

Order Number: # 03-12-00-23-17



**U.S. Department of Agriculture, U.S. Forest Service
Tonto National Forest**

Emergency Stage 1 Fire Restrictions

PROHIBITIONS

Pursuant to 16 U.S.C § 551 and 36 C.F.R § 261.50(a), the following are prohibited on all National Forest System lands (NFS) in the Tonto National Forest, described below and shown on the attached map incorporated into this Order as Exhibit A (the “Described Area”):

1. Building, maintaining, attending, or using a fire, campfire, or stove fire, including charcoal and briquettes, outside a structure that is provided by the Forest Service within a designated area. 36 C.F.R. § 261.52(a).
2. Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least (3) feet in diameter that is barren or cleared of any flammable material. 36 C.F.R § 261.52(d).
3. Discharging a firearm, air rifle, or gas gun within the Described Area. 36 C.F.R § 261.58(m).

EXEMPTIONS

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

1. Persons using a device solely fueled by liquid petroleum or LPG fuels that can be turned on and off. Such devices can only be used in an area that is barren or cleared of all overhead and surrounding flammable materials within 3 feet of the device.
2. Any Federal, State, or Local officer, or member of an organized rescue or firefighting resource in the performance of an official duty.

3. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order), specifically exempting them from this Order or a written determination by a Forest Service authorized officer that a permit is not required under 36 C.F.R. § 251.50(e)(1) or (2).
4. Persons engaged in legal hunting activity pursuant to State, Federal, or Tribal laws and regulations are allowed to discharge a firearm while taking wildlife.

DESCRIBED AREA

All National Forest System lands, roads, and trails within the exterior boundaries of the Tonto National Forest, as depicted on the attached map at Exhibit A.

PURPOSE

The purpose of this Order is to provide for the public's health and safety and to protect National Forest System lands, resources, and facilities during the current period of high fire danger. An emergency exists due to the high levels of continuous fine fuel loading, fire danger, indices, and extreme weather conditions. 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, as well as substantial obstacles to firefighters in the implementation of wildfire suppression strategies.

IMPLEMENTATION

1. This order shall be in effect from Thursday, July 06, 2023, at 8:00am through September 30, 2023, at midnight, unless rescinded.
2. A map identifying the Described Area is attached and made part of this Order as Exhibit A. For a digital version of this Order and Exhibit A, go to <https://www.fs.usda.gov/alerts/tonto/alerts-notices>
3. A list of "Definitions" is attached and made a part of this Order as Exhibit B.
4. Unless otherwise expressly defined in this Order, the terms used in this Order are defined by the regulations of the Secretary of Agriculture, 36 C.F.R. Chapter II, Parts 200-299. If there are terms in this Order that are not expressly defined in the Order or 36 C.F.R. Chapter II, Parts 200-299, their meaning shall be determined by their plain language definitions.
5. A violation of the above prohibitions is punishable as a Class B misdemeanor by a fine of not more than \$5,000 for individuals and \$10,000 for organizations, or by imprisonment for not more than six months, or both. 16 U.S.C. § 551; 18 U.S.C. §§ 3559, 3571, and 3581.
6. Contact the Cave Creek Ranger District in Scottsdale AZ, (480) 595-3300, the Globe Ranger District in Globe, AZ, (928) 402-6200, the Mesa Ranger District in

Mesa, AZ, (480) 610-3300, the Payson Ranger District in Payson, AZ, (928) 474-7900, the Tonto Basin Ranger District in Roosevelt, AZ, (602) 225-5395 and the Tonto National Forest Supervisor's Office in Phoenix, AZ, (602) 225-5200, for more information about this Order.

7. This Order supersedes 03-12-00-23-14, dated June 8, 2023.

Signed and Issued on July 05, 2023.

MATTHEW
LANE

Matthew Lane
Deputy Forest Supervisor
Tonto National Forest

Digitally signed by
MATTHEW LANE
Date: 2023.07.05 08:44:47
-07'00'

EXHIBIT B
EMERGENCY STAGE 1 FIRE RESTRICTIONS

DEFINITIONS:

DESIGNATED AREA: Developed recreation sites such as campgrounds and picnic areas that are maintained and administered by the Forest Service, shown on the current Forest visitor maps, and are equipped with permanent fire structures.

FIRE STRUCTURE: A permanent metal or concrete structure, which is specially designed for the purpose of containing a campfire or cooking fire that has been installed and maintained by the Forest Service or equivalent.

STOVE FIRE: A fire built inside a fully enclosed metal stove, grill, or sheep herder type stove, which is outfitted with a chimney that is at least (5) feet in length and is equipped with a spark arrestor consisting of a mesh screen opening of $\frac{1}{4}$ inch or less. For further definitions or clarification of definitions refer to 36 C.F.R § 261.2.