

# U.S. Department of Agriculture, U.S. Forest Service Apache-Sitgreaves National Forests Alpine Ranger District

## Temporary Area Closure for Unauthorized Livestock Gathering Operations

## PROHIBITIONS

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a) and (b), the following acts are prohibited on the National Forest System (NFS) lands, roads, and trails in the Alpine Ranger District, Apache-Sitgreaves National Forests, described below and shown on the attached map incorporated into this Order as Exhibit A (the "Described Area"):

- 1. Going into or being upon the Described Area which is closed to protect public health and safety. 36 C.F.R. § 261.53(e).
- 2. Being upon any road within the Described Area. 36 C.F.R. § 261.54(e).
- 3. Being upon any trail within the Described Area. 36 C.F.R. § 261.55(a).

## EXEMPTIONS

Pursuant to 36 C.F.R. § 261.50(e), the following persons are exempt from this Order:

- 1. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order), specifically exempting them from this Order or a written determination by a Forest Service authorized officer that a permit is not required under 36 C.F.R. § 251.50(e)(1) or (2).
- 2. Any Federal, State, or Local Officer, or member of an organized rescue or firefighting resource in the performance of an official duty.

#### DESCRIBED AREA

The Described Area consists of all NFS lands, roads, and trails within the boundary beginning at the intersection of National Forest System Road (FR) 249 and US-180/191 then following FR 249 west 4 miles to its intersection with a fence line, then following the fence line in a north easterly direction for 5.5 miles to its intersection with US-180/191, then following US-180/191 south 3 miles to the point of beginning.

NOTE: Roads comprising the Described Area boundary and US-180/191 right-of-way remain open for travel.

#### PURPOSE

The purpose of this Order is to protect public health and safety during operations to gather unauthorized/unbranded livestock in the Described Area.

#### IMPLEMENTATION

- 1. This Order shall be in effect from May 14, 2024, at 5:00 pm through June 30, 2024, at 5:00 pm, unless rescinded.
- 2. A map identifying the Described Area is attached and made part of this Order as Exhibit A. For a digital version of this Order and Exhibit A, go to <u>https://www.fs.usda.gov/alerts/asnf/alerts-notices.</u>
- 3. Unless otherwise expressly defined in this Order, the terms used in this Order are defined by the regulations of the Secretary of Agriculture, 36 C.F.R. Chapter II, Parts 200-299. If there are terms in this Order that are not expressly defined in the Order or 36 C.F.R. Chapter II, Parts 200-299, their meaning shall be determined by their plain language definitions.
- 4. A violation of the above prohibitions 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 months, or both. 16 U.S.C. § 551; 18 U.S.C. §§ 3559, 3571, and 3581.
- 5. Contact the Alpine Ranger District in Alpine, 928-339-5000, and Apache-Sitgreaves National Forests Supervisor's Office in Springerville, Arizona, 928-333-6263, for more information about this Order.
- 6. This Order supersedes any previous Orders prohibiting the same or similar acts in the same Described Area.

Signed and issued on May 14, 2024.

Robert Lever Forest Supervisor Apache-Sitgreaves National Forests USDA U.S. DEPARTMENT OF AGRICULTURE

# Noble Mountain Closure Order 03-01-01-24-10

## Exhibit: A

Apache-Sitgreaves National Forests | Alpine RD

