



ORDER NUMBER: R9-10-21-03

**CLOSURE ORDER OF THE FOREST SUPERVISOR
RESTRICTING PUBLIC ENTRY TO
STONINGTON QUARRY ON THE HIAWATHA NATIONAL FOREST
HIAWATHA NATIONAL FOREST-MICHIGAN**

Under the authority of the Act of Congress dated June 4, 1897, as amended (16 USC 551) and the Secretary of Agriculture’s regulation 36 CFR 261.50 (a) and (b), the following acts are prohibited at the SW1/4, Section 11; T39N R21W, in Delta County, Michigan on all lands owned by the Hiawatha National Forest.

Entering the identified area which is closed for the protection of objects and areas that are of significant historical, archeological, geological and paleontological interest.	36 CFR 261.53 (c)
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A Significant Paleontological Resource is defined as fossils that possess novel scientific information about the history of life on earth due to exceptional characteristics of identity, context, or preservation as determined through the process outlined in 36 CFR § 291.9 and 291.11 (d, e)

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

1. Persons with a permit specifically authorizing the prohibited act or omission.
2. Any Federal, State, or local officer or official, or member of an organized rescue or fire fighting force, while in the performance of an official duty.
3. Forest Service employees conducting surveys or monitoring in accordance with their duties and as approved by the Forest Supervisor, while following all necessary procedures.

Under authority of Title 16 USC 551 and Title 18 USC 3559 and 3571, violation of these prohibitions is punishable by a fine of up to \$5000 and/or imprisonment for up to six months.

Executed in Gladstone, Michigan this 21 day of September 2021.

**MARY MOORE
Forest Supervisor
Hiawatha National Forest**



**ORDER NUMBER: R9-10-21-03
ORDER OF THE FOREST SUPERVISOR
CLOSING AN AREA TO ENTRY, TO WIT:
STONINGTON LIMESTONE QUARRY
also known as
BIG HILL LAGERSTÄTTE**

Hiawatha National Forest – Rapid River/Manistique Ranger District
Delta County, Michigan

This letter provides information to assist the Responsible Official to conclude whether a proposed action fits within an identified category of exclusion as outlined in Forest Service handbook 1909.15, Chapter 30. In addition to existing conditions information, this letter includes a recommendation for an appropriate category of action based upon Environmental Coordinator expertise.

Introduction: A proposed action may be categorically excluded from further analysis and documentation in an EA or EIS if a responsible official can: (1) determine whether extraordinary circumstances are present and if so, (2) determine the degree of potential effects on the resource conditions listed below (FSH 1909.12, Chapter 31.2). Use of a categorical exclusion would be precluded if uncertainty exists about the significance of potential effect(s).

Resource conditions to consider for determining extraordinary circumstances:

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species;
2. Flood plains, wetlands, or municipal watersheds;
3. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas;
4. Inventoried roadless areas or potential wilderness areas;
5. Research natural areas;
6. American Indian and Alaska Native religious or cultural sites; and,
7. Archaeological sites or historic properties or areas.

Proposed Action: The Hiawatha National Forest is proposing the closure of the Stonington Limestone Quarry (also known as Big Hill Lagerstätte) to public access *via* Forest Supervisor Closure Order. The closure encompasses SW1/4, Section 11, T39N R21W as shown on the attached map. AUTHORIZED PERSONNEL ONLY (or similar) signs will be posted at the existing gate along with the closure order.



Access to the site will be limited to authorized Forest Service staff and academic researchers for paleontological research. All academic researchers must first obtain appropriate permits and must have them in their possession while accessing this site.

Current Conditions: The quarry is nearing the end of its lifespan but the primary reason for closure is to protect a rare form of fossil that has been found at this site from unauthorized removal and selling.

Due to the unique nature of this site, Forest Service and academic researchers would like to retain access for scientific research purposes.

