



**U.S. Department of Agriculture, U.S. Forest Service
Arapaho & Roosevelt National Forests and
Pawnee National Grassland
Canyon Lakes Ranger District**

Raptor Nesting Site Closures

ASSESSMENT OF NEED

This order is needed to protect nesting raptors on National Forest System lands by restricting access to specific areas of the Arapaho & Roosevelt National Forests and Pawnee National Grassland. The U.S. Forest Service is implementing seasonal area closures on the Canyon Lakes Ranger District beginning March 5, 2024. The closures impact recreational use at Triple Tier, Boston Peak, Grazing Allotment Crag, and Mt. Olympus.

Each year, the U.S. Forest Service initiates adaptive, temporary closures to ensure birds of prey, also known as raptors, will be undisturbed during their breeding and nesting seasons. Raptors are sensitive to human disturbance during these times and the closures give them a chance to select a nest site during courtship free of human influence. These closures occur at known nesting sites that are monitored by staff from the U.S. Forest Service and Colorado Parks and Wildlife.

Federal and state laws prohibit disturbing any nesting birds of prey. Visitors can help protect wildlife by respecting all closures. The Order will be posted at key access points into the closed areas as required in 36 CFR 261.50.

The seasonal Closure Order will be in effect beginning March 5, 2024, and continue through July 31, 2025, unless rescinded sooner.

PROHIBITIONS

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a), the following is prohibited on the National Forest System lands within the Canyon Lakes Ranger District, Arapaho and Roosevelt National Forests and Pawnee National Grassland, described further below and shown on the attached maps incorporated into this Order as Exhibits 1 – 4 (“Described Areas”):

1. Going into or being in the Triple Tier and Grazing Allotment Crag Described Areas A & B from February 1 through July 31, 36 C.F.R. § 261.53(a).

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2. Going into or being in Boston Peak and Mt. Olympus Described Areas C & D from March 1 through July 31, 36 C.F.R. § 261.53(a).

NEPA COMPLIANCE

This Order is covered by the categorical exclusion in 36 CFR 220.6(d)(1): Orders issued pursuant to 36 CFR Part 261 – *Prohibitions to provide short-term resource protection or to protect public health and safety*. The Forest's resource specialists have determined no extraordinary circumstances exist that would preclude the application of this categorical exclusion.

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 force in the performance of an official duty.

DESCRIBED AREAS

- A. Triple Tier Described Area (Exhibit 1) is south of Highway 14 (Poudre Canyon Road) on the eastside of the Baldwin Tunnel and southeast of the Crystal Wall climbing area in Section 5, Township 8 North, Range 71 West, 6th P.M., and includes all NFS lands within the following boundaries: the entire rock formation known as Triple Tier including the Fist, Undertall Wall, the Sail, Laughing Man, Chimney Sweep Wall, Middle Class Wall, and Upper Echelon (aka Old Aid Wall).
- B. Grazing Allotment Crag Described Area (Exhibit 2) is northwest of the Prairie Divide Road and north of Travois Trail Road, in Section 18, Township 10 North, Range 72 West, 6th P.M., and includes all NFS lands within the following boundaries: the entire rock formation known as Grazing Allotment Crag located west and northwest from the Prairie Divide Road and north of Travois Trail Road along the private land boundary.
- C. Boston Peak Described Area (Exhibit 3) is north of State Highway 14 (Poudre Canyon Road) and west of the town of Kinikini in Sections 35 and 36, Township 9 North, Range 75 West, 6th P.M., and includes all NFS lands within the following boundaries: all of the rock features that comprise Boston Peak including routes on Orange Wall, South Ridge, and includes accessing the summit. The Area borders the Bliss State Wildlife Area and 420 Boulders and is west/southwest of Williams Gulch.
- D. Mt. Olympus Described Area (Exhibit 4) is southeast of U.S. Highway 34 (Big

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Thompson Canyon Road), in Sections 21 and 28, Township 5 North, Range 72 West, 6th P.M., and includes all NFS lands within the following boundaries: from U.S. Highway 34 - the area south to the private land boundary, southeast and east including the southwest portion of Mt. Olympus, and includes any approaches to the summit.

The Described Areas include any user-created routes within the Areas.

IMPLEMENTATION

1. This Order shall be in effect from March 5, 2024 at 12:01 a.m. through July 31, 2025 at 11:59 p.m., unless rescinded.
2. Maps identifying the Described Areas are attached and made part of this Order as Exhibits 1 - 4. For a digital version of this Order and Exhibits 1 - 4, go to <https://www.fs.usda.gov/alerts/arp/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 Arapaho and Roosevelt National Forests and Pawnee National Grassland at (970) 295-6600 for more information about this Order.
6. This Order supersedes any previous Orders prohibiting the same or similar acts in the same Described Areas.

Signed and issued on March 4, 2024.

Forest Supervisor
Arapaho and Roosevelt National Forests and Pawnee National Grassland