

SIERRA NATIONAL FOREST  
Forest Order No. 15-14-09  
Food and Refuse Storage Requirements

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), and to provide for public safety, the following acts are prohibited within the Sierra National Forest. This Order is effective from August 14, 2014, through August 13, 2016.

Possessing or storing any food or refuse in a developed recreation site, unless the food or refuse is stored in a container that prevents access by bears. 36 CFR 261.58(cc).

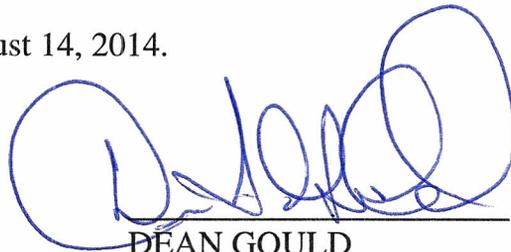
Pursuant to 36 CFR 261.50(e), the following persons are exempt from this Order:

1. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited actor omission.
2. Any Federal, State, or local officer or member of an organized rescue or fire fighting force in the performance of an official duty.

These prohibitions are in addition to the general prohibitions contained in 36 CFR Part 261, Subpart A.

A 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 six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Executed in Clovis, California on August 14, 2014.



DEAN GOULD  
Forest Supervisor

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**File Code:** 2670  
**Route To:** File

**Date:** August 14, 2014

**Subject:** Forest Order – Food and Refuse Storage

**From:** Dean Gould, Forest Supervisor 

This document explains my rationale and the regulatory basis for implementing a Food and Refuse Storage order for the Sierra National Forest.

Every year black bears get access to human food and refuse on Sierra National Forest which creates bear addiction and habituation to humans and human food, which then often leads to black bears damaging property as well as becoming brazen, and potentially dangerous towards humans. From 2010 to present, there have been instances of visitors contacting the Sierra Forest Supervisor's Office and District offices complaining about bear damage to food and other private property, and bears approaching humans within close distances. These instances not only caused financial and emotional costs to visitors but they also are a potential threat to public safety. Left unchecked, these instances can continue and potentially escalate to a higher level of threat to personal life and property.

Sierra National Forest has several administrative processes (e.g. educational pamphlets and signs) for helping reduce bear access to human food and refuse, however, enforcement tools also are needed to help reduce inadequate food and refuse storage. This Forest Order provides Forest Service employees an effective tool for administering proper food and refuse storage, thus helping reduce future bear habituation to human food and refuse and reducing the potential for property damage and threats to public safety, as well as bears. This Forest Order ensures that an effective, standardized administrative mechanism is in place to address this issue on U.S. Forest Service lands.

This proposed Forest Order does not involve ground disturbing activities, and a review of the proposal has not identified any extraordinary circumstances that would require further NEPA analysis or documentation. Therefore, this Forest Order is exempt from NEPA documentation under Category 1 in section 31.12 of the Forest Service Handbook, FSH 1909.15. This category excludes from documentation in an EIS or EA "Orders issued pursuant to 36 CFR Part 261- Prohibitions to provide short-term resource protection and to provide for public safety" unless further review indicates that there are extraordinary circumstances. In this situation, requiring proper food and refuse storage on Sierra National Forest helps maintain wildlife populations while also improving public and employee safety and protecting private and public property. This Forest Order also enhances administrative and law enforcement procedures for life and property protection issues, and it is primarily administrative.

