



**UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
DAKOTA PRAIRIE GRASSLANDS  
MEDORA RANGER DISTRICT – DICKINSON, NORTH DAKOTA**

**FOREST ORDER**

Trail Closure – Maah Daah Hey National Recreation Trail #7001 mile 67.75 through mile 72.25

Pursuant to 16 U.S.C. § 551, 36 C.F.R. § 261.50 (a) and (b) and 36 C.F.R. § 261.53(e) the following acts are prohibited on the Medora Ranger District, Dakota Prairie Grassland:

**PROHIBITION:**

1. **Being on the trail [36 C.F.R. § 261.55(a)].**

**AREA CLOSURE DESCRIPTION:**

The closure applies to National Forest System Trail (NFST) 7001; the Maah Daah Hey National Recreation Trail from mile 67.75 through mile 72.25. (See Attachment A) The trail closure can also be identified as the section of the Maah Daah Hey National Recreation Trail between Forest System Roads 728 and 725.

**PURPOSE:**

This closure is for public safety due to unstable sections of trail. Several areas in this location along the Maah Daah Hey National Recreation Trail have been disturbed by large movements of earth. Trail has been severely damaged in two locations and has been deemed unsafe to traverse.

**IMPLEMENTATION:**

This order will be in effect from date signed and shall remain in effect until October 15, 2021 or until the order is rescinded, whichever occurs first.

These prohibitions are in addition to the general prohibitions in 36 C.F.R. Part 261, Subpart A.

**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 an organized rescue or fire fighting force in the performance of an official duty; and

**VIOLATION:**

Violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, imprisonment for not more than 6 months, or both. (16 U.S.C. §551 and 18 U.S.C. §§ 3559, 3571(b)(6) and 3581(b)(7).

**INFORMATION:**

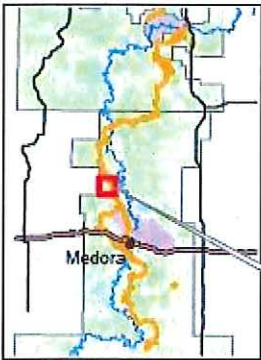
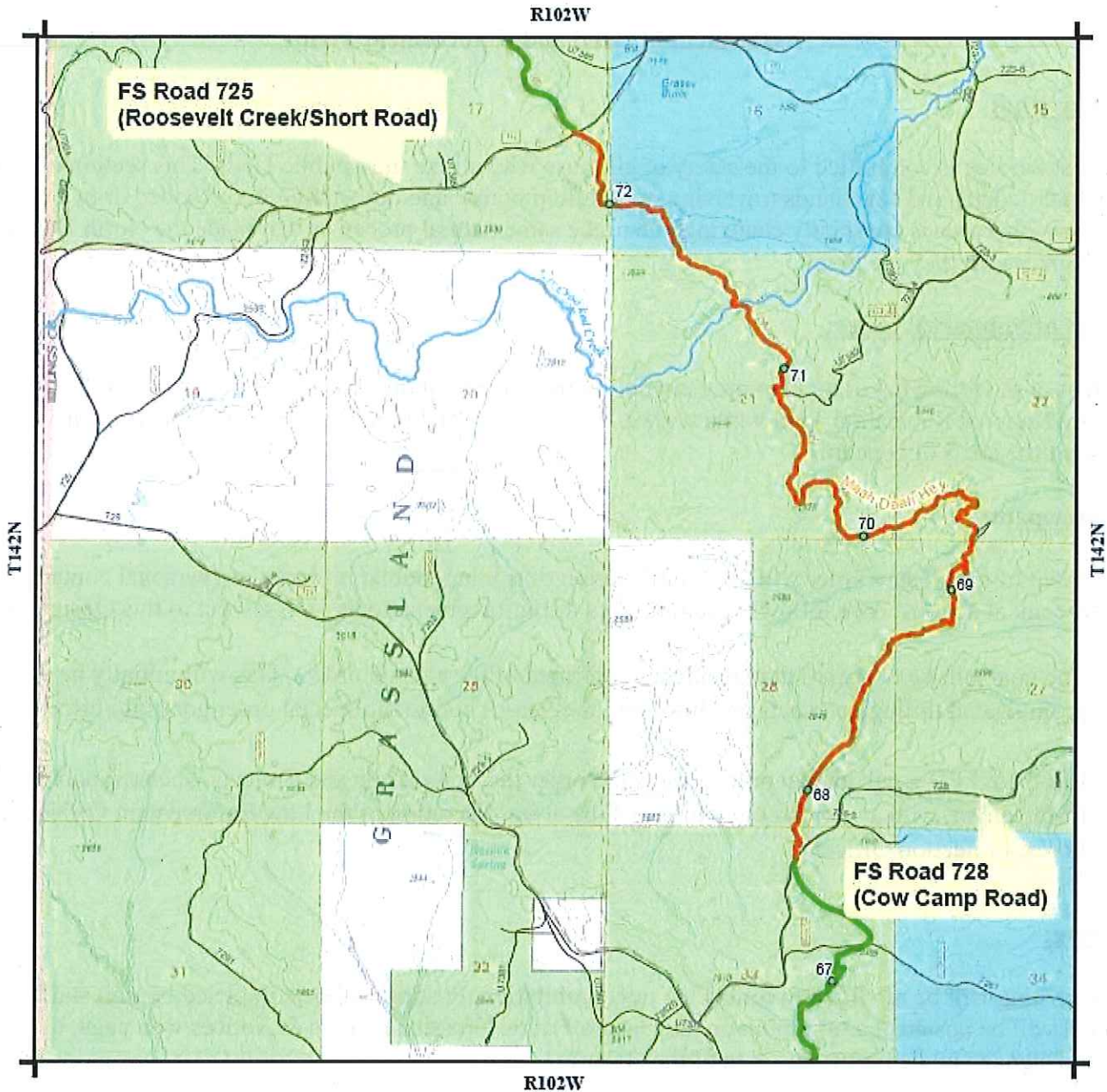
Further information regarding this Order may be obtained at the Medora Ranger District Office located at 99 23<sup>rd</sup> Ave West Suite B, Dickinson, North Dakota, (701) 227-7800, and at the Dakota Prairie Grasslands Supervisory Office located at 2000 Miriam Circle, Bismarck, North Dakota, (701) 989-7300.

