

**PIKE NATIONAL FOREST
Pikes Peak Ranger District
Colorado Springs, Colorado**

Order 12-08

FOREST ORDER

Occupancy and Use Restrictions

Pursuant to 16 U.S.C. § 551, and 36 C.F.R. § 261.50(b), and to protect natural resources and public safety due to an active forest fire, the following acts are prohibited on all National Forest System lands, roads, and trails within the Waldo Canyon Fire Area on the Pike National Forest, in the counties of El Paso and Teller, Colorado. The restricted area is depicted on the attached map hereby incorporated into this order as Exhibit A.

PROHIBITIONS:

1. Going into or being upon the Waldo Canyon Fire Area. 36 C.F.R. § 261.53(e), 36 C.F.R. § 261.52(e)

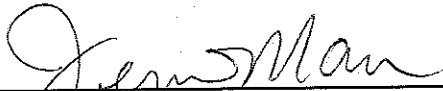
EXEMPTIONS:

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

1. Any federal, state or local officer, or member of an organized rescue or firefighting force, in the performance of an official duty;
2. Persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission.

This order shall remain in effect until rescinded, or through October 1, 2012, whichever event occurs first.

Done at Pueblo, Colorado, this 23 day of JUNE, 2012.



JERRIMARR
Forest Supervisor
Pike and San Isabel National Forests
Cimarron and Comanche National Grasslands

Violations of these 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 6 months, or both. (16 U.S.C. § 551 and 18 U.S.C. §§ 3559 and 3571).

Assessment of Need

Order 12-08

**Pike National Forest
Pikes Peak Ranger District**

Purpose of Order

The order is needed to protect public health and safety on National Forest System (NFS) lands by restricting occupancy and use in the Waldo Canyon Fire area located on the Pike National Forest, El Paso and Teller Counties, Colorado. The order provides protection of public health and safety on NFS lands by preventing the general public from entering the restricted area as well as providing for firefighter safety.

EXCEPTIONS: Persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission; agency employees; and any federal, state, or local officer, or member of an organized rescue or fire fighting force, in the performance of an official duty are allowed within the restricted area.

Posting of the order, as required in 36 CFR 261.51, will provide notification to National Forest visitors of the order and its conditions and/or exceptions. An enforcement plan describes how the public will be informed of the restrictions, how it will be posted, and planned enforcement strategies.

The boundaries of the restricted areas were selected by the Forest Supervisor to protect the general public from hazardous conditions created by the Waldo Canyon Fire.

The order will be implemented because the Forest Supervisor has determined that restricting occupancy and use of the area is the only reasonable means to assure public health and safety as well as firefighter safety.

The order will be in effect from the date the order is signed and continue through October 1, 2012, or until rescinded, whichever event occurs first.

CIVIL RIGHTS IMPACT ANALYSIS

Order 12-08

Occupancy and Use Restrictions

Pike National Forest

Introduction

The Pike National Forest proposes to restrict occupancy and use by all public within the Waldo Canyon Fire Area. This area is described as those National Forest System (NFS) lands located in the area south of National Forest Road (NFSR) 320 (Mt. Herman Road) from the intersection with Red Rocks Drive and continuing west on NFSR 320 to NFSR 300 (Rampart Range Road) and south on NFSR 300 to State Highway 24 in Woodland Park, Colorado, and continuing south on State Highway 24 to Manitou Springs, and then north along the eastern NFS boundary to Mount Herman Road and Red Rocks Drive, all being in portions of Teller and El Paso Counties, Townships 11, 12, and 13 South, Ranges 67 and 68 West, as shown on the map attached to the order as Exhibit A. The purpose of the order is to protect public health and safety as well as firefighter safety.

Those exempted from this order are persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission; agency employees; and any federal, state, or local officer or member of any organized rescue or firefighting force, in the performance of an official duty.

The order will affect individuals for a limited time while the hazardous conditions exist on restricted NFS lands.

Civil Rights Impact Statement

The order will have no impacts on civil rights, as the prohibitions will apply to all individuals equally unless listed above as excepted individuals. No one group will be affected more than another group.

ENFORCEMENT PLAN

Order 12-08

Pike National Forest Pikes Peak Ranger Districts

Scope

Order 12-08, signed by Pike and San Isabel National Forests, Cimarron and Comanche National Grasslands, Forest Supervisor, Jerri Marr, prohibits occupancy and use on all National Forest System (NFS) lands within the Waldo Canyon Fire Area on the Pikes Peak Ranger District, Pike National Forest, El Paso and Teller Counties, Colorado, as shown on the map attached to the order as Exhibit A. The order will be in effect from the date it is signed and continue through October 1, 2012, or until rescinded, whichever event occurs first.

Posting

The order will be posted in the Pike and San Isabel National Forests, Cimarron and Comanche National Grasslands, Supervisor's Office in Pueblo, Colorado, and at the affected Ranger District offices as required in 36 CFR 261.51. Copies of the order will also be posted at developed recreation sites, trailheads, and access points into the restricted NFS lands as well as affected trailheads on the Saguache Ranger District that provide access from the west

Coordination With Other Agencies

The Forest Service will notify the county sheriff's offices, whose jurisdictions are within the scope of the order, about the closure and advise them of the appropriate response to violations, if there is a request to assist the Forest Service.

Patrol Activities

Patrols of the restricted area will be conducted on a regular basis to ensure that posting of the order is adequate, maintained, and is being complied with. Certified Forest Protection Officers (FPO) or Law Enforcement Officers (LEO) will contact violators if necessary.

