



**UNITED STATES FOREST SERVICE  
CARSON NATIONAL FOREST  
STAGE II FIRE RESTRICTIONS**

Pursuant to 16 USC 551 and Title 36 CFR 261.50(a) and (b), the following acts are prohibited within all National Forest System lands as described in this Order (the "restricted area") and as depicted on the attached map, hereby incorporated into this order as Exhibit A, within the Carson National Forest, Rio Arriba, Taos, Colfax, San Juan and Mora Counties within the state of New Mexico.

**PROHIBITIONS**

1. Building, maintaining, attending or using a fire, campfire, charcoal, coal, or wood stove;  
**36 CFR § 261.52(a).**

Exception: the use of petroleum-fueled stoves, lanterns or heating devices is allowed, provided such devices meet the fire underwriter's specifications for safety. Such devices can only be used in an area that is barren or cleared of all overhead and surrounding flammable materials within three (3) feet of the device.

2. Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material; **36 CFR § 261.52(d).**
3. Using an explosive; **36 C.F.R. § 261.52(b).**
4. Operating a chainsaw, or other equipment powered by an internal combustion engine, is prohibited from 10:00 AM to 6:00 PM. **36 C.F.R. § 261.52(h).**
5. Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained, and in effective working order meeting either:
  - Department of Agriculture, Forest Service Standard 5100-1a; or
  - Appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350 (a); **36 C.F.R. § 261.52(j).**
6. Welding or operating an acetylene or other torch with open flame; **36 C.F.R. § 261.52(i).**
7. Possessing or using a motor vehicle off National Forest System roads and motorized trails as shown on the motorized vehicle use map, except when parking

in an area devoid of vegetation within 10 feet of the roadway; and except for parking overnight in Forest Service developed campgrounds and trailheads. **36 C.F.R. § 261.56.**

8. Discharging a firearm, except while engaged in a lawful hunt pursuant to state, federal, or tribal laws and regulations. **36 CFR 261.58(m).**

### **EXEMPTIONS**

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

1. Persons with a Forest Service permit specifically authorizing the prohibited act or omission.
2. Any federal, state or local officer or member of an organized firefighting force in the performance of an official duty.
3. Residents, owners and lessees of land, and holders of Forest Service recreation special use authorizations within the restricted area, are exempt from Prohibition No. 1 above **ONLY**, provided such fires are within a permanent structure.
4. Operating generators with an approved spark arresting device within an enclosed vehicle or building or in an area that is barren or cleared of all overhead and surrounding flammable materials within three feet of the generator.
5. Persons using a device fueled solely 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 three (3) feet of the device.

### **RESTRICTED AREA**

All National Forest System lands, roads and trails within the Carson National Forest in the Counties of Rio Arriba, Taos, Colfax, San Juan and Mora, within the State of New Mexico (Exhibit A).

### **PURPOSE**

This order is necessary to protect public health and safety due to the increased fire danger.

**IMPLEMENTATION**

1. This Order will be in effect at 8:00 a.m. on Wednesday, May 23, 2018, and shall remain in effect until December 31, 2018, or until rescinded, whichever occurs first.
2. Any violation of this prohibition is punishable by a fine of not more than \$5,000 for individuals and \$10,000 for organizations and/or imprisonment for not more than six months. Title 16 USC 551, Title 18 USC Sections 3559, 3571, and 3581].
3. This Order supersedes any previous orders prohibiting the same acts covered by this Order.

Done at Albuquerque, New Mexico this 23rd day of May, 2018.

James P Duran

James Duran

Forest Supervisor

Carson National Forest

