

Order Number: # 03-12-00-23-14



**U.S. Department of Agriculture, U.S. Forest Service
Tonto National Forest**

Emergency Stage 1 Fire Restrictions

PROHIBITIONS

Pursuant to 16 U.S.C § 551 and 36 C.F.R § 261.50(a), the following are prohibited on all National Forest System lands (NFS) in the Tonto National Forest, described below and shown on the attached map incorporated into this Order as Exhibit A (the “Described Area”):

1. Building, maintaining, attending, or using a fire, campfire, or stove fire, including charcoal and briquettes, outside a structure that is provided by the Forest Service within a designated area. 36 C.F.R. § 261.52(a).
2. Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least (3) feet in diameter that is barren or cleared of any flammable material. 36 C.F.R § 261.52(d).
3. Discharging a firearm, air rifle, or gas gun within the Described Area. 36 C.F.R § 261.58(m).

EXEMPTIONS

Pursuant to 36 C.F.R. § 261.50(e), the following persons are exempt from this Order:

1. Persons using a device solely fueled by liquid petroleum or LPG fuels that can be turned on and off. Such devices can only be used in an area that is barren or cleared of all overhead and surrounding flammable materials within 3 feet of the device.
2. Any Federal, State, or Local officer, or member of an organized rescue or firefighting resource in the performance of an official duty.

3. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order), specifically exempting them from this Order or a written determination by a Forest Service authorized officer that a permit is not required under 36 C.F.R. § 251.50(e)(1) or (2).
4. Persons engaged in legal hunting activity pursuant to State, Federal, or Tribal laws and regulations are allowed to discharge a firearm while taking wildlife.

DESCRIBED AREA

The Described Area consists of all National Forest lands within the boundary starting at the junction with the National Forest boundary and the Verde River near the Northwest corner of the Mazatzal Wilderness, then following South and East along the Verde River approximately 3.25 miles to the junction with the Verde River and East Verde River, then following Southeast along the East Verde River approximately 16.75 miles through the Mazatzal Wilderness to the junction with the East Verde River and the Mazatzal Wilderness boundary near Doll Baby Trailhead, then following South and East along the Mazatzal Wilderness boundary approximately 11.5 miles to the junction with the Mazatzal Wilderness boundary and the Barnhardt Trail, then following East along the Barnhardt Trail approximately 0.5 miles to the intersection of the Barnhardt Trail and National Forest System (NFS) Road 419 near the Barnhardt Trailhead , then following East along NFS Road 419 approximately 5 miles to the intersection of NFS Road 419 and State Route (SR) 87, then following North along SR 87 approximately 0.25 miles to the intersection of SR 87 and NFS Road 417, then following Northeast along NFS Road 417 approximately 7.5 miles to the junction with NFS Road 417 and Tonto Creek, then following South along Tonto Creek approximately 23.75 miles to the junction with Tonto Creek and NFS Road 71, then following East along NFS Road 71 approximately 2 miles to the intersection of NFS Road 71 and NFS Road 1408, then following Southeast along NFS Road 1408 approximately 0.1 miles to the intersection of NFS Road 1408 and Motorized Trail (MT) 1409, then following along MT 1409 approximately 0.75 miles to the intersection of MT 1409 and MT 1426, then following Southeast along MT 1426 approximately 1 mile to the intersection of MT 1426 and NFS Road 896, then following Northeast along NFS Road 896 approximately 0.1 miles to the intersection of NFS Road 896 and NFS Road 1717, then following South along NFS Road 1717 approximately 0.25 miles to the intersection of NFS Road 1717 and MT 1405, then following South and Southeast along MT 1405 approximately 2 miles to the intersection of MT 1405 and MT 1753, then following South along MT 1753 approximately 2.5 miles to the intersection of MT 1753 and MT 425, then following West along MT 425 approximately 0.2 miles to the intersection of MT 425 and NFS Road 423, then following Southeast along NFS Road 423 approximately 1 mile to the intersection of 423 and NFS Road 60, then following Southwest along NFS Road 60, to include, 200 feet North of the road approximately 23.25 miles to the intersection of NFS Road 60 and SR 288, then following Northeast along SR 288 approximately 2.25 miles to the intersection of SR 288 and NFSR 189, then following East and Northeast along NFS Road 189 approximately 5 miles to the junction with NFS Road 189 and the Sierra Ancha Wilderness boundary, then following East along the Sierra Ancha Wilderness boundary approximately 2 miles to the junction with the Sierra Ancha Wilderness boundary and NFS Road 203A, then following Southeast along NFS Road 203A

