National Forests in Texas

PROHIBITIONS

FOREST SUPERVISOR ORDER NO. 08-13-00-15-03

Pursuant to 36 CFR § 261.50(a) and (b), and for the protection of public health and safety, property, resources and wildlife, the following acts are **PROHIBITED** within the **National Forests in Texas**. This Order is effective from December 1, 2015 and continues until December 1, 2020.

Section 1: The following **PROHIBITIONS** apply to all areas within the **National Forests in Texas.**

a. Building, maintaining or attending a fire on or within 300 feet of any designated trail or developed parking area. [Ref. § 261.52(a)]

b. Using any type of explosive. [Ref. § 261.52(b)]

c. Possessing, discharging or using any kind of firework or other pyrotechnic device. [Ref. § 261.52(f)]

d. Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order meeting either, (1) Department of Agriculture, Forest Service Standards 5100-1a; or (2) appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a). [Ref. § 261.52(j)]

e. Possessing or using metal detectors, electronic apparatus and devices for locating metal. [Ref. § 261.53(c)]

f. Operating or using a motor vehicle that emits a noise in excess of: one hundred (100) decibels at twenty (20) inches from the exhaust outlet in accordance with SAE J2825 (2009). [Ref. § 261.53(e)]

g. Operating or being a passenger on a motorcycle without wearing Department of Transportation (DOT) approved helmet and eye protection, when operating off road. [Ref. § 261.53(e)]

h. Diving or jumping from any bridge. [Ref. § 261.53(e)]

i. Possessing or operating a motorized vehicle upon any utility right-of-way. [Ref. § 261.53(f)]

j. Using a road for commercial hauling without a permit, if the road is signed as requiring a commercial haul permit. [Ref. § 261.54(c)]

k. Operating any motor vehicle on a National Forest System road in violation of Texas Transportation Code. [Ref. § 261.54(d)]

l. Operating or possessing a motorized vehicle on a National Forest System road that is closed to traffic by means of a gate, sign or otherwise blocked by mound of dirt or other physical means. [Ref. § 261.54(e)]

m. Operating a vehicle carelessly, recklessly or without regard for the rights or safety of other persons or in a manner or at a speed that would endanger or be likely to endanger any person or property. [Ref. § 261.54(f)]

n. Possessing or operating a vehicle off road (where permitted) unless the operator is in possession of a state driver's license or state identification card. [Ref. § 261.56]

o. Camping or maintaining a campsite in excess of 14 days within any 30 day time period, except campsites shown on Attachment A allow camping up to 28 days. [Ref. § 261.58(a)]

p. Entering or using a developed recreation site or portion thereof when posted closed. [Ref. § 261.58(b)]

q. Camping in or within 300 feet of any developed parking area or boat ramp. [Ref. § 261.58(e)]

r. Camping within the signed boundaries of a Red-cockaded woodpecker colony. [Ref. § 261.58(e)]

s. Operating a gasoline engine powered electrical generator between the hours of 10:00 p.m. and 6:00 a.m, except in designated areas. [Ref. § 261.58(e)]

t. Occupying an individual campsite with more than eight (8) persons and two (2) tents. [Ref. § 261.58(f)]

u. Parking or leaving a vehicle in violation of posted instructions. [Ref. § 261.58(g)]

v. Parking or leaving a vehicle outside a parking space assigned to one's own camp unit. [Ref. § 261.58(h)]

w. Possessing, parking or leaving more than two (2) vehicles, except motorcycles or bicycles, per camp unit. [Ref. § 261.58(i)]

x. Being publically nude. [Ref. § 261.58(j)]

y. Swimming or being in the water within 100 feet of a designated boat ramp, unless loading or unloading a boat. [Ref. § 261.58(k)]

z. Swimming or being in a designated swimming area at any time except during day light hours. [Ref. § 261.58(k)]

aa. Possessing glass containers in a designated swimming area. [Ref. § 261.58(k)]

bb. Swimming outside of a designated swimming area, located in a developed recreation area. [Ref. § 261.58(k)]

cc. Discharging a firearm, air rifle, BB gun, gas gun or archery equipment from, into or across any parking area, trail, boat ramp, camping site or National Forest System road. [Ref. § 261.58(m)]

dd. Possessing or operating a boat within a designated swimming area. [Ref. § 261.58(n)]

ee. Operating a gas power motorboat on the following lakes:
- Ratcliff Lake on the Davy Crockett National Forest (NF);
- Double Lake on the Sam Houston NF;
- Boykin Springs Lake and Bouton Lake on the Angelina NF; and
- Red Hills Lake on the Sabine NF.

