

**Order Number: # 03-12-03-24-13**



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

**State Route 88 (Apache Trail) and Fish Creek Hill Area Closure  
for Public Health and Safety**

**PROHIBITIONS**

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

1. Going into or being upon the Described Area which is closed for public health and safety. 36 C.F.R. § 261.53(e)
2. Being on the Described Roads. 36 C.F.R. § 261.54(e)

**EXEMPTIONS**

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

1. 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).
2. Any Federal, State, or Local Officer, or member of an organized rescue or firefighting resource in the performance of an official duty.

## DESCRIBED AREA AND ROADS

The Described Area is within the vicinity of Fish Creek Hill on State Route 88, located in Township 2N, Range 10E, Sections 1, 2, 10, 11, and 12, along with Township 2N, Range 11E, section 39 and Township 2N Range 10E Sections 1-3, 10-12, and 15 and Township 2N Range 11E Sections PB38-PB40. The area consists of all National Forest System lands and roads within and along State Route 88 within a 1000' wide corridor centered along the highway starting at mile post 222.05 (33° 31.994' N x -111° 18.814' W) at Fish Creek Vista to mile post 227.2 (33° 32.562' N x -111° 15.625' W) at the intersection of Forest Service Road 1428, as depicted in Exhibit A.

NFS Road 3510 is within the Described Area and is closed.

**Note:** Access to Fish Creek Vista and National Forest Service Road 1428 will remain open.

## PURPOSE

The purpose of this Order is to protect public health and safety from unsafe road and area conditions caused by road maintenance and/or construction.

## IMPLEMENTATION

1. This Order shall be in effect from May 7, 2024, at 6am through October 30, 2024, at 6pm, unless rescinded.
2. A map identifying the Described Area and Roads 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-notice>
3. 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.
4. 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.
5. Contact the Mesa Ranger District in Mesa, AZ (480) 610-3300, and Tonto National Forest Supervisor's Office in Phoenix, AZ, (602) 225-5200, for more information about this Order.
6. This Order supersedes any previous Orders prohibiting the same or similar acts in or on the same Described Area and Roads.

Signed and issued May 6, 2024.

NEIL  
BOSWORTH

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BOSWORTH  
Date: 2024.05.06 17:43:31  
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Neil Bosworth  
Forest Supervisor  
Tonto National Forest