approximately 5.75 miles to the intersection of NFS Road 203A and NFS Road 203, then following Northeast along NFS Road 203 approximately 5.75 miles to the intersection of NFS Road 203 and MT 81, then following Northeast along MT 81 approximately 4.5 miles to the junction with MT 81 and the National Forest boundary, then following Southeast along the National Forest boundary approximately 8.25 miles to the junction with the National Forest boundary and the Salt River, then following Southwest along the Salt River approximately 23.75 miles to the junction with the Salt River and SR 288, then following Southwest along SR 288 approximately 4.5 miles to the intersection of SR 288 and SR 188, then following Southeast along SR 188 approximately 11.75 miles to the junction with SR 188 and the National Forest boundary, then following West, South, then East along the National Forest boundary approximately 11.25 miles to the junction with the National Forest boundary and US Highway 60, then following Southwest along US Highway 60 approximately 14.5 miles to the intersection of US Highway 60 and SR 177, then following South along SR 177 approximately 7 miles to the junction with SR 177 and the National Forest boundary, then following generally West, Northwest, North, then Northeast along the National Forest boundary approximately 178 miles back to the point of beginning at the junction with the National Forest boundary and the Verde River.

The prohibitions do not apply to any non-National Forest System lands within the Described Area.

PURPOSE

The purpose of this Order is to provide for the public's health and safety and to protect National Forest System lands, resources, and facilities during the current period of high fire danger. An emergency exists due to the high levels of continuous fine fuel loading, fire danger, indices, and extreme weather conditions. These factors have created an environment in which ignitions from human-caused activities can occur at a much higher rate than normal. Further, wildfires from such ignitions have the propensity to spread extremely quickly, presenting a significant risk to the public, as well as substantial obstacles to firefighters in the implementation of wildfire suppression strategies.

IMPLEMENTATION

1. This order shall be in effect from Thursday, June 08, 2023, at 08:00am through September 30, 2023, at midnight, unless rescinded.
2. A map identifying the Described Area is attached and made part of this Order as Exhibit A. For a digital version of this Order and Exhibit A, go to <https://www.fs.usda.gov/alerts/tonto/alerts-notices>
3. A list of "Definitions" is attached and made a part of this Order as Exhibit B.
4. Unless otherwise expressly defined in this Order, the terms used in this Order are defined by the regulations of the Secretary of Agriculture, 36 C.F.R. Chapter II, Parts 200-299. If there are terms in this Order that are not expressly defined in the Order or 36 C.F.R. Chapter II, Parts 200-299, their meaning shall be determined

by their plain language definitions.

5. A violation of the above prohibitions is punishable as a Class B misdemeanor by a fine of not more than \$5,000 for individuals and \$10,000 for organizations, or by imprisonment for not more than six months, or both. 16 U.S.C. § 551; 18 U.S.C. §§ 3559, 3571, and 3581.
6. Contact the Cave Creek Ranger District in Scottsdale AZ, (480) 595-3300, the Globe Ranger District in Globe, AZ, (928) 402-6200, the Mesa Ranger District in Mesa, AZ, (480) 610-3300, the Payson Ranger District in Payson, AZ, (928) 474-7900, the Tonto Basin Ranger District in Roosevelt, AZ, (602) 225-5395 and the Tonto National Forest Supervisor's Office in Phoenix, AZ, (602) 225-5200, for more information about this Order.
7. This Order supersedes any previous Orders prohibiting the same or similar acts in the same Described Area.

Signed and Issued on June _____, 2023.

Neil Bosworth
Forest Supervisor
Tonto National Forest

EXHIBIT B
EMERGENCY STAGE 1 FIRE RESTRICTIONS

DEFINITIONS:

DESIGNATED AREA: Developed recreation sites such as campgrounds and picnic areas that are maintained and administered by the Forest Service, shown on the current Forest visitor maps, and are equipped with permanent fire structures.

FIRE STRUCTURE: A permanent metal or concrete structure, which is specially designed for the purpose of containing a campfire or cooking fire that has been installed and maintained by the Forest Service or equivalent.

STOVE FIRE: A fire built inside a fully enclosed metal stove, grill, or sheep herder type stove, which is outfitted with a chimney that is at least (5) feet in length and is equipped with a spark arrestor consisting of a mesh screen opening of $\frac{1}{4}$ inch or less. For further definitions or clarification of definitions refer to 36 C.F.R § 261.2.