

ORDER**OCCUPANCY AND USE RESTRICTIONS
White River National Forest**

Pursuant to 16 U.S.C. § 551, and 36 C.F.R., § 261.50(a), the following acts are prohibited within the White River National Forest, as described below (the "Restricted Area"). The Restricted Area is located in Pitkin, Garfield, and Eagle Counties, Colorado, as depicted on the attached map, which is hereby incorporated into the Order as Exhibit A. This Order also incorporates the attached definitions in Exhibit B. The purpose of this Order is for the protection of public health and safety, and resource protection. This Order is effective April 1 through December 1, annually.

PROHIBITIONS IN THE RESTRICTED AREA:

- Possessing or storing any food or refuse, except as specified in this Order (36 C.F.R. § 261.58 (cc)).
- Possessing, storing, or transporting any bird, fish, or other animal, or parts thereof, except as specified in this Order (36 C.F.R. § 261.58 (s)).
- Camping, except as specified in this Order (36 C.F.R. § 261.58 (e)).

UNDER THIS ORDER IT IS REQUIRED THAT

- All food, refuse and bear attractants must be acceptably stored or acceptably possessed during daytime hours.
- 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.
- 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.
- Camping or sleeping areas must be established at least 1/4 mile from a known animal carcass or at least 100 yards from an acceptably stored animal carcass.

EXEMPTIONS

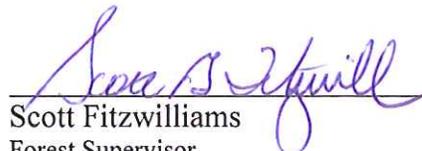
Pursuant to 36 CFR 261.50 (e) the following persons are exempt from this Order:

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.

These restrictions are in addition to the general prohibitions in 36 C.F.R. Part 261, Subpart A. This Order supersedes any previous Order prohibiting or restricting the same, or similar, acts in the above-described areas.

This Order shall remain in effect for five (5) years from the date signed or until rescinded, whichever event occurs first.

Done this 26th day of MAY, 2011, in Glenwood Springs, Colorado



Scott Fitzwilliams
Forest Supervisor
White River National Forest

Violations of these prohibitions are 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 6 months, or both. (16 U.S.C. § 551 and 18 U.S.C. §§ 3559 and 3571).

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. 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. "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 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. 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. For animal carcasses: stored as per 3. a-e when located from 100 feet to 1/4 mile of a camping or sleeping area or within 200 feet of a National Forest System Trail. Animal carcasses are not considered acceptably stored when within 100 feet of a camping or sleeping area or National Forest System Trail. Animal carcasses more than 1/4 mile

from a camping area or sleeping area and more than 200 feet from a National Forest System Trail may be left on the ground.

- g. Animal carcasses killed or harvested (and parts thereof) within 1/4 mile of any established camping area or sleeping area must be acceptably stored, possessed, or moved to a distance beyond 1/4 mile from any such camp or sleeping area by the party(-ies) responsible for killing or harvesting such mammal.
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, 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
 5. "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.
6. "Daytime" means ½ hour before sunrise to ½ hour after sunset, Mountain Time.
7. "Night time" means ½ hour after sunset to ½ hour before sunrise, Mountain Time.
8. "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.
9. Bear Attractants shall mean 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.

