

United States Forest Service  
Apache-Sitgreaves National Forests

AREA CLOSURE FOR THE PROTECTION OF NESTING BALD EAGLE  
Show Low Lake – Lakeside Ranger District

**PROHIBITIONS**

Pursuant to 16 USC 551 and 36 CFR 261.50 (a) , the following acts and omissions are prohibited on the areas, roads, and trails described in this Order, and as depicted on the attached map hereby incorporated into this Order as Exhibit A, within the Apache-Sitgreaves National Forests, Arizona:

1. Going into or being upon the restricted area which is closed for the protection of the bald eagle. 36 CFR 261.53(a)

**EXEMPTIONS**

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

1. Any Federal, State, or local officer, or member of any organized rescue or fire fighting force in the performance of official duty.

**RESTRICTED AREA DESCRIBED**

All National Forest System lands, waters, roads, and trails within the boundaries of the restricted area as depicted in Exhibit A, and more particularly described as follows:

Closed to entry from March 1 through August 31; that area beginning at the Show Low Lake eastern shoreline in T9N, R22E, section 10/15 boundary; easterly along section 10/15 boundary for 150 meters; southerly for 425 meters to the powerline; southwesterly along powerline for 158 meters to the Show Low Lake eastern shoreline; northerly along the shoreline for 540 meters to the T9N, R22E northerly section 10/15 boundary. The area perimeter is defined by signs and includes all land and water within the boundaries as described.

The Arizona Game and Fish Department will also place buoys on the lake to prevent boaters from entering the closure area.

**PURPOSE**

The purpose of this Order is to protect a bald eagle nesting site in an area of high recreation use, where noise is likely to adversely affect the success of nesting and fledging bald eagles.

**IMPLEMENTATION**

1. Prohibitions contained in this Order become effective immediately upon execution of the Order and will remain in effect until August 31, 2013, unless terminated sooner.

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2. These restrictions are in addition to the general prohibitions found at 36 CFR 261, Subpart A.

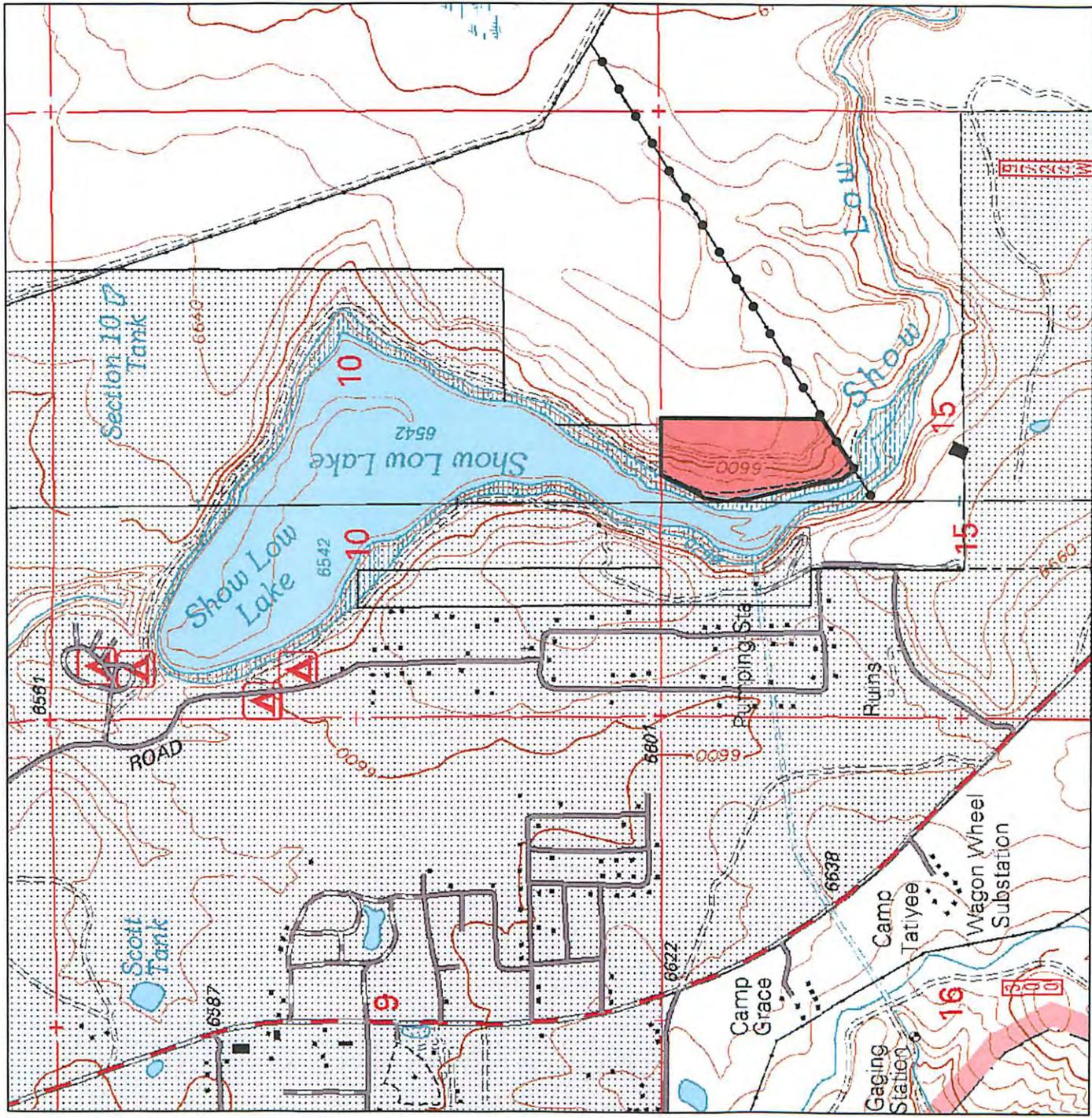
3. Violation of these prohibitions is punishable by a fine of not more than \$5,000 for individuals and \$10,000 for organizations, imprisonment for not more than six (6) months, or both. [16 USC 551, 18 USC 3559, 3571, and 3581].

