

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

Pursuant to 16 United States Code (U.S.C.) § 551 and 36 Code of Federal Regulations (C.F.R.) § 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.

The purpose of this Order is to protect public health and safety due to the current and anticipated elevated risk of wildfire.

PROHIBITIONS:

- 1) Building, maintaining, attending or using an open flame including fire, campfire, stove fire, charcoal grills and barbecues, coal and wood burning stoves, and devices (stoves, grills or lanterns) using liquid fuel such as white gas or kerosene. 36 CFR § 261.52(a). This prohibition applies to the entire San Juan National Forest including Wilderness and developed camping and picnic grounds.

EXCEPT: Devices (stoves, grills or lanterns) using pressurized gas canisters (isobutene or propane) that include shut-off valves or within an enclosed vehicle, trailer, or building.

- 2) Smoking. 36 CFR § 261.52(c).

EXCEPT: Within an enclosed vehicle, trailer or building.

- 3) Welding or operating acetylene or other torch with open flame. 36 CFR § 261.52(i).
- 4) Operating or using any internal combustion engine (e.g. chainsaw, generator, ATV) without a spark arresting device properly installed, maintained and in effective working order meeting either:
 - a) Department of Agriculture, Forest Service Standard 5100-1a; or
 - b) Appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a). 36 CFR § 261.52(j).

- 5) Operating a chainsaw without an approved spark arresting device as described in Prohibition #4, a chemical pressurized fire extinguisher (8 oz. capacity by weight or

larger and kept with the operator) and a round point shovel with an overall length of at least 35 inches readily available for use, or outside of the "Hoot Owl" restricted hours of 5am – 1pm. 36 CFR § 261.52(h).

- 6) Using an explosive. 36 CFR § 261.52(b). This includes but is not limited to fuses or blasting caps, fireworks, rockets, exploding targets, and tracers or incendiary ammunition.
- 7) Discharging a firearm, air rifle, or gas gun. 36 CFR § 261.58(m).
- 8) 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 C.F.R. § 261.56.

EXEMPTIONS:

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


- 1) Persons with a valid Forest Service permit or contract specifically authorizing the otherwise prohibited act or omission may be eligible for an exemption from Prohibitions #1, #3, #4, #5, #6, #7, and #8. Any exemption must be applied for in writing, include an appropriate mitigation plan and must be authorized in writing by the appropriate Forest Service official. The authorization must be in the physical possession of the person or persons undertaking the exempted activities.
- 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, #7, and #8.
- 3) Residents, owners, or lessees within the restricted area are exempt from #1, provided such fires are within a permanent dwelling and there is a spark arrestor in working order on the chimney.
- 4) Contractors and active timber contracts or stewardship contracts on the San Juan National Forest will comply with B/BT 7.0, C.CT 7.2, H.17, K-H.2 and will meet or exceed requirements found in the San Juan Public Lands Industrial Fire Plan. Contractors must also submit a fire prevention plan to the COR/FSR/SA prior to working on the San Juan National Forest.

Notice regarding Exemptions: Holders of valid Forest Service permits, leases and authorizations, and all other persons are on notice that when proceeding with activities that are authorized pursuant to these Exemptions, such persons are responsible for conducting authorized activities 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-2018-04, issued May 1, 2018.

This Order will be in effect from 12:01 am on June 1 and will remain in force until rescinded or until December 31, 2018, whichever event occurs first.

Executed in Durango, Colorado this 1st day of June, 2018.


Kara Chadwick
Forest Supervisor

Violations of these prohibitions are punishable as a Class B misdemeanor by a fine of not more than \$5000 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).

