

8/17/2016

**FOR BEAVER CREEK and BROADWAY FIRE AREA CLOSURE – MBRTB-2016-172 Revision 5
JUSTIFICATION AND CIVIL RIGHTS IMPACT STATEMENT**

As a result of management of the new Broadway Fire and continued fire activity and substantial risks to public and firefighter safety in the adjacent Beaver Creek Fire Area, the Medicine Bow-Routt National Forest Supervisor has made the decision to make additional modifications to the Wyoming portions of the fire closure area during management of the Beaver Creek-Broadway Fire incident, pursuant to 36 CFR 261.50(a). These restrictions will affect new and existing users of the designated National Forest System Roads and the restricted area. The order provides exemptions that are articulated in Forest Supervisor's Order MBRTB-2016-172-Revision 5.

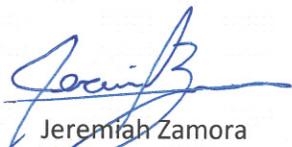
The purpose of the revised prohibitions is to protect public and firefighter health and safety during suppression of the Beaver Creek and Broadway fires. The justification for the Revised Order and Expanded Restricted Area is that Sunday, August 14, 2016, firefighters began management of the Broadway Fire, located approximately 4 miles west of the Beaver Creek Fire Closure Area boundary on the Brush Creek/Hayden Ranger District. At this time, both fires continue to burn in heavy fuels with a very high percentage of dead materials as a result of epidemic mountain pine beetle and spruce beetle activity. Continued drying in all fuel types, coupled with characteristically gusty winds during afternoon thunderstorms, has resulted in continued active fire behavior around the fire perimeter. Continuous heavy fuels across the northern part of the Parks District and the southern part of the Brush Creek/Hayden Ranger District make it possible for the fire to spread rapidly in response to gusty and variable winds. Furthermore, the interconnected nature of roads and trails within the Expanded Restricted Area make it difficult to enforce closures unless closures can be managed at main trailheads and major intersections. The primary change in MBRTB-2016-172-Revision 5 is closure of the area east of NFSR 496

The Broadway Fire is located in unroaded terrain and has similar fuels to the Beaver Creek fire area, with large contiguous areas of beetle killed lodgepole pine between the two fires. In order to provide for public and firefighter safety, the Restricted Area will now include NFS lands east of a boundary defined by NFSR 496 (aka Rim Road) between its intersections with NFSR 80 and NFSR 409. This boundary was chosen based on access and safety, considering the characteristics of the road, an active logging operation west of the road, and the hazards associated with fire traffic and logging equipment operating on or immediately adjacent the road. Permittees and contractors with business operations in the area served by NFSR 496 are exempted from the closure order provided they are in contact with Beaver Creek Incident Command.

The emergency closure is temporary. When warranted by containment of the fire as determined by Incident Command, the Forest Supervisor and myself, the restricted area and restricted roads may be reopened for public use. Additional expansions may also be necessary as incident management continues this fall.

The temporary restriction of all forms of travel and use on the restricted roads and in the restricted area will have no adverse impacts on civil rights because the closure will apply to all individuals equally unless listed on each Forest Supervisor's Orders MBRNF-2016-172-Revision 5 as exempted individuals. Otherwise, no one group will be affected more than another group.

Implementation of the proposed Supervisor's Order will not adversely or disproportionately impact minorities, women, low-income populations, or people with disabilities (Americans with Disabilities Act).



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/s/ Melanie B. Fullman

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