PROHIBITIONS

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a) and (b), the following acts are prohibited within the areas described in this Order (the “Restricted Area”) and as depicted on the attached maps, hereby incorporated into this Order as Exhibits A and B within the Mountainair Ranger District, and Exhibit C, within the Sandia Ranger District, Cibola National Forest and National Grasslands, in Sandoval, Bernalillo, Torrance, Valencia and Lincoln Counties, within the State of New Mexico. The Definitions of the terms used in support of this Order are attached and hereby incorporated as Exhibit D.

1. Possessing, storing, or transporting any bird, fish, or other animal, or parts thereof, except in accordance with the specifications in this Order. 36 C.F.R. § 261.58(s).

2. Possessing or storing any food or refuse, except in accordance with the specifications in this Order. 36 C.F.R. § 261.58(cc).

3. Camping, in a manner that is not in accordance with the specifications in this Order. 36 C.F.R. § 261.58(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 fire fighting force in the performance of an official duty.

SPECIFICATIONS

1. All food and refuse must be acceptably stored or acceptably possessed during daytime hours (½ hour before sunrise to ½ hour after sunset, Mountain Time); see definitions in Exhibit D.

2. All food and refuse must be acceptably stored during nighttime hours (½ hour after sunset to ½ hour before sunrise, Mountain Time) unless it is being prepared for eating, being eaten, being transported, or being prepared for acceptable storage; see definitions in Exhibit D.
3. Any harvested animal carcass must be acceptably stored, unless the carcass is being field dressed, transported, being prepared for eating, or being prepared for acceptable storage; see definitions in Exhibit D.

4. Camping or sleeping areas must be established at least 1/2 mile from a known animal carcass or at least 100 yards from an acceptably stored animal carcass.

RESTRICTED AREA

These restrictions apply to all National Forest System Lands in their entirety that lie within the Mountainair and Sandia Ranger Districts (only) of the Cibola National Forest and National Grasslands.

PURPOSE

The purpose of this Order is to minimize adverse interactions between bears and humans.

IMPLEMENTATION:

1. This Order is effective on June 3, 2021, at 8:00 a.m., through December 1, 2021, and from March 1, 2022, through December 1, 2022, or until rescinded, whichever occurs first.

2. A list of Definitions (Exhibit D) is attached and made part of this Order.

3. Maps identifying the Restricted Area are attached and made part of this Order as Exhibits A, B, and C.

4. Any violation of these prohibitions is punishable by a fine of not more than $5,000.00 for individuals and $10,000.00 for organizations, and/or imprisonment for not more than six (6) months. See 16 U.S.C. § 551, 18 U.S.C. §§ 3559, 3571, 3581.

5. Further information regarding this Order may be obtained at the Sandia Ranger District located in Tijeras, NM, telephone number 505-281-3304, and at the Cibola National Forest Supervisor’s Office in Albuquerque, NM, telephone number 505-346-3900.

6. This Order supersedes any previous Orders prohibiting the same acts covered by this Order.

Done at Albuquerque, New Mexico, this ___2nd____ day of June, 2021.

STEVEN HATTENBACH
Forest Supervisor
Cibola National Forest
Exhibit D - Occupancy and Use
Special Order - Food Storage and Sanitation
Definitions

1. “Food or refuse” means any substance, solid or liquid (excluding water, baled hay, or hay cubes without additives) or refuse, which is or may be eaten or otherwise taken into the body to sustain health or life, provide energy, or promote growth of any person or animal. Also includes items such as soft drinks, alcoholic beverages, canned foods, pet foods, processed livestock feed and grains, personal hygiene products, and empty food and beverage containers.

2. “Animal carcass” means the dead body or parts thereof, of any harvested mammal, bird, or fish, including the head or skull plate with antlers or horns and hide or cape of big game animals and any domestic livestock that may be found in the Restricted Area. Packaged or prepared animal carcass products transported into the Restricted Area for consumption, game birds, small mammals, or fish harvested for consumption in the restricted area are considered food under the previous definition.

3. “Acceptably stored” means:
   a. Stored in bear-resistant container certified through the Interagency Grizzly Bear Committee (IGBC) Courtesy Inspection Program. A container may be certified by the local district ranger or there designated representative(s) if it meets the IGBC criteria, or
   
   b. Stored in a closed vehicle where the storage compartment is constructed of solid, nonpliable material that, when secured, will have no openings, hinges, lids, or coverings that would allow a bear to gain entry by breaking, bending, tearing, biting, or pulling with its claws (any windows in the vehicle must be completely closed), or
   
   c. Suspended at least 10 feet clear of the ground at all points and at least four feet horizontally from any supporting tree or pole, or
   
   d. Stored within a hard-sided residence, building, or storage container subject to the terms and conditions of a special-use authorization or operating plan, or
e. Stored by other methods approved in a permit issued by the forest supervisor responsible for the area where the method is proposed for use.

f. For animal carcasses, stored as described above when located from 100 yards to ½ mile of a camping or sleeping area or within 200 yards of a National Forest System Trail. Animal carcasses are not considered acceptably stored when within 100 yards of a camping or sleeping area or National Forest System Trail. Animal carcasses more than 1/2 mile from a camping area or sleeping area and more than 200 yards from a National Forest System Trail may be left on the ground.

g. Animal carcasses killed or harvested (and parts thereof) within ½ mile of any established camping area or sleeping area must be acceptably stored, possessed, or moved to a distance beyond 1/2 mile from any such camp or sleeping area by the party(-ies) responsible for killing or harvesting such animal.

4. “Acceptably possessed” means:

   a. Possessed or attended during daytime by a person(s) that is physically present within 100 feet and direct sight of the accessible food, or

   b. Possessed or attended by such a person(s) for the purpose of field dressing lawfully taken animal carcasses, transporting any food or animal carcass, preparing any animal carcass or food for eating, or eating any food.

5. “Camping or sleeping areas” mean National Forest System Lands temporarily used for the purpose of overnight occupancy without a permanently fixed structure or lands temporarily occupied by unattended camping equipment.

6. “Daytime” means 1/2 hour before sunrise to 1/2 hour after sunset, Mountain Time.

7. “Night time” means 1/2 hour after sunset to 1/2 hour before sunrise, Mountain Time.

8. “National Forest System Trail” means a trail wholly or partly within, or adjacent to, and serving a part of the National Forest System and which has been included in a forest recreation map.