



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

FOREST SYSTEM ROAD CLOSURE

Pursuant to 16 USC 551 and 36 CFR 261.50 (a) and (b), the following acts are prohibited on the road described in this Order and depicted on the attached map hereby incorporated into this Order as Exhibit A, within the Sandia Ranger District, Cibola National Forest, Bernalillo and Sandoval Counties, New Mexico.

PROHIBITIONS:

1. It is prohibited to use or be upon NM 165 as described below; all uses are prohibited including, but not limited to, motor vehicle, pedestrian, equestrian (horse), bicycle, and OHV use. **36 CFR 261.54 (e) and 261.53 (e)**

EXEMPTIONS:

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

1. Persons with a Forest Service 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 restricted area is located within T 11N., R 5E., Section(s) 3-4, T 12N., R 5E., Section(s) 9-10,15-16, 21-22, 27-28, 33-34 and is described as follows:

Roadway known as "NM-165" and all National Forest System Lands 100' from centerline on each side of roadway from the southern terminus at NM-536 (at Balsam Glade Recreation Area) to the northern forest boundary, as shown on Exhibit A.

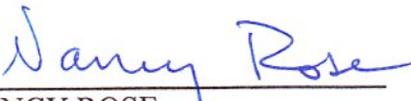
PURPOSE

The purpose of this Order is to provide for public health and safety due to high occurrence of danger/hazard trees along the roadway. This Order is in addition to all closure Orders in effect for the Sandia Ranger District, and does not alter or negate the effect of those Orders.

IMPLEMENTATION:

1. This Order will go into effect on the date signed, and shall remain in effect until rescinded or until December 31, 2012, whichever event occurs first.
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 14th day of December 2011.

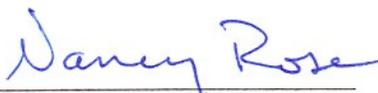

NANCY ROSE
Forest Supervisor
Cibola National Forest

Assessment of Need (Justification) and Enforcement Plan

1. Background. This Order is being prepared to prohibit all traffic on NM-165 on the Sandia Ranger District. The purpose of this Order is to provide for public health and safety due to high occurrence of danger/hazard trees along the roadway. An Order is needed to be able to cite persons unwilling to comply with the special closure.
2. Intent of Subpart B Order. This Order is written to provide for public health and safety due to high occurrence of danger/hazard trees along NM-165 on the Sandia Ranger District.
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 | Kerry Wood, Sandia Ranger District, Cibola National Forest | 12/09/11 |
| Review proposed Order (Law Enforcement) | Aban Lucero, Patrol Captain, Southwest Region, USFS | 12/13/2011 |
| Approve proposed Order | Nancy Rose, Forest Supervisor, Cibola National Forest | |
| 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 Law Enforcement Officers Forest Protection Officers Cibola National forest employees Volunteers | |

Enforcement Plan approved for implementation:



NANCY ROSE
Forest Supervisor
Cibola National Forest

DATE 12/14/11

CIBOLA NATIONAL FOREST SANDIA RANGER DISTRICT

NM-165 CLOSURE ORDER#

EXHIBIT A

