 through April 30 (winter closure). **[36 CFR 261.53(a),(c)]**

GENERAL CAVE AND CAVE-SPECIFIC EXEMPTIONS:

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

- 1) Persons under a special use authorization or agreement that allows the otherwise prohibited activity, and approved contractors and their agents directly engaged in approved work outlined in an operating plan or permit.
- 2) Any Federal, State, or Local officer, or member of an organized search and rescue or fire fighting force in the performance of an official duty.

DEFINITIONS:

For the purpose of this order, both the definitions in 36 CFR §261.2 and the following definitions apply to this order:

- 'Bolt' refers to small anchoring devices used to protect climbers where there are no cracks for other types of protection.
- 'Bouldering' refers to ropeless climbing that concentrates on short, sequential moves on rock.
- 'Broadcasting' refers to scattering a material or substance over a broad area.
- 'Cave' refers to any naturally occurring void, cavity, recess, or system of interconnected passages beneath the surface of the earth or within a cliff or ledge and which is large enough to permit a person to enter, whether the entrance is excavated or naturally formed. Such term shall include any natural pit, sinkhole, or other opening which is an extension of a cave entrance or which is an integral part of the cave (36 CFR §290.2). See Exhibit B.
- 'Climbing' refers to ascending a rock wall using available holds, using climbing equipment (hand placed and/or fixed protection), and generally with the safety of a rope and belayer.
- 'Fire' refers to lighting, maintaining, attending, or using any burning material.
- 'Piton' refers to anchors that are small metal spikes, generally 2 to 4 inches long, that are placed by hammering them into existing cracks in the rock, and are typically left in place for other climbers to use.
- 'Slacklining' refers to the act of walking, running, or balancing along a suspended length of flat webbing that is tensioned between two anchors.

These prohibitions are necessary to protect National Forest System lands from adverse impacts to non-renewable, and extremely fragile, cave resources. The 1988 Federal Cave Resources Protection Act mandates Federal agencies to secure, protect, and preserve significant caves on Federal lands for the perpetual use, enjoyment, and benefit of all people. Many caves on the Deschutes National Forest are recognized as significant caves in every category, for outstanding biota, cultural, geologic-mineralogical-paleontological, hydrologic, recreational, and/or educational-scientific characteristics. The purpose of this forest order is to: provide consistency in management, protection, and use of caves on the Deschutes National Forest; reduce the risk of spread of white-nose syndrome to bats on the Deschutes National Forest; and avoid adverse impacts to cultural resources, geologic features, wildlife, mosses, and other cave resources from Forest users.

These prohibitions are in addition to general prohibitions pursuant to 36 CFR Part 261, Subpart A.

This Order becomes effective April 1, 2021, and will remain in force until March 31, 2026, or the Order is rescinded.

Done at Bend, Oregon, this 31st day of March, 2021.

Violations 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 USC § 551; 18 USC § 3551, § 3559, § 3571, and § 3581*).

