



UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
OLYMPIC NATIONAL FOREST

ORDER NO. 06-09-20-08

Pursuant to 16 USC § 551 and 36 CFR § 261.50 (a) & (b), and for public safety, the following acts are prohibited upon National Forest System Roads 24 and 2451, Forest Service Trails 814, 876, and 872, and the area immediate adjacent to FS Roads 24 between section 7 and the Olympic National Park boundary in Section 3 located within the Hood Canal Ranger District of the Olympic National Forest as described below and shown in Exhibits A, B, and C. This Order will be effective beginning August 22, 2020 and shall be in effect until September 30, 2020, unless rescinded earlier.

PROHIBITION:

1. Going into or being upon any area that is closed for the protection of public health or safety. [36 CFR § 261.53(e)]
2. Being on a road. [36 CFR § 261.54(e)]
3. Being on a trail. [36 CFR § 261.55(a)]

This order prohibits anyone from entering the closure area which consists of Forest System Road (FSR) 24 beginning at the intersection of State Route 119 and Mt. Tebo, continuing west where FSR 24 meets the Olympic National Park boundary to include all Forest System lands between FSR 24 and the shoreline of Lake Cushman, FSR 2451 from its junction with FSR 24 to the Olympic National Park boundary and Forest Service Trails 814, 876 and 872 located within T23N, R4W, Section 7 and T23N, R5W, Sections 1, 2, 3, 9, 10, 11, 12, 15 & 16, as shown in exhibits A, B, and C.

EXEMPTIONS:

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

1. Persons with a permit 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.

This prohibition is in addition to the general prohibitions in 36 C.F.R. Part 261, Subpart A.

Executed in Everett, Washington this 20 day of August 2020.

KELLY D. LAWRENCE  
Forest Supervisor  
Olympic National Forest

Violations of this prohibition are punishable as a Class B Misdemeanor, 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 18 USC § 3571).

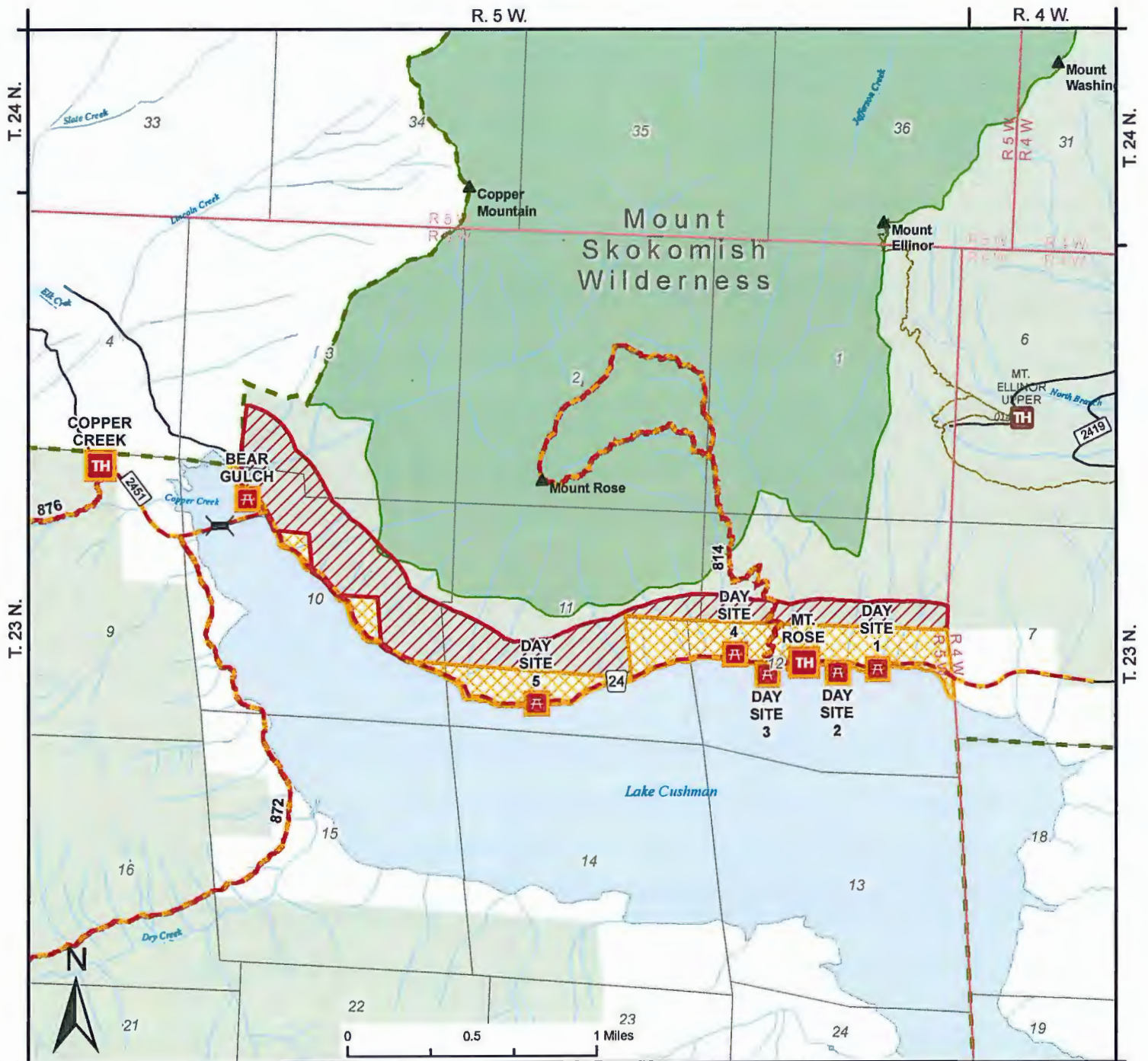
## Assessment of Need and Enforcement Plan

