

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
SANTA FE NATIONAL FOREST
JEMEZ RANGER DISTRICT**

**SPECIAL CLOSURE FOR PROTECTION OF OCCUPIED HABITAT
FOR THE
NEW MEXICO MEADOW JUMPING MOUSE
ALONG RIO CEBOLLA AND SAN ANTONIO CREEK
WITHIN THE JEMEZ MOUNTAINS, NEW MEXICO**

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50 (a), the following acts are prohibited on all National Forest System lands within the areas encompassing ‘occupied habitat’ for the New Mexico meadow jumping mouse (*Zapus hudsonius luteus*) within the Jemez Mountains along the Rio Cebolla and San Antonio Creek, on the Jemez Ranger District, Santa Fe National Forest, Sandoval County, New Mexico as described below and as depicted on the attached maps, hereby incorporated into the order as Exhibits A through C (the “restricted area”).

PROHIBITIONS:

1. It is prohibited to conduct any activity, go into, or be upon the areas encompassing “occupied habitat” for the endangered New Mexico meadow jumping mouse as described below and as depicted on the attached maps, Exhibits A through C. **36 C.F.R. § 261.53(a).**

EXEMPTIONS:

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

1. Persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission. 36 C.F.R. § 261.50(e)(1);
2. Any Federal, State or local officer, or member of an organized rescue or firefighting force in the performance of an official duty. 36 C.F.R. § 261.50(e)(4).

RESTRICTED AREA DESCRIBED:

The special closure encompasses all National Forest System lands within the areas of ‘occupied habitat’ for the endangered New Mexico meadow jumping mouse within the Jemez Mountains along the Rio Cebolla and San Antonio Creek, within the Jemez Ranger District, Santa Fe National Forest as described in the Table below and as depicted on the attached maps, Exhibits A through C.

CLOSURE AREA	NAME	MAP EXHIBIT	ACRES	LEGAL DESCRIPTION
Area 1	Rio Cebolla	Exhibit B	18.52	Sec. 19,20 T19N R2E
Area 2	Rio Cebolla	Exhibit B	99.22	Sec. 19,20 T19N R2E Sec. 29, 30 T19N R2E
Area 3	Rio Cebolla	Exhibit B	80.15	Sec. 25&36 T19N R1E Sec. 30 T19N R2E
Area 4	San Antonio Creek	Exhibit C	24.53	Sec. 8, 17 T19N R3E

AREAS EXCLUDED FROM CLOSURE:

The following roads and areas are within the areas of “occupied habitat” however, they are excluded from the closure and will remain open: New Mexico State Highway #126, Forest Road #376, the environmental kiosk and its adjacent parking area on Forest Road 376 where the Rio Cebolla crosses the road, and Forest Road #132.

PURPOSE:

The purpose of this order is for the protection of “occupied habitat” for the endangered New Mexico meadow jumping mouse within the Jemez Mountains along the Rio Cebolla and San Antonio Creek, within the Santa Fe National Forest, Jemez Ranger District in compliance with the Endangered Species Act of 1973, as amended and the determination of endangered status for the New Mexico meadow jumping mouse throughout its range by the Fish and Wildlife Service (79 FR 33119, June 10, 2014). These protections are needed until consultation with the U.S. Fish and Wildlife Service can be concluded.

IMPLEMENTATION:

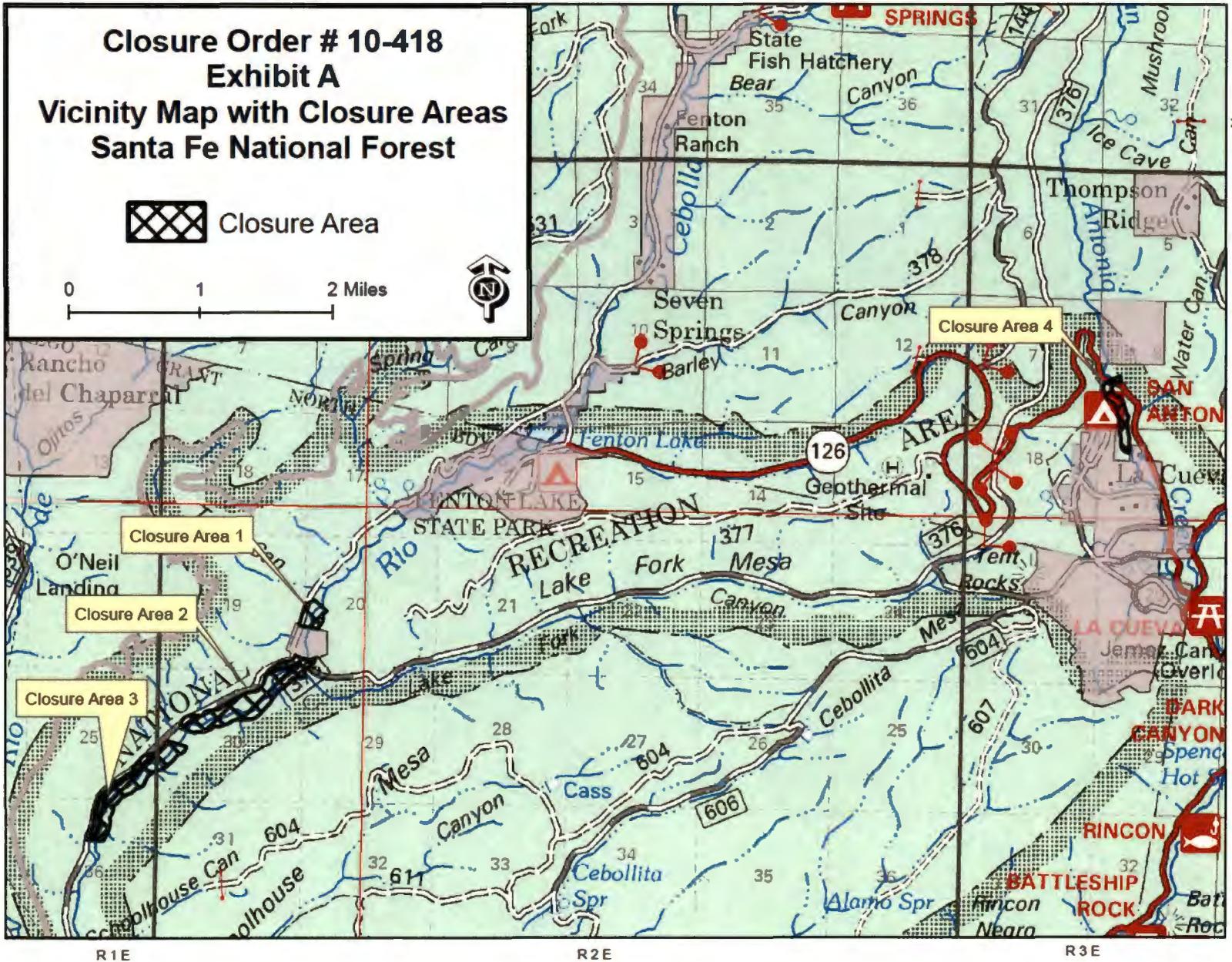
1. This order shall be in effect when signed and shall remain in effect until October 2, 2015, unless rescinded sooner.
2. This order supersedes, rescinds, and replaces any previous orders prohibiting the same acts in the same locations covered by this order.
3. Any violation of these prohibitions is punishable by a fine of not more than \$5,000.00 for individuals and \$10,000.00 for organizations, by imprisonment for not more than six (6) months, or both. [Title 16 USC 551, Title 18 USC 3571(b)(6), Title 18 USC 3581 (b)(7)].