[Ref. § 261.58(n)]

ff. Possessing or operating a boat, motorboat or personal watercraft in violation of federal, state or local laws. [Ref. § 261.58(n)]

gg. Operating any watercraft in excess of a posted speed limit. [Ref. § 261.58(q)]

hh. Being in a developed recreation area between 10:00 p.m. and 6:00 a.m. except a person who is camping or who is visiting a person camping in that area. [Ref. § 261.58(u)]

ii. Fishing in designated swimming area. [Ref. § 261.58(v)]

jj. Hunting or accompanying a hunter within a hunt area during daylight hours at a time when hunting with firearms is permitted and failing to visibly wear:
(1) a minimum of 400 inches of daylight fluorescent orange material, of which 144 square inches must appear on both the chest and back; and
(2) orange headwear.

Exceptions: A person is exempt from the requirements of this section only if the person is:

1. hunting turkey, migratory birds or alligators.
2. Within the enclosed passenger compartment of a motor vehicle; or
3. Within a designated campground, designated vehicle parking area, designated boat launching facility or departmental check station.

[Ref. § 261.58(v)]

kk. Fishing by aid of any trotline, jug lines or throw lines in the following lakes:

- Ratcliff Lake on the Davy Crockett National Forest (NF);
- Double Lake on the Sam Houston NF;
- Boykin Springs Lake and Bouton Lake on the Angelina NF; and
- Red Hills Lake on the Sabine NF.

[Ref. § 261.58(v)]

ll. Riding, hitching, tethering or hobbling a horse or other saddle or pack animal in violation of posted instructions. [Ref. § 261.58(aa)]

mm. Possessing or consuming an alcoholic beverage in violation of state law. [Ref. § 261.58(bb)]

nn. Possessing an open container containing an alcoholic beverage or consuming an alcoholic beverage in developed parking areas, boat ramps and swimming beaches. [Ref. § 261.58(bb)]

Section 2: The following prohibitions apply to National Forest System roads or trails within the National Forests in Texas:

a. Possessing or using a bicycle, saddle, pack or draft animal on any designated hiking trail. [Ref. § 261.55(c)]

b. Shortcutting a switchback on any designated horse trail or multi-use trail. [Ref. § 261.55(e)]

Section 3: The following prohibitions also apply to all wilderness areas within the National Forests in Texas, which includes all areas within the Big Slough Wilderness, Indian Mounds Wilderness, Little Lake Creek Wilderness, Turkey Hill Wilderness and Upland Island Wilderness.

a. Storing or leaving unattended any equipment, personal property or supplies for more than 24 hours. [Ref. § 261.57(f)]

b. Possessing or using a wagon, cart or other vehicle within the boundaries of a designated wilderness area. [Ref. § 261.57(h)]

Section 4: The following definitions apply to the Prohibitions contained in Sections 1, 2 and 3. See 36 CFR Part 261, Subpart A for additional definitions.

Area. A discrete, specifically delineated space that is smaller, and in most cases much smaller, than a Ranger District.

Campfire means a fire, not within any building, mobile home or living accommodation mounted on a motor vehicle, which is used for cooking, personal warmth, lighting, ceremonial, or esthetic purposes. ***Fire*** includes campfire.

Camping means the temporary use of National Forest System lands for the purpose of overnight occupancy without a permanently-fixed structure.

Damaging means to injure, mutilate, deface, destroy, cut, chop, girdle, dig, excavate, kill or in any way harm or disturb.

Designated swimming area means an area buoyed designating it for swimming only.

Developed boat ramp means an area hardened, inclined travel way used for trailered watercraft to gain access to a body of water.

Developed parking area means a hardened area designed for parking vehicles.

Developed recreation site means an area which has been improved or developed for recreation.

Forest officer means an employee of the Forest Service.

Forest road or trail. A road or trail wholly or partly within or adjacent to and serving the National Forest System that the Forest Service determines is necessary for the protection, administration, and utilization of the National Forest System and the use and development of its resources.

