Order Number: 08-249

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
LINCOLN NATIONAL FOREST
GUADALUPE RANGER DISTRICT
STAGE II FIRE RESTRICTIONS

Pursuant to 16 U.S.C. 551 and 36 CFR 261.50 (a), the following acts are prohibited on all National Forest System lands within the Lincoln National Forest, Guadalupe Ranger District, Eddy, Chaves and Otero Counties, New Mexico. The restricted area is depicted on the attached maps hereby incorporated into this Order as Exhibits A.

PROHIBITIONS:

1. Building, maintaining, attending, or using a fire, campfire, charcoal, coal, wood or stove; **36 CFR § 261.52(a).**
   Exceptions: The use of petroleum-fueled stoves, lanterns, propane grills, or heating devices is allowed, provided such devices meet the fire underwriter's specification for safety.
2. Smoking, except within an enclosed vehicle or building; **36 CFR § 261.52(d).**
3. Using an explosive; **36 CFR § 261.52(b).**
4. Discharging a firearm, air rifle or gas gun; **36 CFR § 261.58(m).**
5. Possession, discharging, or using any type of firework or pyrotechnic device; **36 CFR § 261.52(f).**
6. Operating a chainsaw, or other equipment powered by an internal combustion engine, is prohibited from 10:00 a.m. to 6:00 p.m.; **36 CFR § 261.52(h).**
7. Welding or operating acetylene or other torch with open flame; **36 CFR § 261.52(i).**
8. 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. 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).**
9. Possessing or using a motor vehicle off National Forest System roads, 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.**
10. Violating any state law concerning burning, fires, or which is for the purpose of preventing or restricting the spread of fire; **36 C.F.R. § 261.52 (k).**

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. Generators that are specifically designed by the manufacturer to be used within, and are used within, an enclosed recreational vehicle such as a motorhome or travel trailer.

RESTRICTED AREA

The restricted area includes all National Forest System lands within the Lincoln National Forest Guadalupe Ranger District.

PURPOSE

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

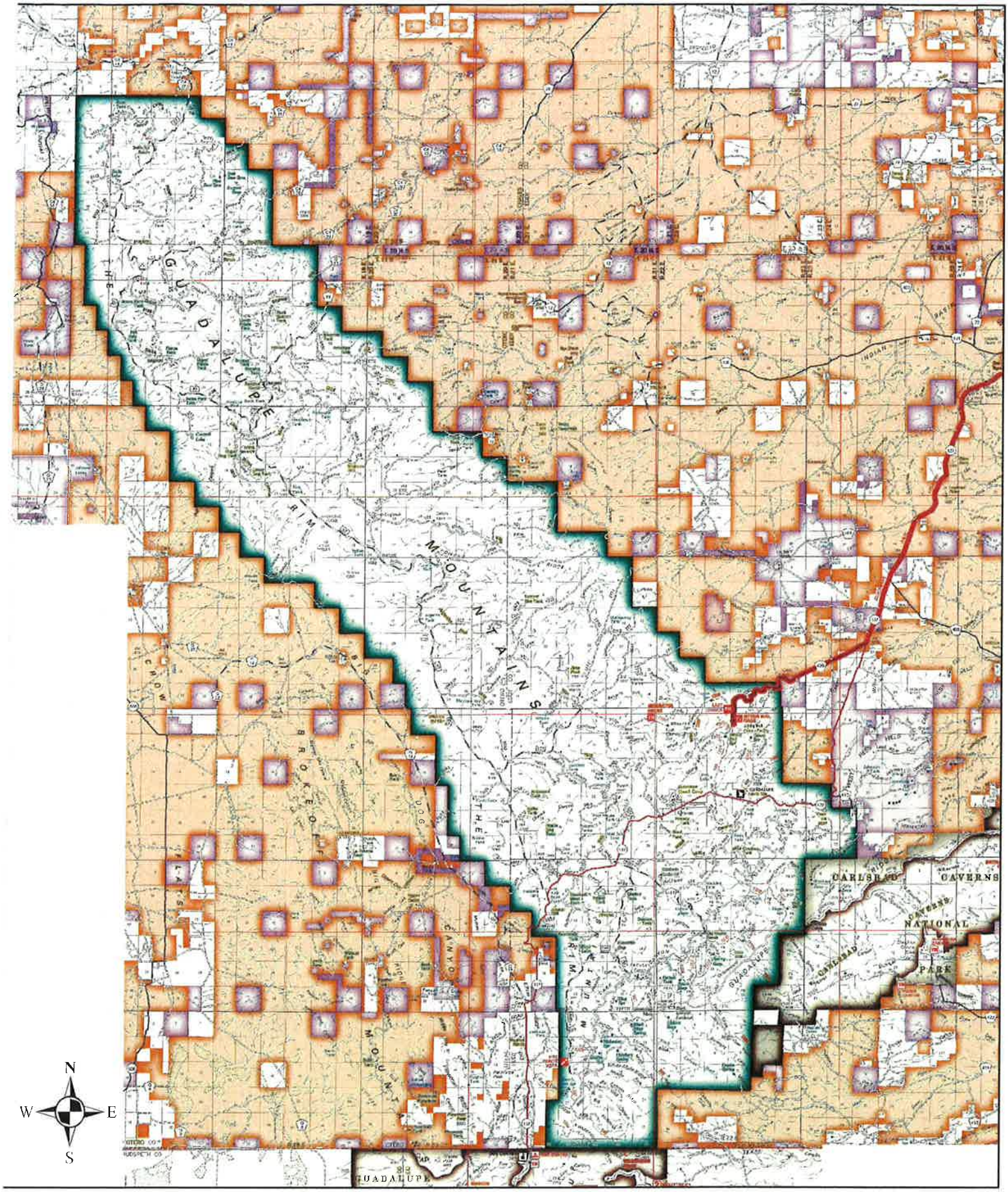
IMPLEMENTATION

1. This Order will be in effect at 8:00 a.m., Sunday, April 21, 2013 and shall remain in effect until August 31, 2013, 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.

Done at Alamogordo, New Mexico this **17th** day of April, 2013

Tom Mulder

Tom Mulder
Acting Forest Supervisor
Lincoln National Forest



Guadalupe Ranger District