



**UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
CIBOLA NATIONAL FOREST
SANDIA RANGER DISTRICT**

OCCUPANCY AND USE RESTRICTIONS

PROHIBITIONS

Pursuant to 16 USC 551, 36 CFR 261.50(a) and PL 110-234 Food, Conservation, and Energy Act of 2008 (2008 Farm Bill), Subtitle B-Cultural and Heritage Cooperation Authority, Section 8104 Temporary Closure for Traditional and Cultural Purposes, the following acts are prohibited on the area as described in this Order, and as depicted on the attached map hereby incorporated into this Order as Exhibit B, within the Sandia Ranger District, Cibola National Forest, Sandoval County, New Mexico.

1. Entering into or being upon the described area which is closed for the practice of traditional and cultural purposes. **36 CFR261.58(b)**

EXEMPTIONS

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

1. Persons with a Forest Service permit 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.

RESTRICTED AREA

The Restricted Area is known as the Sandia Man Cave containing approximately less than one acre in T 12N, R 5E, sec.22, NMPM, Bernalillo County, New Mexico. The closure consists of the stairway to the mouth of the cave and all interior portions of the cave, more specifically as depicted on Exhibit B, Sandia Man Cave Closure Map.

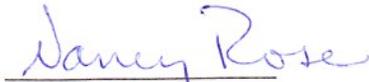
PURPOSE

The purpose of this Order is to minimize disturbance to indigenous peoples practicing traditional and cultural acts.

IMPLEMENTATION

1. This Order is effective on July 15, 2011 from 8:00 a.m. to 4:30 p.m.
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 11th day of July, 2011



NANCY ROSE
Forest Supervisor
Cibola National Forest

Assessment of Need (Justification) and Enforcement Plan

1. Background. To comply with request from members of the Zuni Pueblo to exercise their rights under PL 110-234 Food, Conservation, and Energy Act of 2008 (2008 Farm Bill), Subtitle B-Cultural and Heritage Cooperation Authority, Section 8104 Temporary Closure for Traditional and Cultural Purposes to have unfettered access to Sandia Man Cave. The request is to have the cave closed to members of the public when they practice a private ceremony. (See Special Area Closure map attached to Order # 03-0392). An order is needed to be able to cite persons unwilling to comply with the Order.

2. Intent of Subpart B order. This order is written to comply with State Law and provide for public health and safety due to the effects of underage alcoholic consumption on the Cibola National Forest.

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:

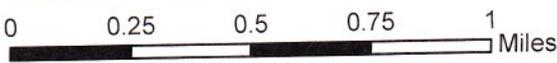
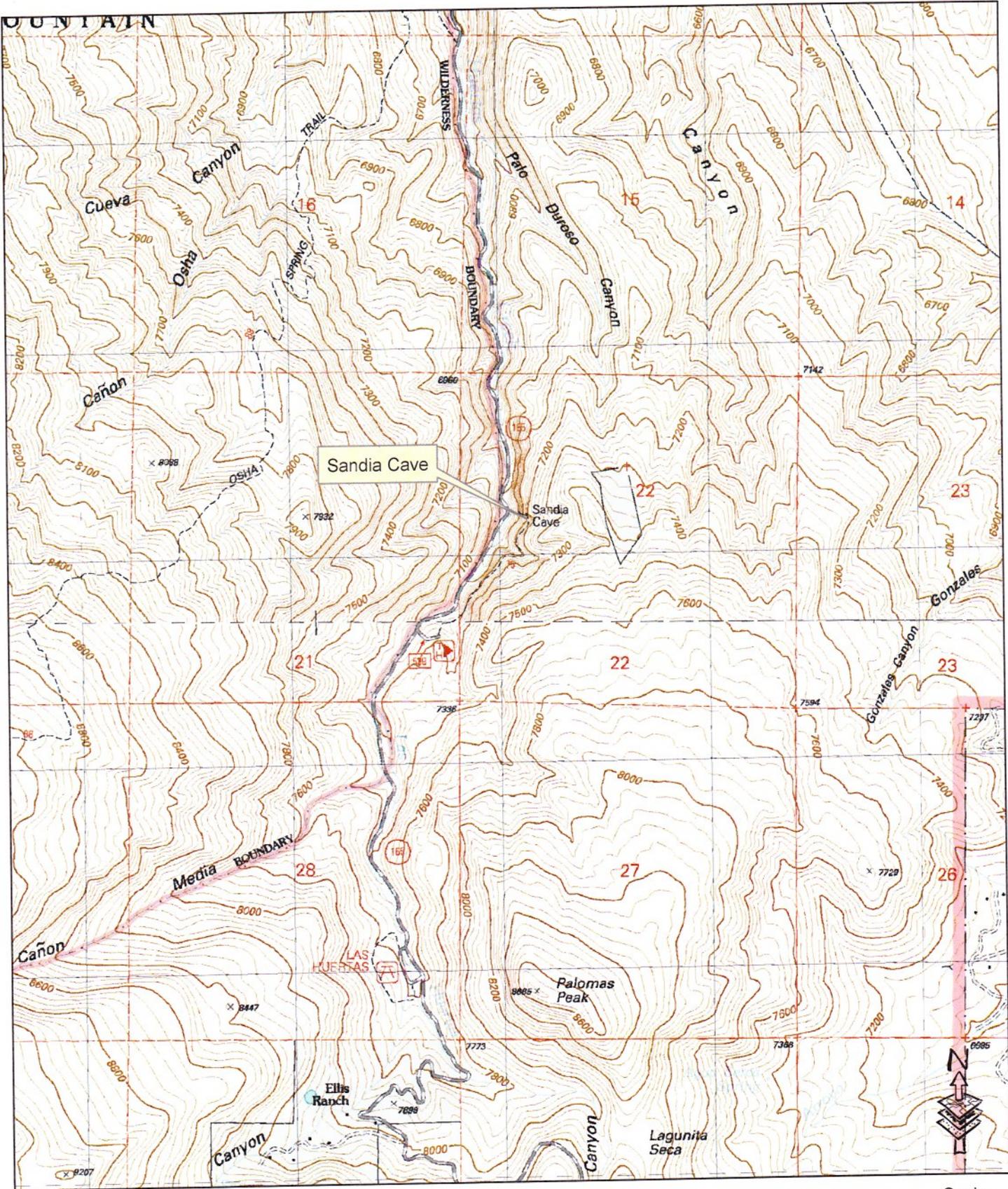
| <u>Action</u> | <u>Responsible Official</u> | <u>Date</u> |
|--|--|---------------|
| Prepare proposed order | Cid H. Morgan, District Ranger, Sandia Ranger District, Cibola National Forest | July 11, 2011 |
| Review proposed order (Law Enforcement) | Aben Lucero, Patrol Captain, Southwest Region, USFS | July 11, 2011 |
| Approve proposed order | Nancy Rose, Forest Supervisor, Cibola National Forest | July 11, 2011 |
| Post order in accordance with 36 CFR 261.51 | Available staffs | July 13, 2011 |
| Prepare news release for local media describing the PAO order and management objectives/post to website/notify COIDC/copy to each receptionist/frontliners | | N/A |
| Notices will be used at trailheads and access points advising of the closure for implementation on the day of the closure. | Appropriate Staff | July 13, 2011 |

Enforcement Plan approved for implementation:

Nancy Rose
FOREST SUPERVISOR

July 11, 2011
DATE

Exhibit B - Sandia Cave



Scale
1:24,000
12/8/2010