

**Prescott National Forest:
Emergency Recreational Shooting Restrictions to
Protect Public Health and Safety Due to Extreme Risk of Wildfire
May 06, 2021**

Introduction

On the Prescott National Forest, shooting is a recognized cause of fire ignition when certain fuel conditions are present. Fine-fuel conditions are monitored through Spring and early Summer to determine when Fire Restrictions Orders are appropriate, which often include a prohibition on the “discharging of a firearm except while engaged in a lawful hunt” (*citing* 36 C.F.R. § 261.58(m)), to protect the public from the risk of a recreational/target shooting-caused ignition during the extreme environment associated with Arizona summers. The John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019 (“Dingell Act”) requires consultation with third parties, and public notice and comment prior to the closure of Federal lands to hunting, fishing, or recreational shooting. However, the Dingell Act provides an exception to these requirements in an “emergency.” We believe that an emergency situation currently exists on the Prescott National Forest, such that the immediate implementation of a Fire Restrictions Order, to include a prohibition on discharging a firearm, is necessary to protect public health and safety and federal resources.

Current Conditions

The purpose of the proposed Fire Restrictions Order is to protect the public and National Forest System lands, resources, and facilities during the present high fire danger. An emergency exists now due to high levels of continuous fine-fuel loading, fire danger indices, and extreme weather conditions, as demonstrated by the attached tables, graphs and photos. The Western United States is currently experiencing the second worst drought in 1,200 years which is being labeled a mega drought. 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, and substantial obstacles to firefighters in the implementation of wildfire suppression strategies.

Within the last year, the Forest experienced multiple fires in which shooting was the likely cause. For example, the Horse Fire burned over 9,500 acres and required a Type 1 incident

management team to manage. The fire cost over 5 million dollars and included evacuations of multiple residents for several days in the town of Crown King. The Bumble Bee Fire ended up burning approximately 3,000 acres, requiring the mobilization of a Type 3 Incident Management Organization, nearly 200 fire personnel, a dozen pieces of aircraft, and over a million dollars in suppression costs.

The Prescott National Forest's urban nature and proximity to large population centers (Prescott - 43,314 population, Phoenix Metro Area - 4,737,270 population) create significant challenges with fire prevention efforts and visitor compliance issues. To allow target or recreational shooting to continue under current and expected environmental conditions (humidity in the single digits and high temperatures of 100+ degrees, with no reprieve forecasted) would present an unacceptable risk. Previous shooting prohibitions during periods of high fire danger have, in large part, been very successful in reducing the fire risks.¹

Under the Dingell Act, designations of areas in which recreational shooting is prohibited must be for "the smallest area for the least amount of time that is required for public safety" Section 4103(a)(2). We believe that recreational/target shooting needs to be restricted across the entire Prescott National Forest until there is a substantial and prolonged change in fuel and weather conditions.

It would be virtually impossible to identify individual areas or exclude elevations on the Prescott, where recreational shooting would not present an unacceptable risk of ignition due to the current environmental conditions at all elevations on the Forest. Based on experience and typical weather patterns, the high risk of ignition normally exists during May, June, and July. However, we continuously monitor weather and fuel conditions and may rescind restrictions as soon as we determine the conditions no longer warrant restrictions. It is always our intent to minimize the impacts on the public while ensuring public safety and resource protection to the best of our abilities.

The conditions that typically warrant other Fire Restrictions (i.e., restrictions on campfires and smoking), are the very same conditions that we are experiencing now that warrant

¹ Hunting is excepted from the Fire Restrictions Order because we have not encountered any fires attributed to a hunting firearm discharge. The number of hunters on the Prescott National Forest during the summer is extremely small, as compared to the numbers of target shooters. The number of rounds fired by hunters also is substantially less than those discharged by target shooters. Accordingly, the risk of an ignition due to target shooting is far greater than the risk of an ignition due to hunting. We believe that the Fire Restrictions Order is narrowly tailored to reflect that risk.