Patrolling of the Waldo Canyon Fire Area will take place any time of the day, Sunday through Saturday. No set schedule for patrolling will be established. Patrolling will be more concentrated during the period immediately following signing of the order.

Enforcement Strategies

Emphasis will be placed on informing the public of the restrictions in the hope of avoiding violations. Posting of the order and map at access points will be inspected periodically by Forest Service employees.

A uniformed Forest Service employee will contact any unauthorized person found in violation of the order. Violators will be advised of the order and the actions needed to come into compliance. If needed, a Violation Notice or Warning Notice may be issued, and violators will be required to vacate the area where the violation occurred. Repeat violators will be issued a summons to appear in federal court. Any person who refuses to comply with the order, or who refuses to identify themselves, will be subject to arrest.

Persons Exempt from this order

- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission.
- (2) Any federal, state, or local officer, or member of an organized rescue or firefighting force, in the performance of an official duty.

**Exhibit A : Waldo Canyon Fire Area Closure
Order # 12-08
Townships 11,12,13 S, Ranges 67, 68 W
Teller and El Paso Counties, Colorado**

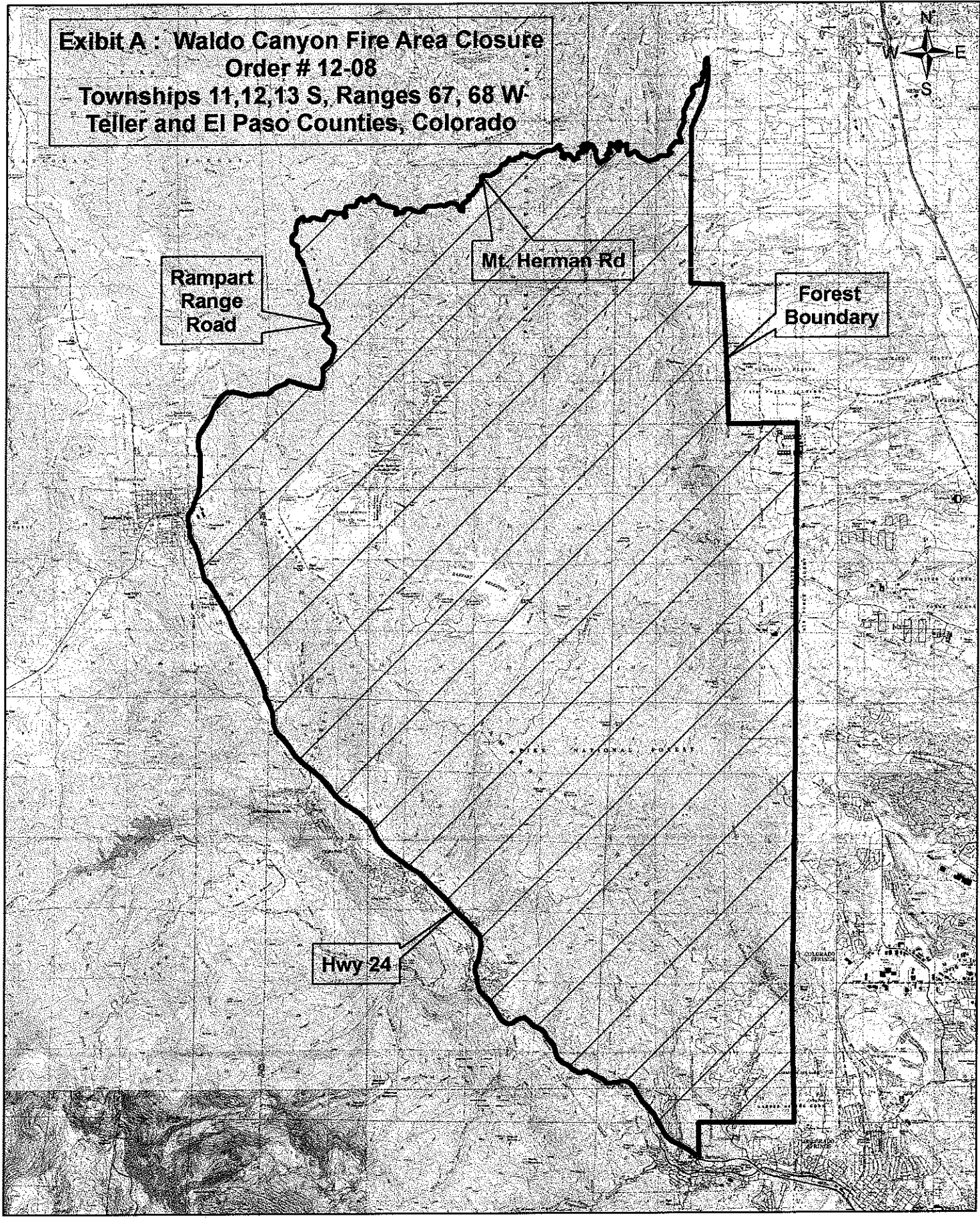


Rampart
Range
Road

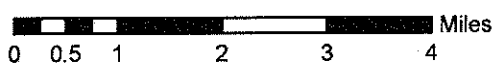
Mt. Herman Rd

Forest
Boundary

Hwy 24



 Closure Area



Mario Mora
USFS 06-24-2012
Datum : NAD 1983
Source : PSICC