



**UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
CIBOLA NATIONAL FOREST  
BLACK KETTLE NATIONAL GRASSLANDS**

**PROHIBITIONS:**

Pursuant to 16 USC 551 and 36 CFR 261.50 (a) and (b) the following acts are prohibited from **October 19, 2009 through December 10, 2011**, on the area as described in this Order, and as depicted on the attached map hereby incorporated into this Order as Exhibit A, within the Black Kettle National Grasslands, Cibola National Forest, in the county of Roger Mills, state of Oklahoma.

1. Hunting or fishing. 36 CFR 261.58(v)

**EXEMPTIONS:**

Pursuant to 36 CFR 261.50 (e) the following persons are exempt from this order:

1. Any persons with a permit specifically exempting them from the effect of this Order.
2. Any persons legally hunting with archery equipment during all hunting seasons, except for the deer-gun hunting season, as determined by State Law and stated in the Oklahoma Hunting Regulations.
3. Any persons legally hunting with a shotgun, with no larger than # 4 shot during all hunting seasons as determined by State Law and stated in the Oklahoma Hunting Regulations.
4. Any Federal, State, or local officer or member of an organized rescue or fire fighting force in the performance of an official duty.

**AREA DESCRIBED:**

40 acres of Township 15 North, range 25 West, Section 33, Northeast ¼ of the Southeast ¼, Roger Mills County, Oklahoma. From the intersection of County Road EW88 and NS 175.8 approximately ½ mile south, east side of road.

“FS facilities and roads are closed to hunting/fishing, but can still be used for their intended purposes”

**PURPOSE:**

The purpose of this Order is for the protection of public health, safety and resources.

**IMPLEMENTATION**

1. This Order will be in effective October 19, 2009 and shall remain in effect until December 10, 2011, unless rescinded earlier.
2. Any violation of this prohibition is punishable as a Class B misdemeanor by a fine of not more than \$5,000.00 for individuals and \$10,000.00 for organizations, or by imprisonment for not more than six (6) months, or both. [Title 16 USC 551, Title 18 USC 3559, 3571, and 3581]
3. This Order supersedes, rescinds, and replaces any previous orders prohibiting the same acts covered by the Order.

Done at Albuquerque, New Mexico, this 19<sup>th</sup> day of October, 2009

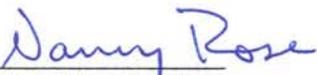
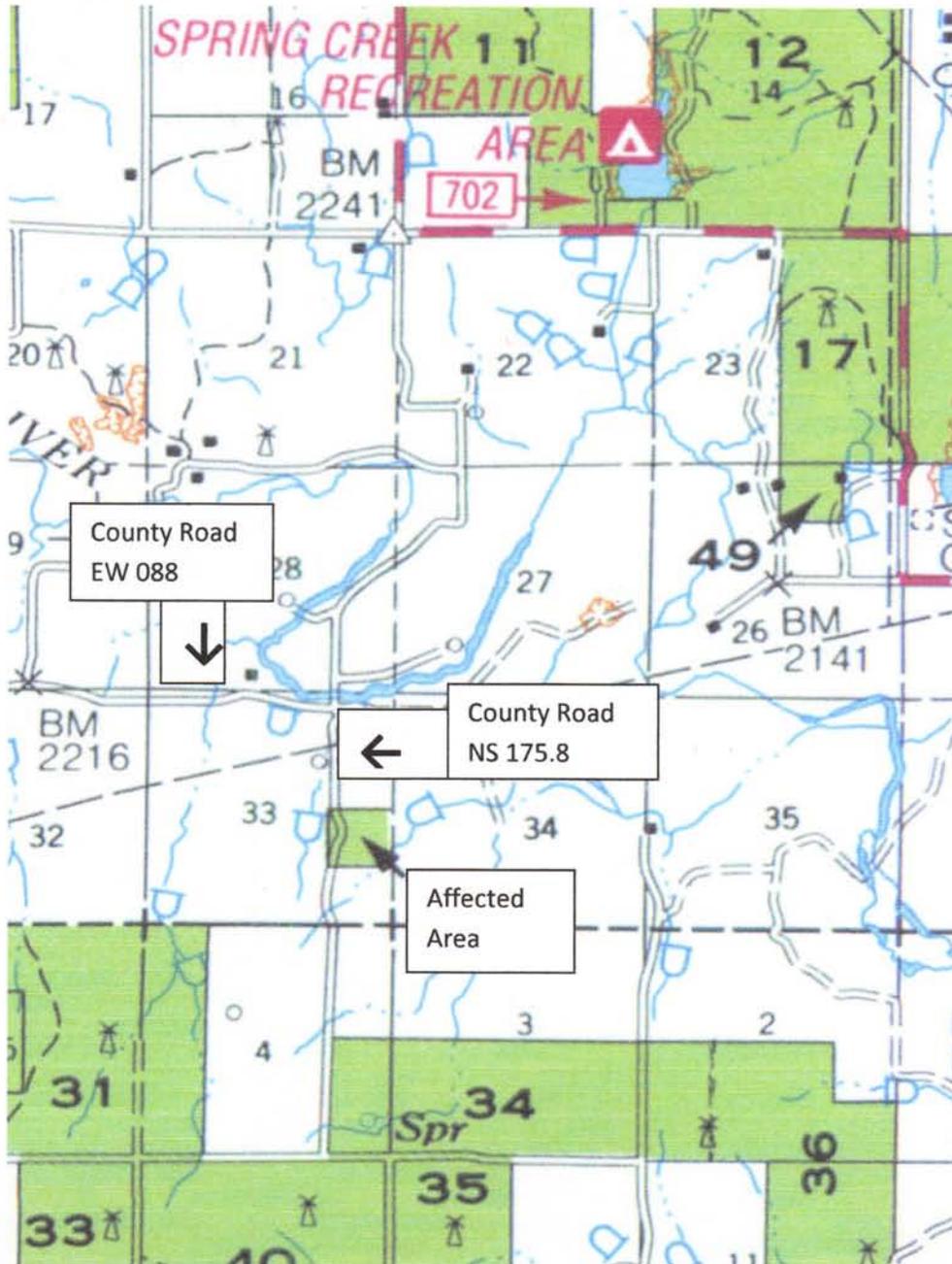
  
