



UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
CIBOLA NATIONAL FOREST
MT. TAYLOR RANGER DISTRICT
FOREST DEVELOPMENT ROADS

PROHIBITIONS

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), the following acts are prohibited on the area and roads as described in this order and the attached map within the Mt. Taylor Ranger District, Cibola National Forest, in the State of New Mexico.

- (1) Possessing or using a vehicle off forest development roads. 36 CFR 261.56
- (2) Using any motorized vehicle on the forest development roads or segments listed. 36 CFR 261.54(a)

EXEMPTIONS

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this order:

- (1) Persons with a permit specifically authorizing the prohibited act or omission.
- (2) Any Federal, State or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

RESTRICTED AREA

The area as shown on the attached map is closed to all off road motorized travel year-round. All roads within this area are closed to motorized travel year-round. Except that, the following roads as listed below are open to motorized travel during specific time periods, provided that resource damage will not occur as a result of motorized use, in which case the closure may be administratively extended. **The open periods are: April 16 through June 30 and August 31 through November 29 of each year.** Travel by non-motorized means is not restricted or prohibited by this order.

- (1) Forest Road 239 from the gate located at T.13N.,R.7W., and Section 11 to its juncture with Forest Road 239A located at T.14N.,R.6 W., Section 14 is OPEN TO MOTORIZED TRAVEL. All secondary roads from and associated with Forest Road 239 ARE CLOSED TO MOTORIZED TRAVEL.
- (2) Forest Road 239A from its juncture with Forest Road 239 located at T.14N.,R.6W., Section 14 to its juncture with Forest Road 194I located at T.15N., R.5W., and Section 24 IS OPEN TO MOTORIZED TRAVEL.

All secondary roads from and associated with Forest Road 239A ARE CLOSED TO MOTORIZED TRAVEL.

- (3) Forest Road 239O from its juncture with Forest Road 239 located at T.14N., R. 6W., Section 29 to Boulder Tank located at T.14N., R.7W., and Section 25 IS OPEN TO MOTORIZED TRAVEL. All secondary roads from and associated with Forest Road 239O ARE CLOSED TO MOTORIZED TRAVEL.
- (4) Forest Road 194 from its juncture with Forest Road 194I located at T.15N., R.5W., Section 36 to its juncture with Forest Road 194A located at T.14N.,R.4W., Section 6 IS OPEN TO MOTORIZED TRAVEL. All secondary roads from and associated with Forest Road 194 ARE CLOSED TO MOTORIZED TRAVEL.
- (5) Forest Road 194A from its juncture with Forest Road 194 located at T.14N., R.4W., Section 6 to its terminus located on the Mesa de la Vereda Piedra Blanca IS OPEN TO MOTORIZED TRAVEL. All secondary roads from and associated with Forest Road 194A ARE CLOSED TO MOTORIZED TRAVEL.
- (6) Forest Road 194I from its juncture with Forest Road 194 located at T.15 N., R.5W., Section 36 to Forest Boundary located at T.15N, R,4W., and Section 17 IS OPEN TO MOTORIZED TRAVEL. All secondary roads from and associated with Forest Road 194I ARE CLOSED TO MOTORIZED TRAVEL.

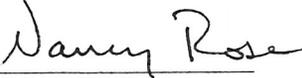
PURPOSE

This is for the protection of wildlife habitat, systems roads and soil resources in this area.

IMPLEMENTATION:

1. This Order will be in effect when signed and shall remain in effect until August 31, 2011 or until rescinded.
2. Any violation of this prohibition is punishable as a Class B misdemeanor by a fine of not more than \$5,000.00 for individuals and \$10,000.00 for organizations or by imprisonment for not more than six (6) months, or both. [Title 16 USC 551, Title 18 USC 3559, 3571, and 3581]
3. This Order supersedes, rescinds, and replaces any previous orders prohibiting the same acts covered by the Order.

Done at Albuquerque, New Mexico, this 27th day of August, 2009


NANCY ROSE
Forest Supervisor
Cibola National Forest

Needs & Assessments & Enforcement Plan

Background

The areas listed within the order have been closed under various closure orders since the mid 1990's. The closure orders were placed to protect wildlife habitat during the winter and protect natural resources from being damaged from road use. Road use and resource damage during the time frames listed in the closure order have been documented in the past and because of the native road surface material it is in the best interest of protecting natural resources that the closure is instituted.

Intent of Subpart B order

The intent of this order is to protect wildlife and it's habitat during a key portion of it's life cycle after fall and winter hunts and to protect natural resources by keeping the area closed seasonally until the specified time period when road travel can be negotiated safely without damaging natural resources.

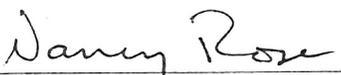
Enforcement

Articles have been in the Cibola/Grants Beacon and Gallup Independent concerning these closure orders.

The closure order will be posted on the information boards going in the areas.

The Forest Service Law Enforcement along with Cibola and McKinley County Sheriff Departments currently patrols the area and this will continue, even after the area is reopened. District personnel will continue to go to these areas ensuring the public is aware the area is closed and when it reopens.

<u>Action</u>	<u>Responsibility</u>	<u>Date</u>
Prepare proposed order	District Ranger	Done
Review proposed order	OGC/Patrol Captain/Regional LEI	Done
Approve proposed order	Forest Supervisor	Ongoing
Post order in accordance with 36 CFR 261.51	District Ranger and staff	Ongoing
Prepare news release for local media describing the order and management objectives	District Ranger	Ongoing
Describe implementation/action taken for order, patrols, contacts to local public agencies. Implement plan.	District Ranger	Ongoing



NANCY ROSE
Forest Supervisor, Cibola National Forest

8/27/09
Date

Civil Rights Impact Statement

Forest Development Roads (36 CFR 261.50 (a)(b))

Proposed Action

To protect natural resources and roads on Chivato Mesa from motorized vehicle damage.

Duration

Order will remain in effect until hazards have been removed, lessened, and/or signed order is rescinded.

Employee/Community Involvement

Employees will speak with interested parties on phone.

Justification

This is for the protection of wildlife habitat, and systems roads and soil resources in the area.

Mitigation

Area will remain open from April 16 thru June 30, and August 31 thru November 29 each year until hazards have been removed or lessened, and area signed.

Implementation

Original closure order signed
Public notification using signs and personal contacts.

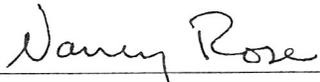
Agency

US Forest Service

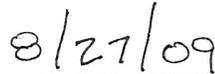
Contact

Consuelo Zamora, District Wildlife Biologist
Matthew P. Reidy, District Ranger

Reviewed and Approved:



NANCY ROSE
Forest Supervisor
Cibola National Forest



Date