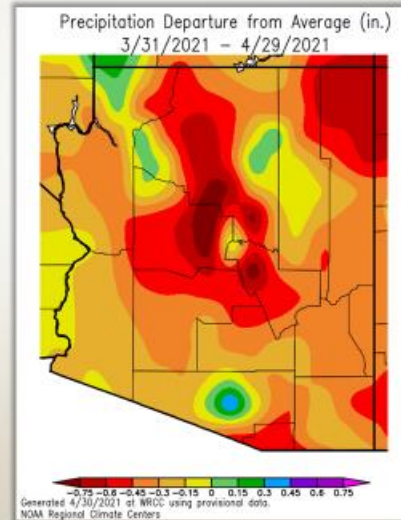
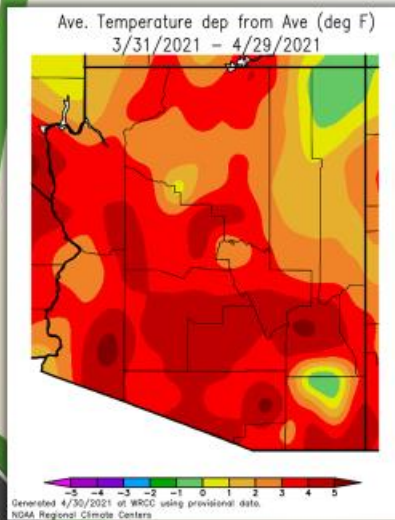
the prohibition of target and other recreational shooting. The “emergency” is the potential for ignition of destructive fires under current environmental conditions, particularly when fire response presents a public and firefighter health threat. Past years have shown that we almost completely eliminate fires caused by recreational shooting when we prohibit such shooting as part of our fire restrictions.

Recreational shooting and other human activities such as campfires, charcoal grills, and smoking have a high likelihood, under the conditions described, to create a situation that threatens human life and property. Fire starts from target shooting activities happen numerous months throughout the year due to activities associated with public shooting activities, such as the use of binary exploding targets and tracer ammunition. However, at this time of year, the risk of ignition from ordinary shooting activities is greatest due to weather and fuel conditions. Emergency fire restrictions seek to mitigate the risk of fire when environmental conditions are at their most extreme, and any resulting fires would be most difficult to control. It is our responsibility to try and prohibit activities that are most likely to result in an ignition during such times to protect the public utilizing our federal lands, as well as to reduce the exposure of our firefighters to increased public health hazards.

As managers of public lands, we try to use emergency fire restrictions as a last resort to allow normally accepted activities to occur. However, seasonal changes can happen quickly when dealing with extreme temperatures (100+ degrees) and low relative humidity levels (<15%), exacerbating the conditions in which a wildfire can start and rapidly spread.

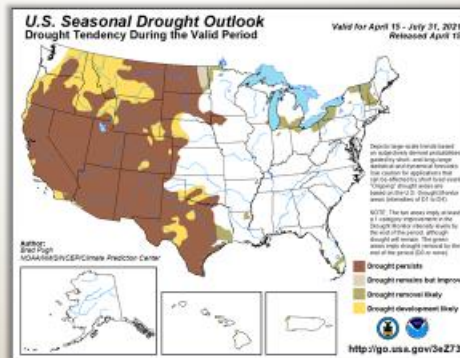
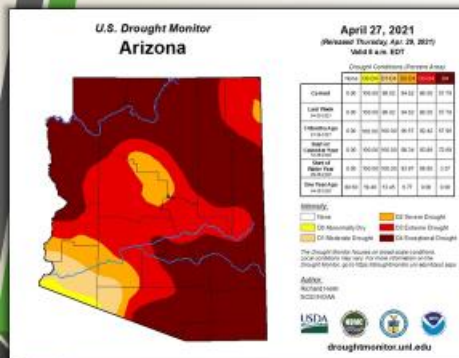
Given the current conditions on the Prescott National Forest, the likelihood of an ignition is high, and the risk of a fire posed by recreational shooting is high. Therefore, we believe that an emergency exists to justify the implementation of an immediate prohibition on recreational shooting.

Temperature / Precipitation Last 30 Days



Drought

- Drought conditions exist throughout the state
- Severe-Extreme Drought conditions exist throughout Yavapai County
- Outlook shows that drought conditions will persist



Fire Potential Outlook

