

**FOREST ORDER**

**USDA FOREST SERVICE  
WHITE RIVER NATIONAL FOREST  
DILLON RANGER DISTRICT**

**EMERGENCY OCCUPANCY AND USE RESTRICTIONS to Rock Creek Area -  
Forest Service Road 1350**

For the protection of health and safety to the public due to emboldened bear behavior documented at the site. Pursuant to 16 United States Code (U.S.C.) § 551 and 36 Code of Federal Regulations (C.F.R.) § 261.50(a) and (b), the following uses are restricted in the Rock Creek Area (the "Restricted Area") on the Dillon Ranger District of the White River National Forest as shown on the attached map (Exhibit A) and hereby made part of this Order. Also attached, and hereby made part of this Order, are Definitions (Exhibit B) of terms used in support of the restrictions. This Order is effective July 22, 2016 through December 31, 2016 or until rescinded.

**PROHIBITIONS IN THE RESTRICTED AREA:**

1. Leaving food, cooking equipment, cooking utensils or coolers anywhere except in bear resistant containers or inside vehicles in sealed containers. 36CFR 261.58(cc)
2. Leaving any trash or other refuse unattended within the Restricted Area. 36CFR 261.58(cc)
3. Possessing, storing, or transporting any bird, fish, or other animal, or parts thereof, as specified in the Order (36 CFR 261.58 (s)).

**UNDER THIS ORDER IT IS REQUIRED THAT**

1. All food, refuse and bear attractants must be acceptably stored or acceptably possessed during daytime hours.
2. All food, refuse and bear attractants must be acceptably stored during nighttime hours, unless it is being prepared for eating, being eaten, being transported, or being prepared for acceptable storage.
3. Any harvested animal carcass must be acceptably stored, unless the carcass is being field dressed, transported, being prepared for eating, or being prepared for acceptable storage.

**EXEMPTIONS:**

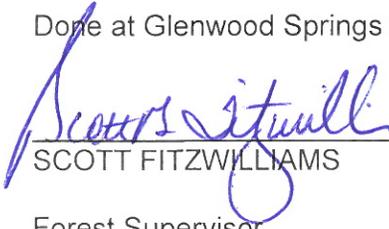
Pursuant to 36 C.F.R. § 261.50(e), the following persons are exempt from this order:

- 1) Any Federal, State or local officer, or member of an organized rescue or firefighting force engaged in the performance of an official duty;

- 2) Persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission.
- 3) Any Federal or State officer placing baits to capture animals for research or management purposes as part of their official duties.

This Order will be in effect from July 22, 2016 and shall remain in effect until rescinded or until December 31st, 2016 whichever event occurs first.

Done at Glenwood Springs this 22nd day of July, 2016.

  
SCOTT FITZWILLIAMS

Forest Supervisor  
White River National Forest

Violations of these regulations is punishable as a Class B misdemeanor, by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six (6) months, or both. 16 U.S.C § 551 and 18 U.S.C. §§ 3571 and 3559.



## EXHIBIT B - Definitions:

1. "Food and Refuse" means any substance, solid or liquid (excluding water, baled hay, or hay cubes without additives) or refuse, 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. It includes items such as soft drinks, alcoholic beverages, canned foods, pet foods, processed livestock feed and grains, personal hygiene products, and empty food and beverage containers.
2. "Animal Carcass" means the dead body or parts thereof, of any harvested mammal, bird, or fish, including the head or skull plate with antlers or horns and hide or cape of big game animals and any domestic livestock that may be found in the restricted area. Packaged or prepared animal carcass products transported or harvested in the restricted area for consumption are considered food under the previous definition.
3. "Acceptably stored" means:
  - a.) Stored in hard-sided bear-resistant container certified through the Interagency Grizzly Bear Committee Courtesy Inspection Program. Soft-sided containers are not acceptable. A container may be certified by the local District Ranger or their designated representative(s) if it meets the IGBC criteria and is hard-sided, or
  - b.) Stored in closed locked vehicle where the storage compartment is constructed of solid, non-pliable material that, when secured, will have no openings, hinges, lids, or coverings that would allow a bear to gain entry by breaking, bending, tearing, biting, or pulling with its claws (any windows in the vehicle must be closed), or
  - c.) Stored by other methods approved in a permit issued by the Forest supervisor responsible for the area where the method is proposed for use.
4. "Acceptably possessed" means:
  - a.) Possessed or attended during daytime by a person(s) that is physically present within 100 feet and direct sight of the accessible food, refuse, or item.
  - b.) Possessed or attended by such a person(s) for the purpose of field dressing lawfully taken animal carcasses, transporting any food or animal carcass, preparing any animal carcass or food for eating.
5. "Camping/Sleeping Area" means National Forest System Lands temporarily used/occupied with camping equipment for the purpose of overnight occupancy without a permanently fixed structure.
6. "Daytime" means ½ hour before sunrise to ½ hour after sunset, Mountain Time.
7. "Nighttime" means ½ hour after sunset to ½ hour before sunrise, Mountain Time.
8. "Bear Attractants" means any item that may attract bears such as, but not limited to, food, domestic animal or livestock food, refuse, bird feeders, cooking utensils and equipment, personal care products, and coolers.

EXHIBIT A – Rock Creek Dispersed Camping Area (Restricted Area) Map