Purpose and Need for Action: The purpose of this closure is to stop use of this site as an active quarry and prevent unauthorized public access to the site, specifically fossil hunters who are unlawfully collecting and selling/distributing artifacts. The *Stonington Limestone Quarry* is the only known location within the United States where this specific geologic stratum is accessible at the surface; it's also only one of five known locations in the world. Due to these factors, there has been an increase in fossil collection from the site over the past few years.

Upon review of the information above, it is my recommendation that the following categorical exclusion is considered for this proposed action:

- 7 CFR 1b.3(a)(3) for Inventories, research activities, and studies, such as resource inventories and routine data collection when limited in context and intensity.

Pursuant to 36 CFR 220.6. This action does not require a Decision Memo.

Document prepared by Rebecca Cain, Zone NEPA Coordinator, 8/26/2021

Linda S. Helm Digitally signed by Linda S. Helm
Date: 2021.09.17 15:50:29 -04'00'

Decision Maker: Linda S. Helm, Deputy District Ranger

CLOSURE ORDER OF THE FOREST
SUPERVISOR RESTRICTING PUBLIC ENTRY TO
STONINGTON QUARRY ON THE HIAWATHA
NATIONAL FOREST

Hiawatha National Forest - Michigan

Order Number: R9-10-21-03

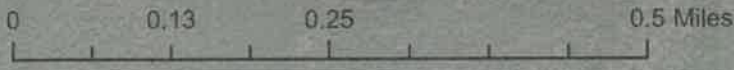
Co Rd 511

Co Rd K-10



Quarry

Area closed:
T39N R21W Section 11 SW 1/4



Proposed Closure Order_R9-10-21-03

Major civil rights impacts are those consequences of proposed policy actions that, if implemented, would negatively and disproportionately affect groups or classes of people by virtue of their race, color, sex, national origin, age, religion, family status, or disability.

I have considered the impact of the proposed prohibitions on the civil rights of minorities, women, persons with disabilities, and other protected groups. In considering the effects of the proposed action, it was determined that the civil rights of any protected group or class of people would not be affected by this closure.

Linda S. Helm Digitally signed by Linda S. Helm
Date: 2021.09.09 14:35:45 -04'00'

Linda S. Helm
Deputy District Ranger
West Zone of the Hiawatha National Forest

**Forest Supervisor's Closure Order Enforcement Plan
Hiawatha National Forest
Gladstone, Michigan**

Date: September 9, 2021

Order Number: R9-10-21-03

Order Name: Stonington Limestone Quarry

Public Notice: Forest Website

Copies of closure shall be posted and available for public inspection at all administrative offices of the Hiawatha National Forest. Public notification of the closure will also be made using the forest's external web site.

Signs shall be posted in various areas around the perimeter of the site as to notify the public of a closure but not in a manner that draws attention to the area sensitive in nature.

Enforcement:

Enforcement of the site will be accomplished using a multi-pronged approach that consists of signage in the appropriate locations, camera deployments for both proactive and investigatory measures as well as regular communication from the Minerals staff on possible breaches or intel.

Minerals staff will communicate with both forest leadership and law enforcement on permits issued for access to the site.

LE&I staff will communicate the closure and enforcement strategies to area cooperators to increase the effectiveness of monitoring a remote site.

Physical closures or enhanced closure methods will be considered after monitoring of the current proposal.

**Hiawatha National Forest
Closure Order R9-10-21-03**

Statement of Justification and Need

The Hiawatha National Forest has proposed a closure of all lands owned by the USFS on the SW1/4, Section 11; T39N R21W in Delta County, Michigan until specifically withdrawn by termination order of the Forest Supervisor or until a period of 20 years has elapsed.

This closure is due to the recent discovery and unauthorized recovery of significant paleontological resources in the area. A Significant Paleontological Resource is defined as an assemblage of fossils that possess novel scientific information about the history of life on earth due to exceptional characteristics of identity, context, or preservation as determined through the process outlined in 36 CFR § 291.9 and 291.11 (d, e).

The area will be posted as closed to all public use during this timeframe to protect scientific, mineral, and cultural resources in the area.