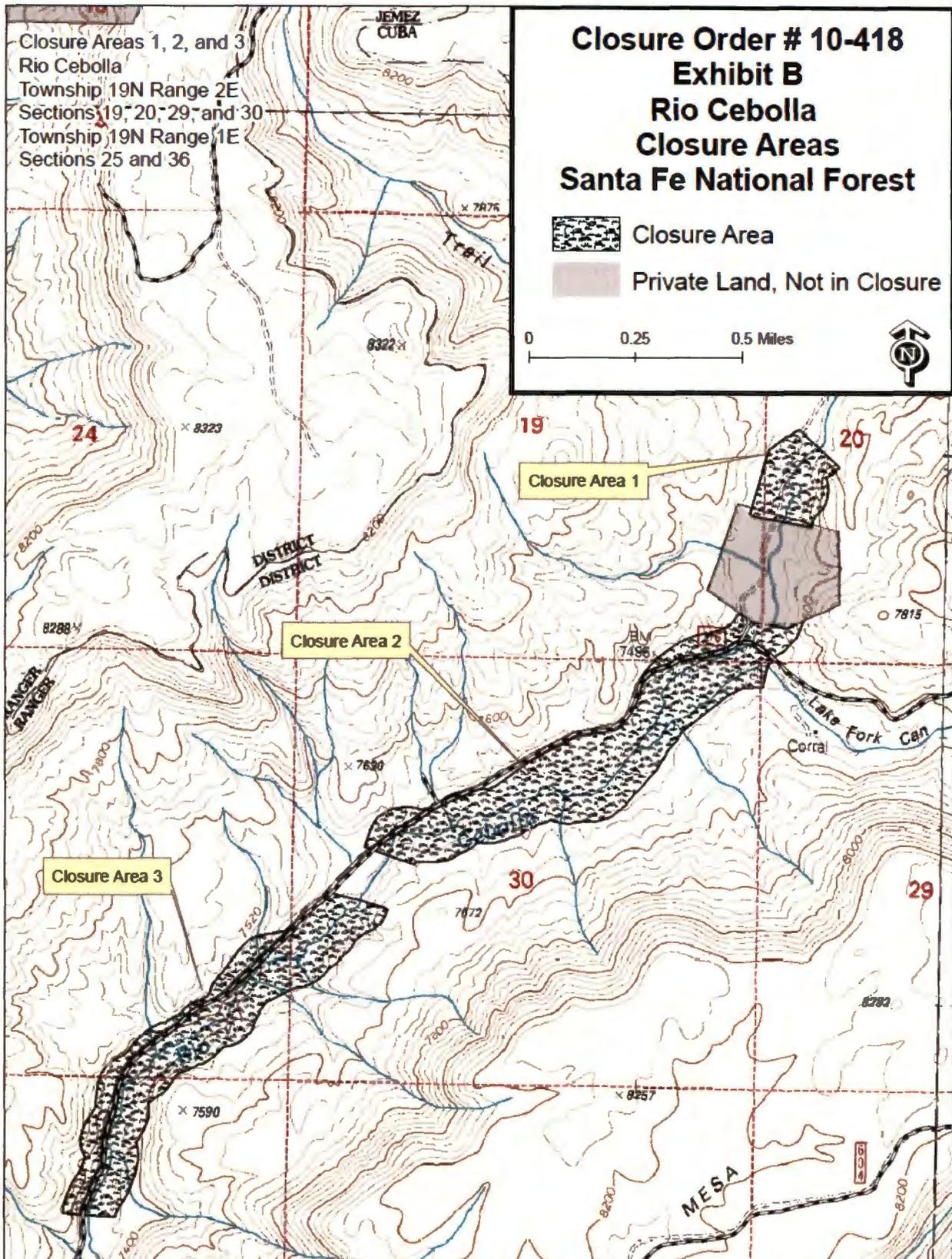
This order shall remain in effect until October 2, 2015.

