Order No. 08-233

ORDER

STAGE I FIRE RESTRICTIONS

UNITED STATES DEPARTMENT of AGRICULTURE, FOREST SERVICE

LINCOLN NATIONAL FOREST

PROHIBITIONS

Pursuant to 16 U.S.C. 551 and Title 36 CFR 261.50(a), the following acts are **prohibited** within the Lincoln National Forest in the State of New Mexico ("the restricted area") within Otero, Lincoln, Chavez and Eddy Counties. The restricted area is depicted on the attached map, hereby incorporated into this Order as Exhibit A.

1. Building, maintaining, attending or using a fire, campfire, charcoal grills, coal or wood stove, except in Forest Service designated recreation sites and campgrounds where grills and fire rings are provided. **36 CFR § 261.52 (a).**

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. Possessing, discharging or using any kind of firework or other pyrotechnic device. **36 C.F.R. § 261.52(f).**

EXEMPTIONS

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

1. Persons with a permit that authorizes actions specifically prohibited by this closure order.
2. Any Federal, State or Local Officer or member of an organized rescue or firefighting force in the performance of an official duty.
3. Residence owners and lessees of land and holders of Forest Service Special Use authorizations within the restricted area are exempt from Prohibition Number 1 above; provided, such fires are within a permanent structure.

RESTRICTED AREA

All National Forest System lands, roads and trails within the Lincoln National Forest in the counties of Otero, Lincoln, Chavez and Eddy in the State of New Mexico. (Exibit A, attached map).

PURPOSE

The purpose of this Order is to provide for the public's health and safety and to protect natural and cultural resources and facilities during the current period of extreme fire danger.

IMPLEMENTATION

1. This Order becomes effective **at 8:00 AM, June 15, 2012**, and will remain in force until rescinded.
2. Violation of these regulations is 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 six (6) months or both. 16 USC § 551, and 18 USC §§ 3559 and 3571.
3. This Order supersedes any previous orders prohibiting the same acts covered by the Order.

Done at **Alamogordo, NM** this **12th day** of **June, 2012.**

ROBERT G. TRUJILLO
Forest Supervisor
Lincoln National Forest