Order Number: # 03-03-04-23-07

U.S. Department of Agriculture, U.S. Forest Service
Cibola National Forest
Mountainair Ranger District

Road and Campground Closure

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 Road (NFSR) 245 and the Capilla Peak and New Canyon campgrounds in the Mountainair Ranger District, Cibola National Forest, described below and shown on the attached map incorporated into this Order as Exhibit A (the "Described Road and Area"):

1. Being on NFSR 245. 36 C.F.R. § 261.54(e)

2. Entering or using Capilla Peak or New Canyon Campgrounds or any portion thereof. 36 C.F.R. § 261.58(b)

EXEMPTIONS

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

1. Owners or lessees of land whose access to said lands relies upon the use of NFSR 245.

2. 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).

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

DESCRIBED ROAD AND AREA

NFSR 245 from the Forest boundary to Capilla Peak (T5N R6E Sec. 12 to T6N R5E Sec. 34), including New Canyon and Capilla Peak campgrounds. The road and

campground closures are shown on the attached map hereby incorporated into this Order as Exhibit A.

PURPOSE

The purpose of this Order is to protect public health and safety in response to the demolition of an existing communication site and the hauling of debris by truck off the site. The health and safety of the public would be jeopardized by allowing access to these areas during hauling operations.

IMPLEMENTATION

1. This Order shall be in effect from July 27, 2023 at 00:01 through July 29, 2023 at 00:00, unless rescinded.

2. A map identifying the Described Road and 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/cibola/alerts-notices.

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 Mountainair Ranger District in Mountainair, (505) 847-2990, and Cibola National Forest Supervisor's Office in Albuquerque, (505) 346-3900, for more information about this Order.

6. This Order supersedes any previous Orders prohibiting the same or similar acts on the same Described Forest System Road and campgrounds.

Signed and issued on 7/26/23

Forest Supervisor
Cibola National Forest