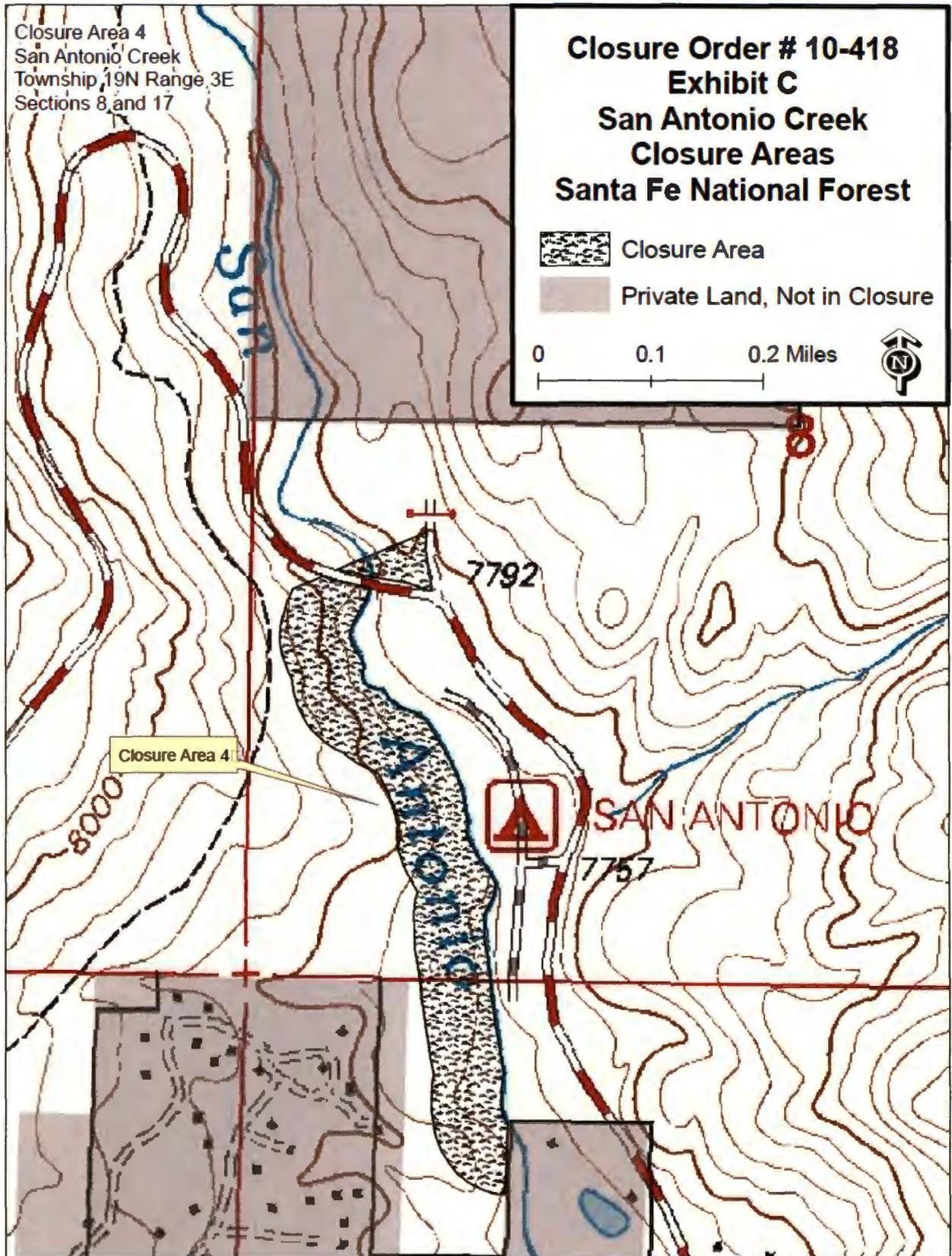
Signed in Santa Fe, New Mexico, this 3rd day of October 2014.



MARIA T. GARCIA
 Forest Supervisor
 Santa Fe National Forest







**ORDER #10-418
SPECIAL CLOSURE FOR PROTECTION OF OCCUPIED HABITAT
FOR THE
NEW MEXICO MEADOW JUMPING MOUSE
WITHIN THE JEMEZ MOUNTAINS
ALONG RIO CEBOLLA AND SAN ANTONIO CREEK
JEMEZ RANGER DISTRICT**

ASSESSMENT OF NEED

Need of Order

This order implements a short-term special closure of occupied habitat for the endangered New Mexico meadow jumping mouse (*Zapus hudsonius luteus*) within the Jemez Mountains along the Rio Cebolla and San Antonio Creek, Jemez Ranger District, Santa Fe National Forest, Sandoval County, New Mexico. The Closure Order encompasses four sites for a total of 222 acres within the two drainages. The prohibitions are needed to protect the occupied habitat of this endangered species. This special closure is temporary until environmental analysis is conducted for permanent and continued long-term protection and recovery of New Mexico meadow jumping mouse habitat at this location.

Scope of Order

The special closure encompasses the areas of ‘occupied habitat’ for the endangered New Mexico meadow jumping mouse within the Jemez Mountains along the Rio Cebolla and San Antonio Creek, Jemez Ranger District, Santa Fe National Forest as described in the Table below. New Mexico State Highway #126 traverses closure area 4 and is not included in the order. Forest Road #376 traverses closure areas 2 and 3 and is not included in the order.

