



File Code: 1950

Route To:

Date: May 14th, 2026

Subject: Documentation of Civil Rights Impact Analysis (CRIA) and National Environmental Policy Act (NEPA) Compliance for Title 36 Code of Federal Regulations (CFR) Subpart B Prohibition – Public Use Restrictions due to high fire danger. **#06-07-26-01**

To: Project File

Proposed Action: Issuing a Title 36 CFR Subpart B Order (Order) special restrictions and prohibitions will be established on all lands within the Ochoco National Forest and Crooked River National Grassland due to high fire danger and limited resource availability. This closure will become effective on May 18, 2026, and will remain in force through November 30, 2026, unless rescinded sooner.

BACKGROUND AND NEED:

The intent of this document is to justify the categorical exclusion decision and detail the civil rights impact analysis conducted in implementing Forest Order(s) that prohibit certain fire-related activities due to high fire danger and limited resource availability.

This Order includes an exemption for persons with a Forest Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order (Permit Form FS-7700-48). Authorization under this exemption will be provided only if I, or my delegate, determine that the risk to personal health and safety is reasonable considering the circumstances of the request. We also may require appropriate personal protective equipment and other necessary safety measures. I hereby delegate the authority to sign Form FS-7700-48 granting exemption to this Order to all Ochoco National Forest and Crooked River National Grassland District Rangers.

SCOPING AND PUBLIC OUTREACH:

Scoping occurred with Ochoco National Forest Line Officers, Staff Officers, interagency partners, local government cooperators and the adjacent National Forests staff regarding increasing fire danger across the Ochoco National Forest and Crooked River National Grassland.

Forest Service policy and procedures for implementing NEPA are contained in Forest Service Handbook (FSH) 1909.15 (NEPA Handbook). Chapter 30 of that handbook discusses categorical exclusion (CE) from documentation in an environmental impact statement (EIS) or environmental assessment (EA) for routine actions that normally do not have a significant effect on the quality of the human environment. The CE provisions indicate only that the action is excluded from documentation in an EIS or EA, not from NEPA analysis. 36 CFR 220.6(d)(1) and Category 1 in Section 31.1b of the handbook categorically excludes “orders issued pursuant to 36 CFR part 261 – Prohibitions to provide short-term resource protection or to protect public health and safety”, unless scoping indicates that there are extraordinary circumstances. This order is a short-duration order to protect public health and safety and is therefore categorically excluded.

The Forest Supervisor is responsible for certifying whether or not a CRIA must be conducted prior to making the decision on the proposed action. Civil rights impacts are defined as “alterations in people’s civil rights status that occur in conjunction with a new policy, program, project; are not attributable to any external factors; and are perceived by those affected as socially significant” (FSH 1709.11, sec. 30.5(12)). No potential major civil rights or social impacts related to the proposed action (issuing Title 36 CFR Subpart B prohibition in an area designated by an Order) were identified. Similar actions on previous Orders on NFSL did not cause impacts and would apply to all users of the forest.

I have concluded that this decision may be categorically excluded and no NEPA is required. Implementation of the decision may begin immediately.

Jeff Marszal
Forest Supervisor

