**Order Number: 03-0469**

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

# CLOSURE ORDER: PUBLIC NUDITY

## PROHIBITIONS

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

1. Being publicly nude. **36 CFR 261.58 (j)**
   Publicly nude means nude in any place where a person may be observed by another person. Any person is nude if the person has failed to cover the rectal area, pubic area or the genitals. A female person is also nude if she has failed to cover both breasts below a point immediately above the top of the areola. Each such covering must be fully opaque. No person under the age of 10 years shall be considered publicly nude (36 CFR 261.2).

## 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 otherwise prohibited act or omission. Such permits will require compliance with New Mexico Statute 30-9-14 for Indecent Exposure. This Statute specifies: A. Indecent exposure consists of a person knowingly and intentionally exposing his primary genital area to public view; B. As used in this section, "primary genital area" means the mons pubis, penis, testicles, mons veneris, vulva or vagina.

## RESTRICTED AREA DESCRIBED:

The restricted area is described as: All National Forest System lands within the boundaries of the Sandia Ranger District, Cibola National Forest. The closure is shown on the attached map hereby incorporated into this Order as Exhibit A.

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## PURPOSE

The purpose of this Order is to provide for public health and safety in an area of high visibility and high use.

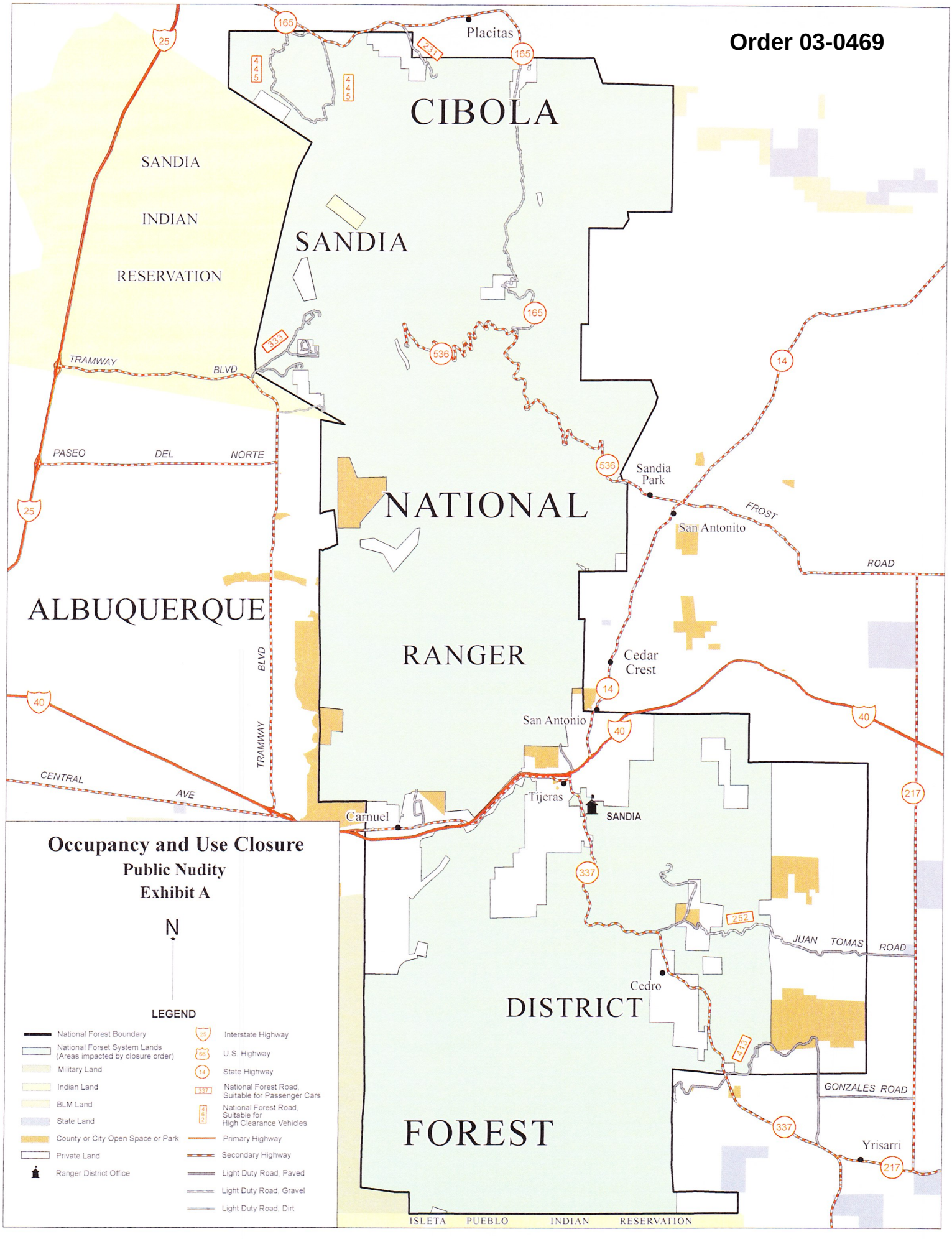
## IMPLEMENTATION

1. This Order will be in effect when signed and shall remain in effect until rescinded or until December 31, 2013, whichever occurs first.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 for individuals and $10,000 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 8th day of March, 2013.

Travis G Moseley

TRAVIS MOSELEY
Acting Forest Supervisor
Cibola National Forest


Order 03-0469
Occupancy and Use Closure
Public Nudity
Exhibit A
N
LEGEND
National Forest Boundary
National Forset System Lands (Areas impacted by closure order)
Military Land
Indian Land
BLM Land
State Land
County or City Open Space or Park
Private Land
Ranger District Office
Interstate Highway
U.S. Highway
State Highway
National Forest Road, Suitable for Passenger Cars
National Forest Road, Suitable for High Clearance Vehicles
Primary Highway
Secondary Highway
Light Duty Road, Paved
Light Duty Road, Gravel
Light Duty Road, Dirt
CIBOLA
SANDIA
NATIONAL
RANGER
DISTRICT
FOREST
SANDIA INDIAN RESERVATION
ALBUQUERQUE
ISLETA PUEBLO INDIAN RESERVATION
Placitas
Sandia Park
San Antonito
Cedar Crest
San Antonio
Tijeras
SANDIA
Carnuel
Cedro
Yrisarri
TRAMWAY BLVD
PASEO DEL NORTE
CENTRAL AVE
FROST ROAD
JUAN TOMAS ROAD
GONZALES ROAD