CLOSURE AREA	NAME	MAP EXHIBIT	ACRES	LEGAL DESCRIPTION
Area 1	Rio Cebolla	Exhibit B	18.52	Sec. 19,20 T19N R2E
Area 2	Rio Cebolla	Exhibit B	99.22	Sec. 19,20 T19N R2E Sec. 29, 30 T19N R2E
Area 3	Rio Cebolla	Exhibit B	80.15	Sec. 25&36 T19N R1E Sec. 30 T19N R2E
Area 4	San Antonio Creek	Exhibit C	24.85	Sec. 8, 17 T19N R3E

222.42

To facilitate enforcement of the closure, signs will be posted around each of the four Areas.

Additionally, to protect the meadow portion of the occupied habitat in Areas 1 – 3, which is the primary habitat of the mouse during its active season (not hibernating), approximately 118 acres will be temporarily fenced. This additional measure is being taken in these areas because the areas are part of an active grazing allotment that could experience concentrated grazing in the fall. The temporary fencing will be constructed around occupied riparian habitat. Livestock

watering lanes (noncontiguous breaks in fenced protected habitat within channel) will be provided in order to allow permitted livestock access to water and are considered outside of the restricted area.

This temporary closure may remain in effect through October 2, 2015.

NEPA Consistency

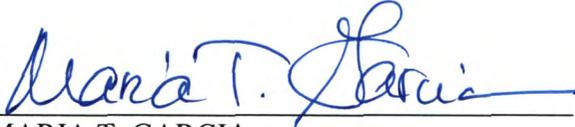
This special closure for occupied habitat protection falls within a categorical exclusion under NEPA established by the Chief of the Forest Service (36 CFR 220.6(d)(1)) – *Orders pursuant to 36 CFR part 261 – Prohibitions to provide short-term resource protection or to protect public health and safety*. Therefore, no EA or EIS is required. Scoping for this special closure, per the National Environmental Policy Act (NEPA), has been conducted internally and through discussions with current grazing range permittee(s). No extraordinary circumstances are related to the special closure of the NMMJM occupied habitat at this location (see 220.6(a) and (b)).

Persons Exempt from this Order

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

1. Persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission;
2. Any Federal, State or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.

This *Assessment of Need* for Order #10-418 is approved by:



MARIA T. GARCIA
Forest Supervisor
Santa Fe National Forest



Date

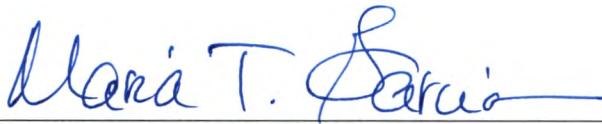
CIVIL RIGHTS IMPACT ANALYSIS
Forest Supervisor's Order #10-418
Special Closure Order for National Forest System Lands on the
Santa Fe National Forest

Introduction

The Jemez Ranger District of the Santa Fe National Forest will implement a short-term closure order to prohibit entry into "occupied habitat" for the endangered New Mexico meadow jumping mouse (*Zapus hudsonius luteus*) within the Jemez Mountains along the Rio Cebolla and San Antonio Creek. Four areas along the Rio Cebolla will be temporarily fenced. One area along San Antonio creek adjacent to San Antonio Campground will be posted with signs.

Civil Rights Impact Statement

The Special Closure Order will have no impact on civil rights, as the prohibition will apply to all individuals equally. We will monitor the resulting action to assess the accuracy of no civil rights impact. The Special Closure Order is also extremely limited in scope.

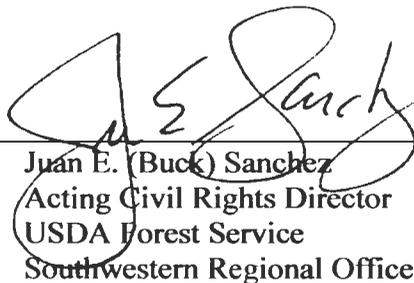


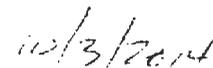
MARIA T. GARCIA
Forest Supervisor
Santa Fe National Forest



Date

Review and Concurrence:


Juan E. (Buck) Sanchez
Acting Civil Rights Director
USDA Forest Service
Southwestern Regional Office



Date