Order No: 89.05.01W

ORDER

OCCUPANCY AND USE

Colville National Forest

This order is implemented under the authority of 36 CFR 261.50 (a) and (b) with the primary goal of minimizing bear/human encounters and thereby providing for user safety and protection of wildlife.

Definitions

1. "Bear resistant container" means a lockable container constructed of steel, thick aluminum, or other solid nonpliable material of similar strength, that when locked would be resistant to bear entry. Containers constructed of wood are not bear resistant.

2. "Food" means any nourishing substance, solid or liquid (excluding baled hay or water) or refuse thereof, that is not native to the immediate area, which is or may be eaten or otherwise taken into the body to sustain life, provide energy, or promote growth of any person or animal.

3. "Animal carcass" means the dead body or parts thereof, of any mammal, bird, or fish, including domestic livestock.

4. "Acceptable storage" means:

   a. stored in locked bear resistant container or

   b. stored inside a closed vehicle constructed of solid non-pliable material or

   c. suspended at least ten (10) feet clear of the ground at all points and four (4) feet horizontally from any supporting tree or pole.

Prohibitions

The following acts are prohibited within the Colville National Forest:

1. Possessing or leaving unattended any animal carcass unless the carcass is (a) at least 1/2 mile from any sleeping area, trail, or recreation site or (b) at least 100 yards from any sleeping area, trail, or recreation site and acceptably stored, or (c) being eaten, being prepared for eating or being transported (36 CFR 261.58 (s).

2. Possessing or leaving unattended any food during the period 1/2 hour after sunset until 1/2 hour before sunrise unless such food is (a) acceptably stored or (b) being eaten, being prepared for eating or being transported (36 CFR 261.58 (cc).

3. Possessing any food during the period 1/2 hour before sunrise until 1/2 hour after sunset unless it is (a) acceptably stored or (b) being eaten, being prepared for eating or being transported or (c) being attended and acceptable storage methods are present and can be shown to a Federal, State or local law enforcement officer (36 CFR 261.58 (cc)).

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

1. Any person with a permit issued by the appropriate National Forest Supervisor or District Rangers authorizing the otherwise prohibited act.

2. Any Federal, State, or local law enforcement officers or other emergency personnel are exempt from these prohibitions only when such prohibited actions are necessary and/or essential for performance of their official duties.

Done at Colville, Washington, the 24th day of July, 1989.

Edward L. Schultz
Forest Supervisor
Colville National Forest

Violation of these prohibitions are punishable by a fine of not more than $500.00 or imprisonment for not more than six months, or both. Title 16 U.S.C., Section 551.