NANCY ROSE  
Forest Supervisor  
Cibola National Forest

EXHIBIT A

Township 15 North, Range 25 West, Sec. 33

Northeast 1/4 of the Southeast 1/4



**ASSESSMENT OF NEED (JUSTIFICATION) AND ENFORCEMENT PLAN**

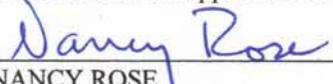
**BACKGROUND** The purpose of this order is to prohibit hunting on a small, unfenced 40 acre tract of land on the Black Kettle National Grassland. Exemptions to the order would include archery hunting, except closed during the deer gun season and hunting with a shotgun using no larger than #4 shot. The area will be closed to deer gun hunting and primitive firearms hunting seasons, which are the District highest public uses and where problems have occurred on this 40 acre area. In the past this area has been used as a "drop off point" for persons to illegally trespass onto the adjacent private lands. During these high use periods as many as eight vehicles have been parked along the county road accessing this unit, with no hunters wearing blaze orange in sight. The area is extremely rugged which makes it unfeasible to fence and to properly mark the boundary. The hunters that use the District are mainly Oklahoma hunters which are accustomed to hunting Oklahoma Department of Wildlife lands that are fenced and marked with boundary signs at least every 2/10's of a mile. This has also been the Districts policy to address trespass issues on the 115 scattered parcels of land that the Black Kettle National Grasslands administers. Since this small area can not adequately be fenced or the boundaries marked and the adjacent landowners have expressed concerns each year during the firearms season this order is being established to provide safety to forest users and adjacent landowners.

**INTENT OF SUBPART B ORDER:** The purpose of this Order is to provide for public safety.

**ENFORCEMENT PLAN:** The following activities will occur in order to implement this order in a manner that results in public acceptance and safety:

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Bryan Hajny, Distict Wildlife Biologist, Cibola National Forest	10/07/2009 10/13/2009
Review proposed order (Law Enforcement)	Aban Lucero, Patrol Captain, Southwest Region, USFS	
Approve proposed order	Nancy Rose, Forest Supervisor, Cibola National Forest	
Post order in accordance with 36 CFR 261.51	Forest Service FPO, and District Wildlife Staff	
Prepare news release for local media describing the order and management objectives/post to website/notify COIDC/copy to receptionist	District Wildlife Staff	
Notices will be used along county road (Property boundary) advising of the closure for implementation in the 2009 hunting season.	Appropriate Staff Law Enforcement Officers Forest Protection Officers	

Enforcement Plan approved for implementation:

  
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NANCY ROSE  
Forest Supervisor

10/19/09  
\_\_\_\_\_  
DATE