

## § 261.70

(dd) [Reserved]

(ee) Depositing any body waste in caves except into receptacles provided for that purpose.

[42 FR 2597, Jan. 14, 1977, as amended at 42 FR 35959, July 13, 1977; 43 FR 32136, July 25, 1978; 46 FR 33521, June 30, 1981; 52 FR 19347, May 22, 1987; 59 FR 31152, June 17, 1994]

## Subpart C—Prohibitions in Regions

### § 261.70 Issuance of regulations.

(a) Pursuant to 7 CFR 2.60, the Chief, and each Regional Forester, to whom the Chief has delegated authority, may issue regulations prohibiting acts or omissions within all or any part of the area over which he has jurisdiction, for one or more of the following purposes:

- (1) Fire prevention or control.
- (2) Disease prevention or control.
- (3) Protection of property, roads, or trails.
- (4) Protection of threatened, endangered, rare, unique, or vanishing species of plants, animals, birds or fish, or special biological communities.
- (5) Protection of objects or places of historical, archaeological, geological or paleontological interest.
- (6) Protection of scientific experiments or investigations.
- (7) Public safety.
- (8) Protection of health.
- (9) Establishing reasonable rules of public conduct.

(b) Regulations issued under this subpart shall not be contrary to or duplicate any prohibition which is established under existing regulations.

(c) In issuing any regulations under paragraph (a) of this section, the issuing officer shall follow 5 U.S.C. 553.

(d) In a situation when the issuing officer determines that a notice of proposed rule making and public participation thereon is impracticable, unnecessary, or contrary to the public interest, he shall issue, with the concurrence of the Chief, an interim regulation containing an expiration date.

(e) No interim regulation issued under paragraph (d) of this section will be effective for more than 90 days unless readopted as a permanent rule after a notice of proposed rule making under 5 U.S.C. 553 (b) and (c).

## 36 CFR Ch. II (7–1–10 Edition)

**§ 261.71 Regulations applicable to Region 1, Northern Region, as defined in § 200.2. [Reserved]**

**§ 261.72 Regulations applicable to Region 2, Rocky Mountain Region, as defined in § 200.2. [Reserved]**

**§ 261.73 Regulations applicable to Region 3, Southwestern Region, as defined in § 200.2. [Reserved]**

**§ 261.74 Regulations applicable to Region 4, Intermountain Region, as defined in § 200.2. [Reserved]**

**§ 261.75 Regulations applicable to Region 5, California Region, as defined in § 200.2.**

(a) *Definitions.* In this section: (1) *Middle Fork of the Feather River* means the river and land area in or adjacent to Plumas National Forest described as the *River Area* in the notice at 35 FR 4219 or any amendment to that notice.

(2) *Motorized equipment* means any equipment having or using an engine or motor, except small battery-powered handheld devices such as cameras, shavers, flashlights, and Geiger counters.

(3) *Wild river zone* means the area described as the Bald Rock Canyon Wild River Zone or as the Upper Canyon Wild River Zone in the notice at 35 FR 4219 or any amendment to that notice.

(b) *Prohibitions.* (1) Possessing or using motorized equipment in the wild river zone of the Middle Fork of the Feather River, except on the Stag Point Trail or the Cleghorn Bar Trail, is prohibited.

(2) Paragraph (b)(1) of this section does not apply to any equipment authorized by a permit from the Forest Supervisor, Plumas National Forest, containing such terms and conditions as he considers necessary for the protection or preservation of the wild river zone or the health, safety or welfare of its users. Violation of any term or condition of such a permit is prohibited.

[42 FR 31789, June 23, 1977]