# BEAVERHEAD-DEERLODGE NATIONAL FOREST
420 Barrett Street
Dillon, MT 59725
## Forest Supervisor's Order Requiring Safe Storage, Possession and Handling Of Food and Attractants

For the purpose of minimizing adverse interactions between bears and humans and pursuant to Title 36 Code of Federal Regulation 261.50(b), the following uses are restricted on all portions of the Beaverhead-Deerlodge National Forest and the entirety of the Anaconda-Pintler Wilderness as shown on the attached map (Exhibit B) and hereby made a part of this Order. Also attached, and hereby made part of this Order, are Definitions (Exhibit A) of terms used in support of the restrictions. This Order is effective **March 1** through **December 1**, annually, until rescinded.

**36 CFR 261.58 – Occupancy and Use:**
1. Possessing or storing any food or refuse, except as specified under this order 36 CFR 261.58(cc) *
2. Possessing, storing, or transporting any bird, fish, or other animal or parts thereof, except as specified under this order 36 CFR 261.58(s)
3. Camping, except as specified in this order 36 CFR 261.58(e)

**This order requires that:**
1. All food and refuse must be acceptably stored or acceptably possessed* during daytime hours.

2. All food and refuse 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.

4. Camping or sleeping areas must be established at least ½ mile from a known animal carcass or at least 100 yards from an acceptably stored animal carcass.

5. The responsible party shall report the death and location of livestock to a Forest Service official within 24 hours of discovery. Any forest user finding dead livestock should contact the Forest Service.

6. Burnable attractants that cannot be completely consumed by fire (i.e., no post burning residue) must be packed out.

**Exemptions:**
Pursuant to Title 36 CFR 261.50(e), the following are exempt from this restriction:

1. Persons with a permit issued by the Forest Supervisor specifically exempting them from the effect of this order.

2. Any Federal or State officer placing baits to capture animals for research or management purposes as part of their official duties.

*As defined in Exhibit A, Definitions.

Done at Dillon, MT this 1st day of June, 2014

*/s/ Melany Glossa*
MELANY GLOSSA
Beaverhead-Deerlodge National Forest
Forest Supervisor

*/s/ Julie K. King*
JULIE KING
Bitterroot National Forest Service
Forest Supervisor

**Penalty:**

Violation of these prohibitions is punishable by a fine of not more than $5,000 for an individual or $10,000 for an organization, or imprisonment for not more than 6 months, or both (16 USC 551 and 18 USC 3559 and 3571).

**Notification:**

A copy of this order shall be posted as required by 36 CFR 261.51.

# Exhibit A

## Occupancy and Use
## Special Order—Food Storage and Sanitation
## 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. Also 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 into the restricted area for consumption, game birds, small mammals, or fish harvested for consumption in the restricted area are considered food under the previous definition.

3. "Burnable attractants" include items such as food leftovers, waste products, food grease or residue, food saturated containers or other substances that will not be completely consumed by fire. To be completely consumed, there must be no residual attractant on the surface or in the soil. These items shall not be buried, discarded or burned in an open campfire, unless placed in a suitable container (i.e., tin can or fire pan) to prevent leaching into the ground, and burned over an open campfire. Any remaining attractants unconsumed by burning shall be placed with other garbage, acceptably stored and packed out.

4. **"Acceptably stored" means:**
a. Stored in bear-resistant container certified through the Interagency Grizzly Bear Committee Courtesy Inspection Program. A container may be certified by the local District Ranger or their designated representative(s) if it meets the IGBC criteria, or

b. Stored in a closed 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. Suspended at least 10 feet clear of the ground at all points and four feet horizontally from any supporting tree or pole, or

d. Stored within a hard-sided residence, building, or storage container subject to the terms and conditions of a special-use authorization or operating plan, or

e. Stored by other methods approved in a permit issued by the Forest Supervisor responsible for the area where the method is proposed for use.

f. Stored within an Interagency Grizzly Bear Committee approved and operating electric fence.

g. For animal carcasses: stored as per 4. a-e when located from 100 yards to ½ mile of a camping or sleeping area or within 200 yards of a National Forest System Trail. Animal carcasses are not considered acceptably stored when within 100 yards of a camping or sleeping area or National Forest System Trail. Animal carcasses more than ½ mile from a camping area or sleeping area and more than 200 yards from a National Forest System Trail may be left on the ground.

h. Animal carcasses killed or harvested (and parts thereof) within ½ mile of any established camping area or sleeping area must be acceptably stored, possessed, or moved to a distance beyond ½ mile from any such camping or sleeping area by the party(-ies) responsible for killing or harvesting such animal.

5. "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, or

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, or eating any food.

