

FOREST ORDER

**USDA FOREST SERVICE
SAN JUAN NATIONAL FOREST
STAGE 2 FIRE RESTRICTIONS**

Pursuant to 16 U.S.C. § 551 and 36 CFR § 261.50 (a) and (b), the following acts are prohibited on all National Forest System lands within the San Juan National Forest located within Archuleta, Conejos, Dolores, Hinsdale, La Plata, Mineral, Montezuma, Rio Grande, and San Juan Counties, State of Colorado, and on all roads and trails located with the Restricted Area as shown on the attached map incorporated into this Order as Exhibit A.

The purpose of this Order is to protect public health, safety, and natural resources by preventing wildfires.

PROHIBITIONS: The following acts are prohibited in the Restricted Area and on the Restricted Roads and Trails:

- 1) Igniting, building, maintaining, attending or using a fire, including fires in **developed recreation sites (campgrounds and picnic areas)**, charcoal grills and barbecues, coal and wood burning stoves, and shepherd's stoves. 36 CFR § 261.52(a).
- 2) Smoking, except within an enclosed vehicle, trailer, or building. 36 CFR § 261.52(c).
- 3) Blasting, welding, or operating acetylene or other torch with open flame. 36 CFR § 261.52(i).
- 4) Operating or using any internal combustion engine without an effective and properly installed USDA- or Society of Automotive Engineers (SAE)- approved spark arrestor. 36 CFR § 261.52(j).
- 5) Operating a chainsaw without an effective and properly installed USDA- or SAE- approved spark arrestor, a chemical pressurized fire extinguisher (with a minimum of 8 oz. capacity and rating of 2A) kept with the operator and a round point shovel with an overall length of at least 35 inches readily available for use. 36 CFR § 261.52(h).
- 6) Using an explosive. This includes but is not limited to fuses, blasting caps, fireworks, rockets, exploding targets, tracers, and incendiary ammunition. 36 CFR § 261.52(b).
- 7) Possessing or using a motor vehicle off established roads, motorized trails or established parking areas, except when parking in an area devoid of vegetation within 10 feet of the vehicle. 36 CFR § 261.56.

EXEMPTIONS:

Pursuant to 36 CFR § 261.50(e), the following persons are exempt from the prohibitions specified below:

- 1) Persons with the following authorizations are exempt from Prohibitions #1, #3, #4, #5, #6 and #7: (i) a valid Forest Service permit or contract specifically authorizing Prohibitions #1, #3, #4, #5, #6 and #7 in the Restricted Area or on the Restricted Roads and Trails in their physical possession and (ii) a written exemption with an appropriate mitigation plan authorized in writing by the appropriate Forest Service official.
- 2) Any Federal, State or local officer or member of an organized rescue or firefighting force in the performance of an official duty is exempt from Prohibitions #1, #3, #4, #5, #6, and #7.
- 3) Persons using pressurized liquid or gas devices (stoves, grills or lanterns) with shut-off valves in an area at least three feet from any flammable materials are exempt from Prohibition #1.
- 4) Residents, owners or lessees within the Restricted Area, who are using a fire in a permanent dwelling with an effective and properly installed USDA- or SAE- approved spark arrestor, are exempt from Prohibition #1.

Notice regarding Exemptions: The persons exempted above are on notice that they are responsible for conducting activities subject to these exemptions in a safe and prudent manner using extra precautions and are electing to proceed at their own risk. An exemption does not absolve an individual or organization from liability or responsibility for damage, injury or loss to the United States for any fire started while undertaking the exempted activity.

This Order supersedes, rescinds, and replaces Order #SJ-2022-06, issued the 20th day of May 2022

This Order will be in effect from 12:01 am on June 15, 2022, and will remain in force until December 31, 2022, or until rescinded, whichever event occurs first.

Executed in Durango, Colorado this 15th day of June 2022.

David Neely, Acting Forest Supervisor

A violation of the prohibitions in this Order is 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 U.S.C. § 551 and 18 U.S.C §§ 3559 and 3571).