

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
SOUTHERN REGION**

Order Number 08-00-00-23-02R

Pursuant to 36 CFR 261.50 (a) and (b), the following acts are prohibited within all National Forests that are administered by the Southern Region and located within 1,000 ft of the Appalachian Trail and or its facilities. This closure is effective for a period of 2 years from the date of signature, unless terminated earlier by the Regional Forester or a new order.

To reduce or minimizing adverse interactions between humans and animals it is prohibited to possess or store any food or refuse unless it is possessed properly or stored properly.

Possessing or storing any food or refuse, as specified in the order 36 C.F.R § 261.58 (cc).

The following definitions shall apply to this Closure Order:

“Food” means any substance, which is not native to the immediate area, solid or liquid (excluding water, baled hay or hay cubes without additives), which is or may be eaten or otherwise taken into the body to sustain health or life, provide energy, or promote growth of any person or animal.

“Animal Attractant” means any substance having an odor that may attract bears, raccoons, mice, etc. including food, soft drinks, cooking grease, alcoholic beverages, canned foods, pet foods, processed livestock feed and grains, personal hygiene products, and empty food and beverage containers.

“Refuse” means any discarded material or solid waste.

“Possessed properly” means:

- a. Possessed or attended by a person(s) who has immediate control of food, attractant, or refuse. The person(s) must be physically present in plain sight and can immediately attend to and store such items properly.
- b. All food, animal attractants and refuse must always be acceptably stored unless it is being prepared for eating, being eaten, or being prepared for acceptable storage.

“Stored properly” means:

- a. Stored or disposed of in a commercially made bear resistant canister, constructed of solid, non-pliable material, manufactured for the specific purpose of resisting entry by bears; or
- b. Stored using agency provided food storage, for example lockers, cable systems, poles; or
- c. Within a functioning electric fence; or
- d. Stored in a closed hard top motor vehicle or travel trailer constructed of solid, non-pliable material that, when secured, will have no openings, hinges, lids, or coverings that would allow animals to gain entry by breaking, bending, tearing, biting, or pulling with its claws (any windows in the vehicle must be closed); or
- e. Stored within a hard-sided residence, building (not including A.T. shelters or privies), or storage container subject to the terms and conditions of a special-use authorization or operating plan; or

- f. Using personal food hangs with the specification of a minimum of 6' from the tree trunk, 6' below the branch, 12' from ground to bottom of food bag.
- g. All backcountry food storage not using agency provided on-site food storage facilities should be at least 70 adult paces (200') from campsites and shelters.

Exemptions.

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

- (a) Persons with a permit issued by the Regional Forester, a Forest Supervisor or a District Ranger which specifically authorizes the otherwise prohibited act or omission.
- (b) Any Federal, State, or local officer or member of an organized rescue or fire fighting force in the performance of their official duty.
- (c) Persons engaged in any of the following activities which have been authorized in writing by a permit, contract, or agreement:
 - (1) grazing and livestock use, 36 C.F.R. Part 222 (§§ 222.1 – 222.76).
 - (2) timber and special forest products use, 36 C.F.R. Part 233 (§§ 223.1 – 223.305); and
 - (3) mineral use, 36 C.F.R. Part 228 (36 C.F.R. §§ 228.1 – 228.116).
- (d) Persons with a Forest Permit for use of roads, trails or areas restricted by regulation or order, form FS-7700-48, specifically exempting them from the effect of this Order.

Executed in Atlanta, Georgia, this 14 day of April, 2023

KENDRICK ARNEY Regional Forester
Date: 2023.04.14
15:29:38 -0400'

KENDRICK ARNEY
Regional Forester
Southern Region

Violation of the prohibition set forth above is punishable by a fine of not more than \$5,000 for an individual and \$10,000 for an organization, or imprisonment for not more than six (6) months, or both. See 16 USC 551, 10 USC