

**FIRE RESTRICTION AND PREVENTION ORDER
RIO GRANDE NATIONAL FOREST AND BLM LANDS IN THE SAN LUIS VALLEY**

Interagency Fire Prevention Order Number IA 10 01

Pursuant to 36 § CFR 261.50(a) and/or 43 § CFR 9212.2 (a) and (b), the following acts are prohibited on all National Forest System land administered by the Rio Grande National Forest in the following counties within the State of Colorado: Saguache, Rio Grande, Mineral, Hinsdale, Conejos, Costilla, Custer, Alamosa, San Juan, and Archuleta; and on public lands administered by the Bureau of Land Management, Del Norte, La Jara and Saguache Field Offices in the following counties within the State Colorado: Alamosa, Conejos, Saguache and Rio Grande (the “restricted area”).

It is prohibited on the restricted area to:

- (1) Build, maintain, attend or use a fire, campfire, coal, charcoal or wood burning stove. 36 CFR § 261.52(a), and 43 CFR § 9212.1 (h).

Definitions:

- a. **Fire** includes, but is not limited to, charcoal grills and stoves, wood or other combustible material fire stoves, and/or campfires.
- b. **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.
- c. **Stove fire** means a campfire built inside an enclosed stove or grill, a portable brazier, or a stove, including a space-heating device, whether fueled by wood, charcoal, pressurized liquid or gas, or other combustible material.

EXCEPTION:

- In Forest Service or Bureau of Land Management developed campground, recreation sites, or picnic ground with established fires grates or grills.
 - Petroleum fueled, bottled or liquid gas stoves, lanterns, or heating devices may be used provided such devices meet the fire underwriter’s specifications for safety.
- (2) Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three (3) feet in diameter that is barren or cleared of all flammable material. 36 CFR § 261.52(d) and 43 CFR 9212.1 (h)
 - (3) Welding, or operating an acetylene or other torch with open flame. 36 CFR § 261.52(i)

- (4) Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order meeting either:
- a. USDA Forest Service Standard 5100-1a (as amended); or
 - b. Appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a). 36 CFR § 261.52(j) and 43 CFR § 9212.1(h).

Exemptions:

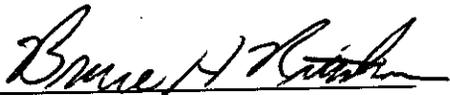
Pursuant to 36 CFR § 261.50(e) and 43 CFR § 9212.2 (b) (3), the following persons are exempt from this order:

- (1) Persons with a Forest Service or BLM issued 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) Persons who are in the act of building, maintaining, attending, or using a fire, campfire, or stove fire in a Forest Service or BLM provided metal fire ring or grille in a designated site within a developed Forest Service or BLM campground, recreation area, or picnic ground, are exempt from prohibition number 1 above.
- (4) Persons who are in the act of building, maintaining, attending or using a fire, campfire or stove fire on National Forest System and BLM public lands provided the fire, campfire, or stove fire is fitted with a spark arrestor or screen, and that the spark arrestor or screen is used at all times, are exempt from prohibition number 1 above.
- (5) Persons who are in the act of using petroleum-fueled stoves, lanterns, or heating devices which meet the fire underwriter's specifications for safety, are exempt from prohibition number 1 above; and
- (6) Resident owners and lessees of land, and holders Forest Service or BLM Special Use authorizations for recreation residences, lodges and resorts within the restricted area are exempt from Prohibition number 1, provided such fires are within a permanently constructed residence or building.

These prohibited acts are implemented for public safety purposes under high fire hazard conditions on the restricted area.

This order will be effective at 8 a.m. on July 1, 2010, and remain in effect until December 31, 2010 or rescinded, whichever comes first.

Done at Monte Vista, Colorado this 30th day of June, 2010:


for Dan S. Dallas
Forest Supervisor/Center Manager
San Luis Valley Public Lands Center

Violation of Title 36 Code of Federal Regulations prohibitions are punishable as a Class B misdemeanor, by a fine of not more than \$5,000 for an individual or \$10,000 for a legal entity other than an individual, or imprisonment for not more than six (6) months, or both (16 USC § 551 and 18 USC § 3571). Violations of Title 43 Code of Federal Regulations § 9212.1 are subject to a fine of not more than \$100,000 or to imprisonment of not more than 12 months, or both. Additional fines may apply under 18 USC 3571.