Executed in Bismarck, North Dakota, this \_\_\_ day of November, 2019.



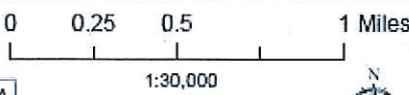
WILLIAM O'DONNELL  
Grasslands Supervisor

Attachment A: Trail Closure Map



**TEMPORARY TRAIL CLOSURE**

A temporary trail closure has been issued for the Maah Daah Hey Trail between FS 728 and FS 725 (MDHT miles 67.75-72.25)



**Legend**

- Trail Mile Marker
- Trail Status: Closed
- Trail Status: Open
- National Grassland
- Private
- National Park Service
- State

## Assessment of Need and Enforcement Plan

### **1. Background:**

The Forest Service is committed to the safety of all those who utilize their public lands. This section of trail crosses both federal and state lands traversing over hilltop prairie and descending into wooded draws. The landscape in this area is constantly changing due to the same natural processes that made the North Dakota badlands into what they are today.

### **2. Intent of Subpart B order:**

The intent of the following order is to protect public safety by restricting access to this section of the Maah Daah Hey National Recreation Trail while we work with our specialists to identify a suitable route to circumvent the areas of concern.

### **3. Enforcement:**

Enforcement of the closure order will be a combination of signing, public information, personal contacts and law enforcement actions. The following summarizes the enforcement goals with respect to this closure order:

- The goal will be to ensure that people are informed of the closure order. This will initially be promulgated through contacts and information releases before the special order goes into effect.
- LEO's & FPO's will endeavor to enforce the order through patrols and contacts when available to do so. Enforcement with a warning or citation will be at the discretion of the Law Enforcement Officer or Forest Protection Officer.

### **4: Posting:**

Current posting will be modified to reflect the new prohibition. Posting will be completed by unit staff and field personnel will be posted at a minimum on the Dakota Prairie Grassland Alerts & Notices web page, the District office and signage in the immediate area of the closure.



**ORDER CHECKLIST**

<u>Action</u>	<u>Responsible Official(s)</u>	<u>Initials/Date</u>
Prepare proposed Order	Appropriate staff(s)	WH
NEPA requirements completed	Appropriate staff	N/A
CRIA requirements completed	Appropriate staff	N/A
Prepare enforcement plan	LEI with appropriate staff input	NWC 11/20
Review proposed Order & approve enforcement plan	Patrol Captain	NWC 11/20
Review by OGC	Regional OGC	
Approve Order	Grasslands Supervisor	
Post Order (36 CFR 261.51)	District Ranger/Forest Supervisor	
Prepare news releases for Order describing the order and management objectives. Describe implementation/action taken for order, such as planned patrols, enforcement strategies, tolerance, contacts to local public agencies.	PAO (with Appropriate Staff/LEI)	
Implement plan	LEO/field going personnel	
Complete Case File Filing	Order Records Officer	