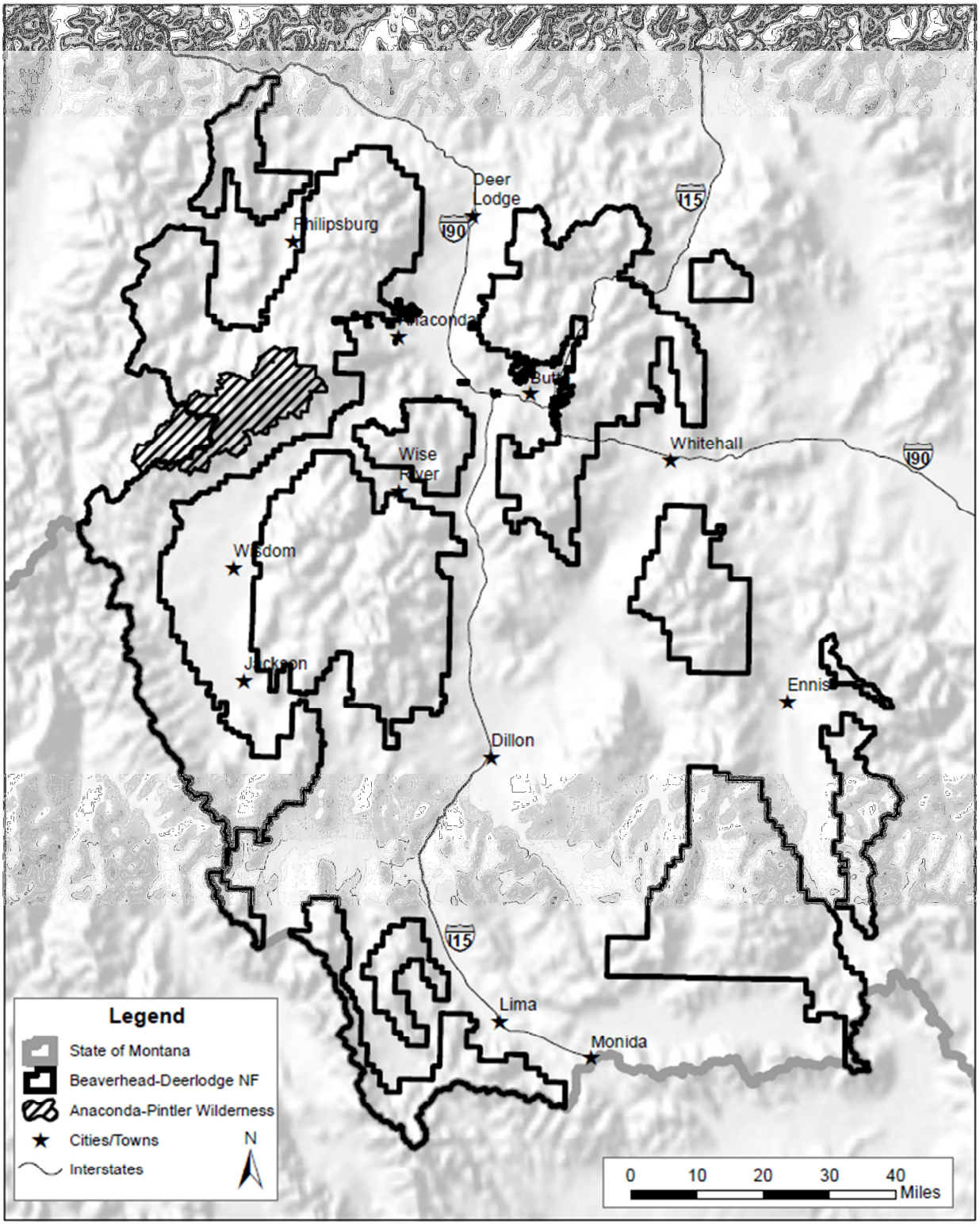
6. "Camping/sleeping area" means National Forest System Lands temporarily used for the purpose of overnight occupancy without a permanently fixed structure or lands temporarily occupied by unattended camping equipment.

7. "Daytime" means ½ hour before sunrise to ½ hour after sunset, Mountain Time.

8. "Night time" means ½ hour after sunset to ½ hour before sunrise, Mountain Time.

9. "National Forest System Trail" means a trail wholly or partly within, or adjacent to, and serving a part of the National Forest System and which has been included in a forest recreation map.

Note: Additional acceptable methods of storage can be added to this list as they become available.

# Exhibit B

## Occupancy and Use Order No. 2014-BD/BITT-009
## Special Order— Beaverhead-Deerlodge NF Food Storage and Sanitation
## Area of Application