Done this 28 day of March, 2013, at Springerville, Arizona.

  
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JIM ZORNES  
Forest Supervisor  
Apache-Sitgreaves National Forests

# APACHE-SITGREAVES NATIONAL FORESTS

Lakeside Ranger District  
Show Low Lake Eagle Closure  
Order Number: 01-13-543  
Exhibit Number: A



R 22 E

**Legend**

- Closure Area
- Private Land
- Power Line
- Highway
- Forest Road

Map Scale = 1:15,840

0 0.125 0.25 0.5 Miles

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**ASSESSMENT OF NEED AND ENFORCEMENT PLAN**

**1. Purpose of Order.**

One special closure order with one exhibit A is needed for the protection of a bald eagle nesting site. To accommodate the protection of the bald eagle nesting site, an area prohibition on all public activities is needed. This closure is covered under NEPA, 36 CFR 220.6(d)(1) and does not require a decision memo.

**2. Scope of Order.**

“All National Forest System lands, roads, and trails within the boundaries as depicted in Exhibit A, and more particularly described as follows:

Closed to entry from March 1 through August 31; that area beginning at the Show Low Lake eastern shoreline in T9N, R22E, section 10/15 boundary; easterly along section 10/15 boundary for 150 meters; southerly for 425 meters to the powerline; southwesterly along powerline for 158 meters to the Show Low Lake eastern shoreline; northerly along the shoreline for 540 meters to the T9N, R22E northerly section 10/15 boundary. The area perimeter is defined by signs.

The Arizona Game and Fish Department will also place buoys on the lake to prevent boaters from entering the closure area.

**3. Notice.**

Copies of the order will be kept at the Apache-Sitgreaves Forest Supervisor’s Office and the Lakeside District Office. Signs notifying the public of the order will be installed along the user created trails that enter the closure area.

**4. Enforcement Plan.**

During the bald eagle breeding season, consisting mainly from March to August, nest watchers hired by the Arizona Game and Fish Department would have a presence in the Show Low Lake Area. The nest watchers will monitor the nesting status of the eagles daily and notify the public of the closed area.

**ORDER CHECKLIST**

<b><u>ACTION</u></b>	<b><u>RESPONSIBLE OFFICIAL</u></b>	<b><u>INITIALS/ DATE</u></b>
Prepare proposed Order	Appropriate staff(s) w/ LEI input	
NEPA requirements completed CE: X EA: EIS: (check)	Appropriate staff	
Duration of Order Five Years	Appropriate staff	
Civil Rights requirements		

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completed through NEPA: X(check)	Appropriate staff	
Review proposed Order Forward to OGC ___ (check)	Patrol Captain/ SAC	
Approve proposed Order	Forest Supervisor/ Regional Forester	
Post Order [36 CFR 261.53(a)]	District Ranger/ Forest Supervisor	
Prepare Enforcement Plan	Appropriate staff with LEI/PAO input	

  
 FOREST SUPERVISOR

3-28-2013  
 DATE

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**CIVIL RIGHTS IMPACT ANALYSIS**

**For the Order for the Closure in selected areas of the Lakeside Ranger District**

Closed to entry from March 1 through August 31; that area beginning at the Show Low Lake eastern shoreline in T9N, R22E, section 10/15 boundary; easterly along section 10/15 boundary for 150 meters; southerly for 425 meters to the powerline; southwesterly along powerline for 158 meters to the Show Low Lake eastern shoreline; northerly along the shoreline for 540 meters to the T9N, R22E northerly section 10/15 boundary. The area perimeter is defined by signs.

The Arizona Game and Fish Department will also place buoys on the lake to prevent boaters from entering the closure area.

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Lakeside Ranger District

**Purpose:** The purpose of this Civil Rights Impact Analysis (CRIA) is to document the potential civil rights impacts of a proposed closure order restricting activities in the selected areas described above.

**Proposed Action:**

The area described above is prohibited from all activities during the breeding cycle of the bald eagle.

**Employee/ Community Involvement:**

This order has not currently been in place. The order was created to protect nesting bald eagles in the Show Low Lake area from adverse effects generated from public or commercial activities. The Arizona Department of Game and Fish concurred with this area closure. There has been no opportunity for the public to comment on the area closure.

**Justification:**

The Order meets the goals and objectives of the Apache-Sitgreaves National Forest Plan (as amended). To prohibit the use of the described area for the protection of threatened, endangered, rare, unique, or vanishing species of plants, animals, birds or fish. The Order is authorized under 16 USC 551 36 CFR 261. 50 (a).

**Mitigation and Implementation:**

Copies of the order will be kept at the Apache-Sitgreaves Forest Supervisor's Office and the Lakeside District Office. Signs notifying the public of the order will be installed along user created trails that enter the closure area and along the perimeter of the closure area. The Arizona Game and Fish Department will hire nest watchers to monitor the nesting status of the eagles daily and notify the public of the closed area.

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**Potential Civil Rights Impacts:**

It is unlikely that this order, enforced in the area of the closure will have any negative effects on civil rights. The order closes a small area of land comparatively to the rest of the district. The public still has ample opportunities to participate in recreation activities in other areas of the National Forest.

/s/ Charlie Denton 3-28-13  
Prepared by

John E. Jones 3-28-2013  
Approved by