Migratory game birds. The following are defined as migratory game birds by Texas Parks and Wildlife Department. Includes all wild species of ducks, geese, coot, rail, gallinules, snipe, woodcock, doves (mourning, white-winged, white-tipped or white-fronted) and sand hill cranes. Does not include exotic collared-dove.

Motorized equipment means any machine activated by a nonliving power source except small battery-powered hand-carried devices such as flashlights, shavers, Geiger counters, and cameras.

Motor vehicle means any vehicle which is self-propelled, other than: (1) a vehicle operated on rails; and (2) any wheelchair or mobility device, including one that is battery-powered, that is solely for use by a mobility-impaired person for locomotion and that is suitable for use in an indoor pedestrian area.

National Forests in Texas include all areas within the Angelina, Sabine, Davy Crockett and Sam Houston National Forests.

National Forest System includes all national forest lands and waters reserved or withdrawn from the public domain of the United States, national forest lands and waters acquired through purchase, exchange, donation, or other mans, national grasslands and land utilization projects and waters administered under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525, 7 U.S.C. 1010-1012), and other lands, waters, or interests therein acquired under the Wild and Scenic River Act (16 U.S.C. 1271-1287) or National Trails System Act (16 U.S.C. 1241-1249).

National Forest System road. A forest road other than a road which has been authorized by a legally documented right-of-way held by a state, county, or other local public road authority.

National Forest System trail. A forest trail other than a trail which has been authorized by a legally documented righted right-of-way held by a state, county, or other local public road authority.

National Forest wilderness means those parts of the National Forest System which were designated units of the National Wilderness Preservation System by the Wilderness Act of September 3, 1964, and such other areas of the National Forest System as are added to the wilderness system by act of Congress.

Person means natural person, corporation, company, partnership, trust, firm, or association of persons.

Predatory animals. The following are defined as predatory animals in the Texas Health and Safety Code: coyotes, mountain lions, bobcats, and Russian boars.

Permission means authorization in writing by a forest officer.

Publically nude means nude in any place where a person may be observed by another person. Any person is nude if the person has failed to cover the rectal area, pubic area or genitals. A female person is also nude if she has failed to cover both breasts below a point immediate above the top of the areola. Each such covering must be fully opaque. No person under the age of 10 years shall be considered publically nude.

State means any State, the Common-wealth of Puerto Rico, and the District of Columbia.

State law means the law of any state in whose external boundaries an act or omission occurs regardless of whether State law is otherwise applicable.

Stove fire means a campfire built inside an enclosed stove or grill, a portable brazier, or a pressurized liquid or gas stove, including a space-heating device.

Vehicle means any device in, upon, or by which any person or property is or may be transported, including any frame, chassis, or body of any motor vehicle, except devices used exclusively upon stationary rails or tracks.

Pursuant to 36 CFR § 261.50(e), the following persons are exempt from this Order:

1. Persons with a permit specifically authorizing the otherwise prohibited act or omission.
2. Persons with permission from a forest officer.
3. Any federal, state or local officer or member of an organized rescue or fire-fighting force in the performance of an official duty.
4. Persons using a non-motorized wheelchair as a necessary medical appliance.

These prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

Executed in Lufkin, Texas this 1st day of December, 2015.

/s/ Mark E. Van Every
Mark E. Van Every
Forest Supervisor
National Forests and Grasslands in Texas
2221 North Raguet Street
Lufkin, Texas 75904

Violation of these prohibitions is punishable by a fine of not more than $5,000 for an individual or $10,000 for an organization, imprisonment for not more than six (6) months, or both. (16 U.S.C. 551 and 18 U.S.C. 3559 and 3571).

ATTACHMENT A

CAMPING PERMITTED UP TO 28 DAYS

AT THE FOLLOWING CAMPSITES

Rev. 11/02/2016

Davy Crockett National Forest

Ratcliff Lake Recreation Area

Sites: 7, 9, 16, 20, 32, 43, and 45

Sabine National Forest

Indian Mounds Recreation Area

Sites: 1, 2, 3, 5, 6, 8, 11, 13, 15, 17 thru 26, 28, 30, 33, 35, 36, and 37

Lakeview Recreation Area

Sites: 1, 2, 3, 8, 9, and 10

Ragtown Recreation Area

Sites: 3 thru 24

Willow Oak Recreation Area

Sites: RV-1 thru RV-7

/s/ William E. Taylor, Jr.

William E. Taylor, Jr.

Forest Supervisor

National Forests and Grasslands in Texas