Holly Jewkes
Forest Supervisor
Deschutes National Forest

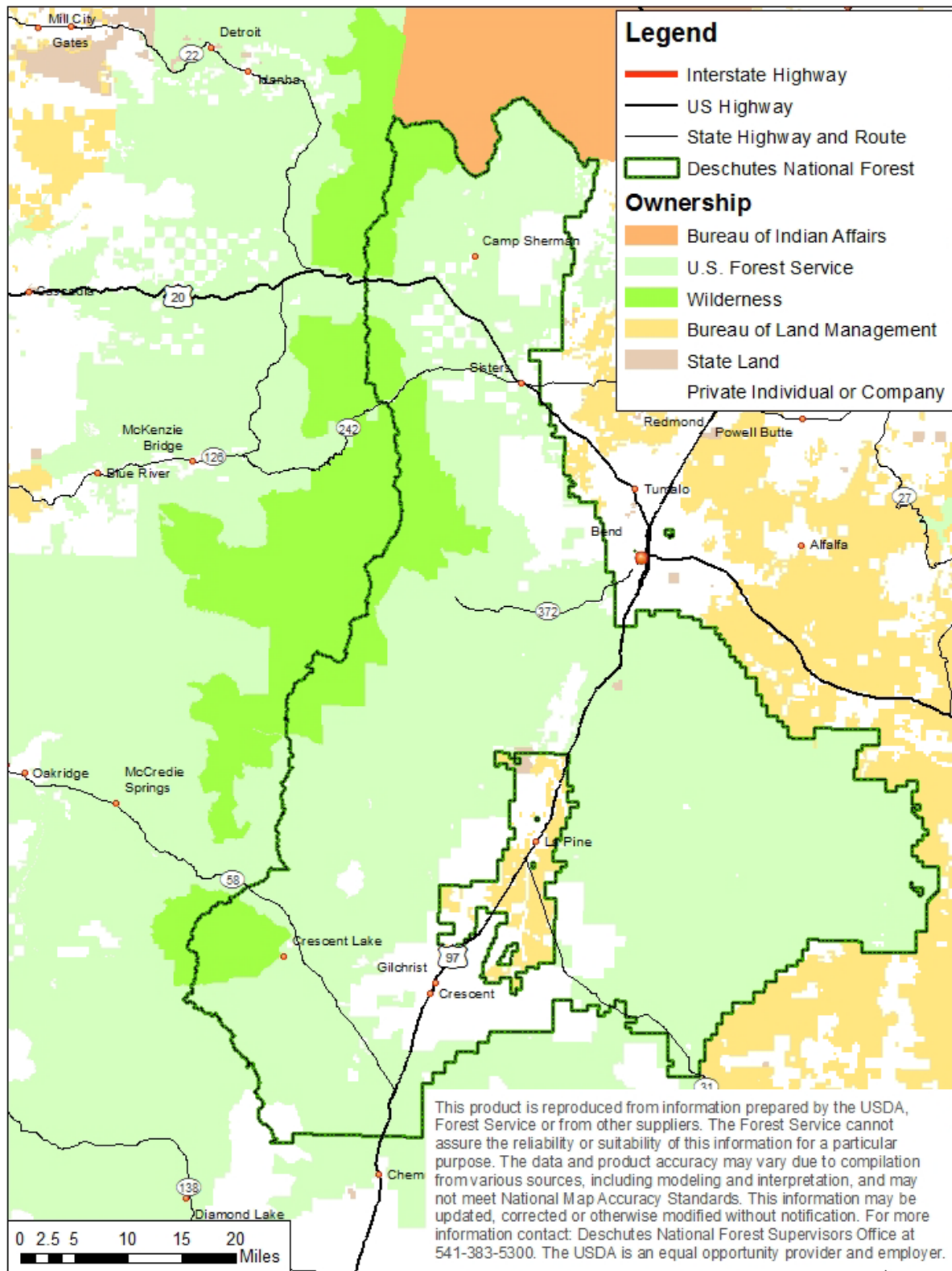


Exhibit A. Deschutes National Forest

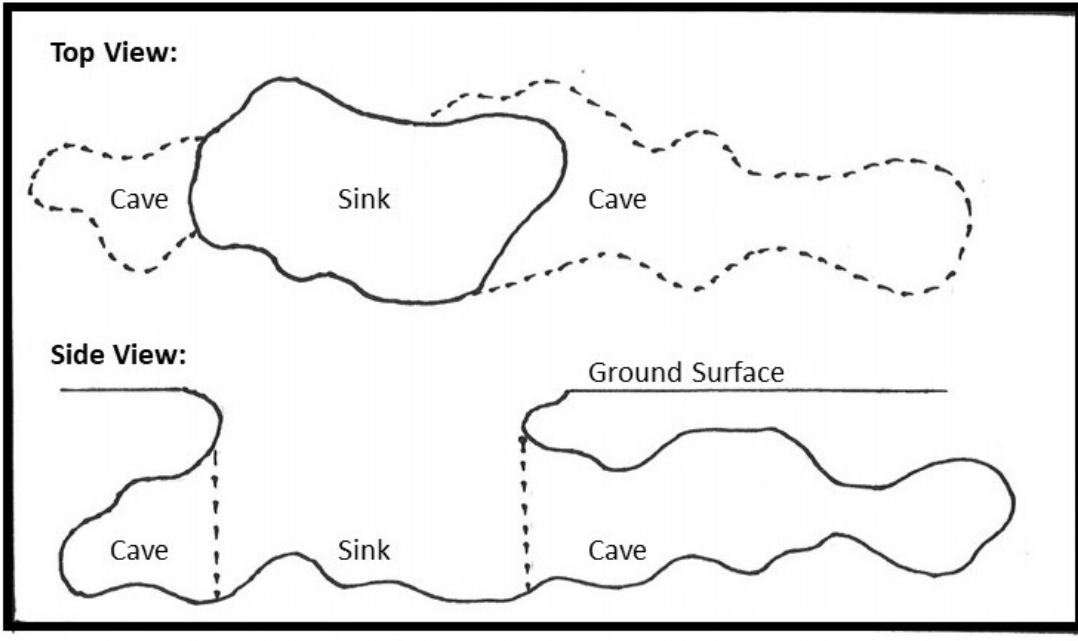


Exhibit B. Cave and cave sink illustration