



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

**OCCUPANCY AND USE RESTRICTIONS**

**PROHIBITIONS:**

Pursuant to 16 USC 551 and Title 36 CFR 261.50 (a) the following acts are prohibited within 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. Climbing or being upon the exterior walls or roof of the Kiwanis Cabin (described below), which is prohibited for the protection of public health and safety. 36 CFR 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 exempting them from the effect of this Order. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

**AREA DESCRIBED**

The exterior walls and roof of the structure known as Kiwanis Cabin located at latitude 35°12'12.01"N, longitude 106°26'35.81"W, within Projected Section 6, T11N, R5E, NMPM, Bernalillo County, New Mexico (see attached map).

**IMPLEMENTATION**

1. This Order becomes effective on July 13, 2012 and will remain in effect until July 12, 2014 or until rescinded, whichever occurs first.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]

Done at Albuquerque, New Mexico, this 10<sup>th</sup> day of July 2012.

  
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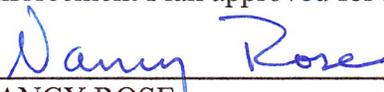
NANCY ROSE  
Forest Supervisor  
Cibola National Forest

Assessment of Need (Justification) and Enforcement Plan

1. Background. This order is being prepared to close the exterior walls and roof of the Kiwanis Cabin on the Sandia Ranger District. The purpose of this order is to minimize exposure of the public to potentially hazardous conditions on the structure which is situated on the edge of a cliff that drops hundreds of feet down the Sandia Mountains. The structure will be posted with signs stating "no climbing" and "keep off roof". Visitors often climb on and atop of the structure in an attempt to get a better view of the vista. The special closure will allow for enforcement of a restriction of climbing on the exterior of the building. An order is needed to be able to cite persons unwilling to comply with the special order.
  
2. Intent of Subpart B order. This order is written to minimize public health and safety concerns associated with an historic structure on the Sandia Ranger District. This action is categorically excluded from further documentation in a DM, EA, or EIS pursuant to 36 CFR 220.6(d)(1): *Orders issued pursuant to 36 CFR part 261 - Prohibitions to provide short-term resource protection or to protect public health and safety.*
  
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:

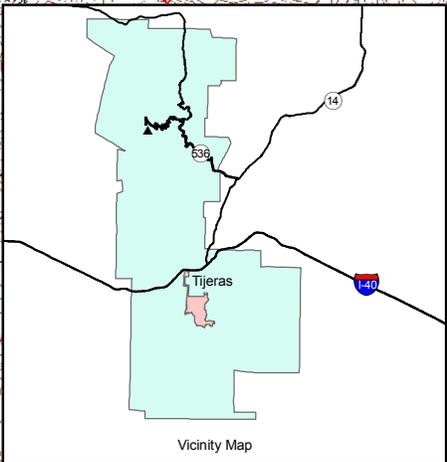
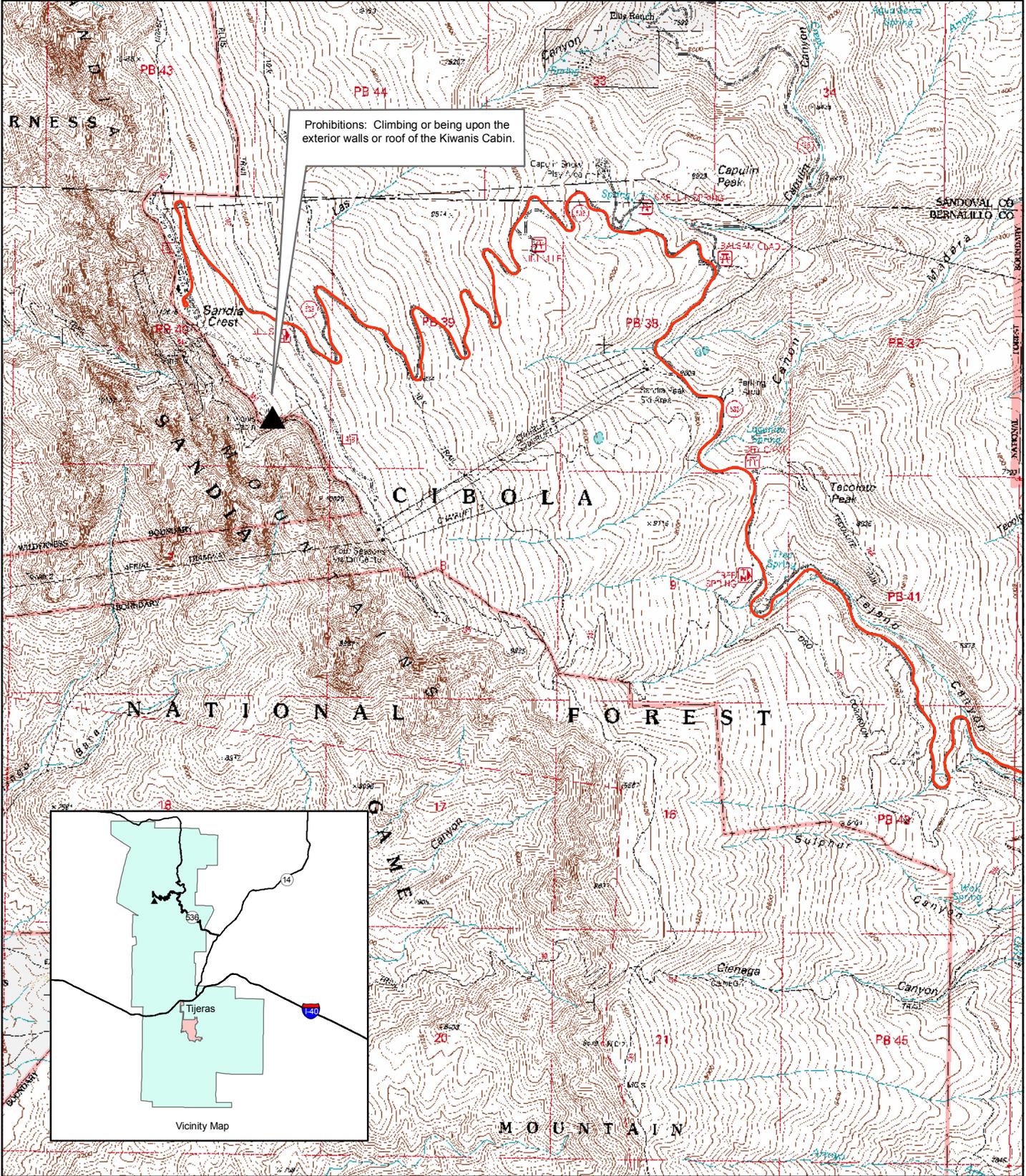
<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Robert Heiar Sandia Ranger District, Cibola National Forest	06/11/2012
Review proposed order (Law Enforcement)	Darwin Vallo, Acting Patrol Captain Southwest Region, USFS	07/09/2012
Approve proposed order	Nancy Rose, Forest Supervisor Cibola National Forest	7/10/12
Post order in accordance with 36 CFR 261.51	Volunteers, Forest Service LEO's and FPO's, 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 in 2012.	Appropriate Staff Law Enforcement Officers Forest Protection Officers Cibola National Forest employees Volunteers	

Enforcement Plan approved for implementation:

  
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 NANCY ROSE  
 Forest Supervisor

DATE: 7/10/12

**Cibola National Forest- Sandia Ranger District  
Kiwanis Cabin Occupancy and Use Restrictions- Order# 03-0442**



**Legend**

- ▲ Kiwanis Cabin
- Major HWY and Roads
- NM-536
- Sandia Ranger District