**Prohibition Objective:** This emergency closure action is needed due to changes in public use patterns, in 2020, which are impacting employee and visitor safety.

**Public Notification Plan:** Information associated with the closure has been and will continue to be made available to the public through website updates releases, partner organizations, and at Forest Service offices. The affected area will continue to be posted with signs indicating that it is closed to public entry.

### Enforcement Plan:

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Hood Canal Staff	8/18/2020
Review proposed order (Law Enforcement)	Patrol Captain	8/19/2020
Approve proposed order	Forest Supervisor	8/19/2020
Post order in accordance with 36 CFR 261.51	District Staff Officer and Staff	
Update closure information on Forest website	Public Affairs Specialist	
District staff will be responsible for the management and enforcement of this closure. Any enforcement actions will be within normal policies and procedures established by the LEI Patrol Captain for the zone.	District Staff	Ongoing









Map 1 of 3



**06-09-20-08**  
**Lake Cushman**  
**Corridor Area Closure**  
**Olympic National Forest**  
**Exhibit A**

**Legend**

-  Site Closure
-  Road /Trail Closure
-  FS Area Closure
-  Tacoma Power Land Closure
-  USFS Admin Boundary
-  National Forest Land
-  Wilderness

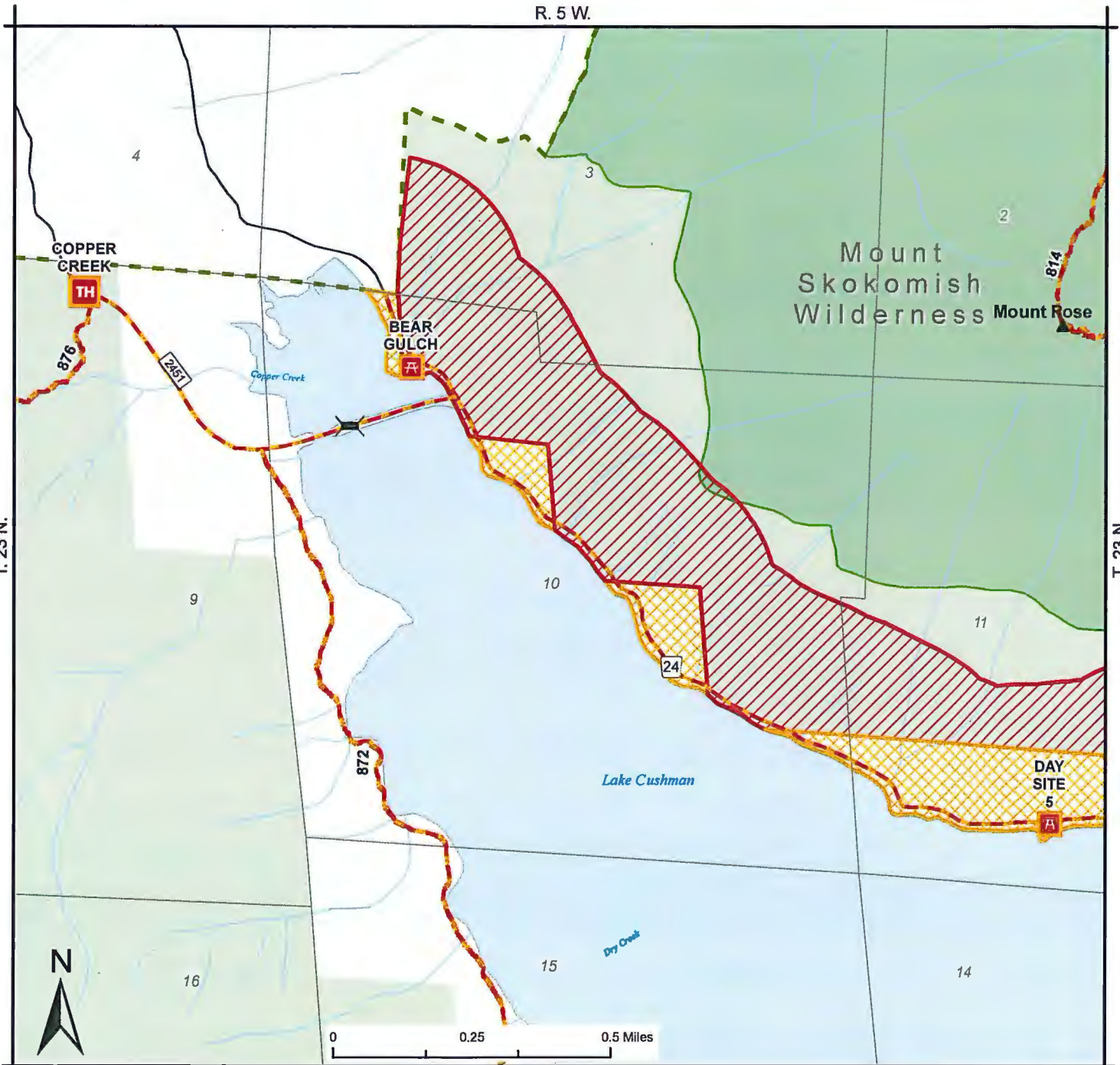


For more information contact: Olympic National Forest Office at 360-956-2300

R. 5 W.

T. 23 N.








T. 23 N.

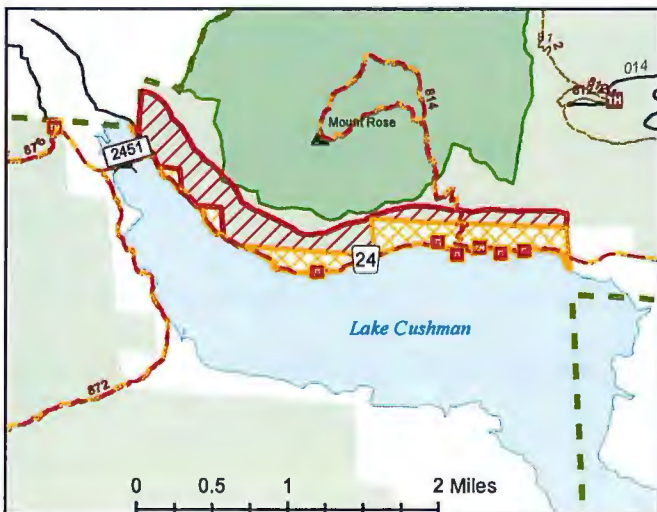


Map 2 of 3

**06-09-20-08  
Lake Cushman  
Corridor Area Closure  
Olympic National Forest  
Exhibit B**

**Legend**

-  Site Closure
-  Road /Trail Closure
-  FS Closure Area
-  Tacoma Power Land Closure
-  USFS Admin Boundary
-  National Forest Land
-  Wilderness



