

**UNITED STATES FOREST SERVICE
TONGO NATIONAL FOREST
MESA & CAVE CREEK RANGER DISTRICTS**

SYCAMORE CREEK PUBLIC SAFETY CLOSURE ORDER

PROHIBITIONS

Pursuant to Title 36 CFR 261.50 (a) and (b), the following acts are prohibited on the areas, roads, and trails described in this order, all within the Mesa and Cave Creek Ranger Districts, Tonto National Forest, Maricopa County, Arizona, from January 1 through February 15 of each year.

1. Going into or being upon the described area when US Forest Service or Maricopa County officials have determined that more than 250 persons are present (see Area Described). 36 CFR 261.53(e)
2. Building, maintaining, attending or using any fire or campfire within the described area (see Area Described). Gas and propane stoves are permitted anytime. 36 CFR 261.52(a)

EXEMPTIONS

Pursuant to 36 CFR 261.50 (e), the following persons are 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 any organized rescue or fire fighting force in the performance of an official duty.
3. Persons engaged in a business, trade, or occupation in the area, who are authorized by the US Forest Service, the State of Arizona, or the County of Maricopa, its employees, agents, contractors and subcontractors.

AREA DESCRIBED

All National Forest System lands, roads and trails within the upper and lower Sycamore Creek areas, more specifically described as follows: bounded by State Route 87 on the east; by Goldfield Subdivision on the south; by the Ft. McDowell Indian Reservation on the west; by the Verde River on the northwest; and by National Forest System Road 160 on the north, continuing to State Route 87 at the point of beginning.

The Area Described contains all or portions of Township 5 North, Range 7 East, Sections 25, 26, 27, 28, 29, 32, 33, 34, 35, and 36; Township 5 North, Range 8 East, Sections 19, 20, 27, 28, 29, 30, 31, 32, 33, and 34; Township 4 North, Range 7 East, Sections 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36; Township 4 North, Range 8 East, Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, 32, and 33; Township 3 North, Range 7 East, Sections 1, 2, 3, and 12; and Township 3 North, Range 8 East, Sections 5, 6, and 7. See Exhibit A for vicinity map of the affected area.

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PURPOSE

To provide for the public's health and safety during the annual Christmas tree burning event. This event is an impromptu, unorganized and unpermitted event that has occurred for at least fifteen years, and has drawn crowds of up to 9,000 persons with off-road vehicles for a large bon-fire party. This event usually occurs on the first, second or third weekend after New Years. The area closure is designed to minimize the event's risks to the public's health and safety and its impacts to the area's natural resources.

IMPLEMENTATION

1. Prior to the event, the District Ranger and LEI personnel will attempt to ascertain the exact time and location of the event.
2. Prior to the event, District personnel will attempt to locate and burn any piles of Christmas trees found in the area.
3. During the event, entry points will be manned by US Forest Service and Maricopa County personnel to monitor traffic.
4. Attendees will not be allowed to bring burning materials such as Christmas trees to the site.
5. When the area's carrying capacity of 250 has been reached, as determined by either US Forest Service or Maricopa County personnel, additional attendees will be denied entry.
6. This Order supercedes and rescinds Order No. 12-193 and will remain in effect until superceded or rescinded, and until further notice.
7. Violation of these prohibitions is punishable by a fine of not more than \$5,000 for individuals and \$10,000 for organizations, imprisonment for not more than six (6) months, or both. [16 USC 551, 18 USC 3571(b) (6), 18 USC 3581(b) (7)].

Dated this 9th day of January, 2007, at Phoenix, Arizona.

/s/ Gene Blankenbaker

GENE BLANKENBAKER
Forest Supervisor
Tonto National Forest

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