



**UNITED STATES DEPARTMENT OF AGRICULTURE
U.S. FOREST SERVICE
CIBOLA NATIONAL FOREST
MAGDALENA RANGER DISTRICT**

NFSR 225, Mile 9.9 to 10.1, Road closure for Construction

PROHIBITIONS

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a), the following acts are prohibited within the area described in this Order (the “Restricted Area”) and as depicted on the attached map, hereby incorporated into this Order as Exhibit A, within the Magdalena Ranger District, Cibola National Forest, Socorro County, New Mexico.

1. Going into or being upon the prohibited area which is closed for public health and safety.
36 C.F.R. § 261.53(e).

EXEMPTIONS

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

1. Persons with a written Forest Service authorization specifically exempting them from the effect of this Order.
2. Any Federal, State, or Local Officer, or member of an organized rescue or firefighting resource in the performance of an official duty.

RESTRICTED AREA

The Restricted Area is within Township 9S., Range 4W., Sections 2 specifically mile marker 9.9 to 10.1 of NFSR 225.

PURPOSE

The purpose of this Order is to protect the public due road construction where no detour can be safely made to avoid and traverse around the road construction zone.

IMPLEMENTATION

1. This Order will be effective on September 21st, 2020 at 0700, and shall remain in effect until October 6th, 2020, or until rescinded, whichever occurs first.
2. A map identifying the Restricted Area is attached and made part of this Order as Exhibit A.
3. Any violation of this prohibition 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 (6) months, or both (*see* 16 U.S.C. § 551, 18 U.S.C. § 3571(b)(6), 18 U.S.C. § 3581 (b)(7)).
4. Further information regarding this Order may be obtained at the Magdalena Ranger District located in Magdalena, New Mexico, telephone number (575) 854-2281, and at the Cibola National Forest Supervisor's Office in Albuquerque, New Mexico, telephone number (505) 346-3900.
5. This Order supersedes any previous orders prohibiting the same acts covered by this Order.

Done at ALBUQUERQUE, NM, this 15th day of SEPTEMBER, 2019.



Matthew Rau
Acting Forest Supervisor
Cibola National Forest

1. **Background:** This Order is being prepared to protect road users due to known road construction that cannot be detoured or avoided on the NFSR 225 road way. At entrance/exit points to the road, the Order along with signs stating "Road Temporarily Closed due to road construction at miles 22.6 to 22.9" will be posted along with a road map specifically indicating the road closure area. Reflective road closure signs will be posted on the road before the road closure at areas convenient for turning around before both ingress to the road closure. Reflective Barriers will be placed across the road before the impending road closure location at each ingress. The special closure will allow for enforcement of the closure area. An Order is needed to be able to cite persons unwilling to comply with this special order.
2. **Intent of Subpart B order:** This Order is written to provide for public health and safety. This action is categorically excluded from further documentation in a DM, EA, or EIS pursuant to 36 CFR 220.6(d)(1): *Orders issued pursuant to 36 CFR part 261 – Prohibitions to provide short-term resource protection or to protect health and safety.*
3. **Enforcement Plan:** The following activities will occur in order to implement this special Order in a manner that results in public acceptance and safety:

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Michael Salazar, District Ranger, Cibola National Forest, Magdalena Ranger District	20
Review proposed order (Law Enforcement)	Dan Reed, Patrol Captain, Southwest Region, USFS	20
Approve proposed order	Steven Hattenbach, Forest Supervisor, Cibola National Forest and National Grasslands	
Post order in accordance with 36 CFR 261.51	Volunteers, Forest Service LEOs and FPOs, and all available staffs	
Prepare news release for local media describing the order and management objectives/post to website/notify COIDC/copy to each receptionist/frontliners	PAO	
Notices will be used at access points advising of the closure for implementation.	Appropriate Staff Forest Protection Officers Cibola National Forest Employees & Volunteers	

Enforcement Plan approved for implementation:


 Matthew Rau
 Acting Forest Supervisor

Date
 9/15/2020