For more information contact: Olympic National Forest Office at 360-950-2300







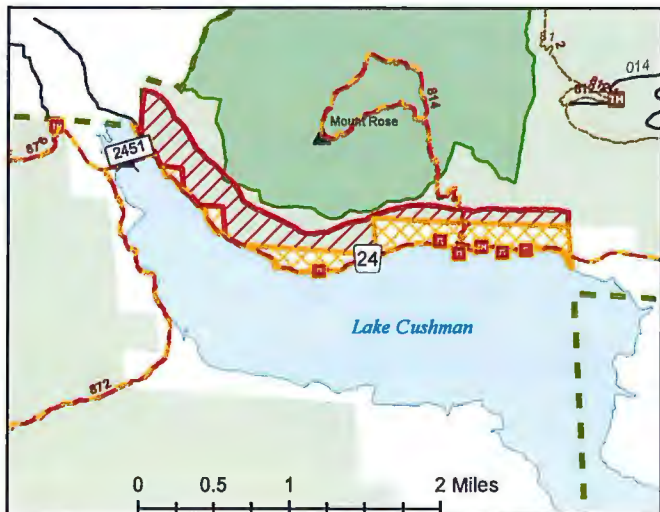


Map 3 of 3

**06-09-20-08  
Lake Cushman  
Corridor Area Closure  
Olympic National Forest  
Exhibit C**

**Legend**

-  Site Closure
-  Road /Trail Closure
-  FS Closure Area
-  Tacoma Power Land Closure
-  USFS Admin Boundary
-  National Forest Land
-  Wilderness



For more information contact: Olympic National Forest Office at 360-956-2300





August 19, 2020

MEMORANDUM

FROM: FOREST SUPERVISOR  
TO: FILE  
SUBJECT: LAKE CUSHMAN EMERGENCY CLOSURE  
FILE CODE: 1950

**BACKGROUND AND NEED:**

The intent of this document is to identify and state the purpose and need for an emergency full area closure of the Lake Cushman corridor to all use. The closure area consists of National Forest System Roads 24 and 2451, Forest Service Trails 814, 876, and 872, and the area immediate adjacent to FS Roads 24 between section 7 and the Olympic National Park boundary in Section 3 located within the Hood Canal Ranger District of the Olympic National Forest as described below and shown in Exhibits A, B, and C. This emergency closure action is needed due to changed use patterns in 2020 which are impacting employee and visitor safety.

**PUBLIC SCOPING:**

This emergency action has been discussed with partner landowners and interested parties and has full support and agreement. These neighboring landowners are also implementing closures of their lands within the area to mirror Forest Service actions. This is in response to unsafe conditions which have been commented on by the public.

**NEPA REVIEW:**

Based on a review of the proposed order and consultation with District and Forest resource specialists, I have concluded that the restrictions included in this closure order were evaluated in the Cushman Hydroelectric Project EIS (FERC/EIS-0095F). I have determined that there are no extraordinary circumstances associated with this use restriction.

**CIVIL RIGHTS IMPACT ANALYSIS:**

This temporary restriction does not meet the criteria requiring a CRIA according to Department Regulation No. 4300-4 dated 9/22/1993, which states a CRIA is needed for:

- New legislation or amendments to existing legislation proposed by the agency
- New or revised agency regulations or instructions
- Budget proposals
- Grants, contracts, loans, or project approvals or disapprovals
- Reorganizations



- Office consolidations, closures or relocations

Nor do Public Use Restrictions meet the criteria identified in the USDA Forest Service, Washington Office, Civil Rights Impact Analysis Guide which references actions such as:

- Legislative proposals, policies, programs or projects for which an environmental impact statement (EIS) is needed
- Changes in or new rules, regulations or policies to be published in the Federal Register and not requiring an EIS
- Decision affecting program delivery which will not be published in the Federal Register
- Proposed locations or relocations of field installations involving permanent employees
- Revisions of the Forest Service Directive System

Accordingly, I have determined that this closure will have no impacts on civil rights as it will apply to all individuals. No one group or person will be affected more than another group or person.

**SUMMARY:**

Based on my review, I have determined that this Forest Order is compliant with the Forest Order process and should be authorized.