Kootenai National Forest
31374 US Highway 2
Libby, MT 59923
Forest Supervisor's Order

OCCUPANCY AND USE RESTRICTIONS
FOOD STORAGE AND SANITATION SPECIAL ORDER

For the purpose of minimizing adverse interactions between humans, bears and other wildlife, and provide for visitor safety pursuant to Title 36 Code of Federal Regulations (CFR) 261.50 (a) and (b), the following restrictions are in effect on the Kootenai National Forest. These restrictions are in addition to those enumerated in Subpart A, Part 261, Title 36 CFR, become effective when signed, and shall remain in effect until rescinded or revoked.

This order applies to all Forest Service lands on the Kootenai National Forest, and is further defined on the attached map (Exhibit A) hereby made part of this order. The Kootenai is part of the Cabinet-Yaak and the Northern Continental Divide Ecosystems, Also attached and hereby made part of this order is Food Storage Special Order Definitions (Exhibit B).

Prohibited Acts:

1. Improperly possessing or storing any food, refuse or other attractant, as specified in the order from March 1 through December 1 annually. [36 CFR 261.58 (cc)]
2. Improperly camping as specified in the Order March 1 through December 1 annually. [36 CFR 261.58 (e)]
3. Improperly possessing, storing, or transporting any bird, fish, or other animal, or parts thereof, as specified in the order from March 1 through December 1 annually. [36 CFR 261.58 (s)]

UNDER THIS ORDER IT IS REQUIRED THAT

1. Human, pet and livestock food (except baled or cubed hay without additives), and refuse shall be acceptably possessed or acceptably stored in bear-resistant manner.
2. Camping or sleeping areas shall be established at least ½ mile from a known animal carcass that is on the ground.
3. Any harvested animal carcass shall be acceptably possessed or stored when within ½ mile of a camping or sleeping area or within 200 yards of a National Forest System Trail (unless the carcass is being field dressed, transported, being prepared for eating, or being prepared for acceptable storage).

4. The responsible party shall report the death and location of livestock to a Forest Service official within 24 hours of discovery. In remote areas, where it is not possible to meet the 24 hour timeframe, the report should be made within 48 hours.
5. Burnable attractants (such as food leftovers or bacon grease) shall not be buried, discarded, or burned in an open campfire.

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 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 CFR Part 261, Subpart A. This Order supersedes any previous Order prohibiting or restricting the same, or similar, acts in the above-described areas.

Done this 3rd day of June, 2011.

PAUL BRADFORD
Forest Supervisor
Kootenai National Forest

Any violation of these prohibitions is punishable by a fine of not more than $5,000.00 for an individual or $10,000.00 for an organization, and/or imprisonment for not more than six (6) months, or both (Title 16 USC 551, Title 18 USC 3571 (b)(6), Title 18 USC 3581 (b)(7)).

Exhibit A: Map of Kootenai National Forest
Exhibit B: Definitions

Exhibit A
Food Storage and Sanitation Special Order
Kootenai National Forest Map

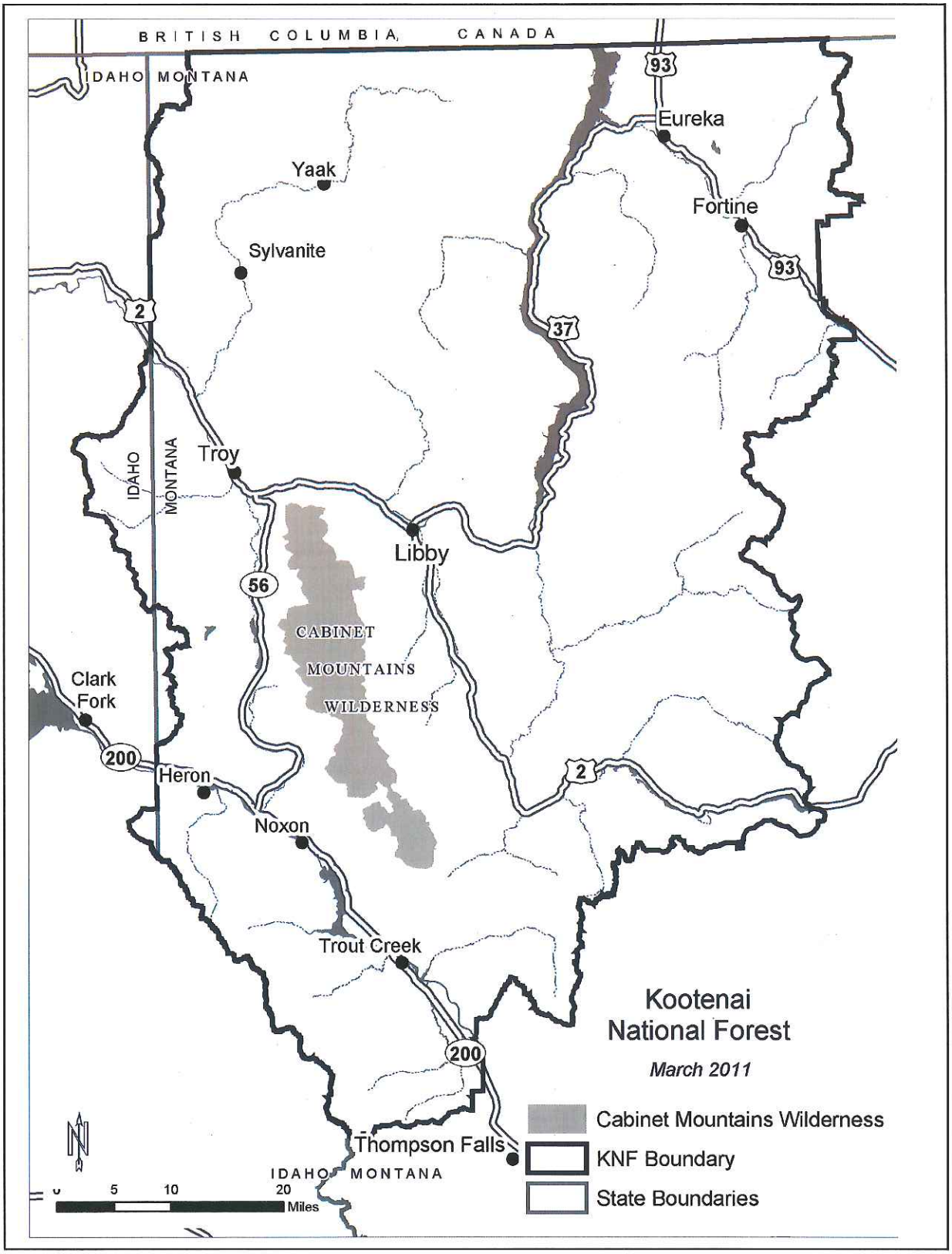

Exhibit B
Food Storage and Sanitation Special Order
Definitions

1. **"Food, refuse and other attractants"** means any substance, solid, liquid or refuse (excluding water, baled hay, or hay cubes without additives), 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 or 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. Attractants may be burned in a contained stove fire. Any remaining attractants unconsumed by burning shall be placed with other garbage, acceptably stored and packed out.

4. **"Acceptably stored"** means:

   a. Stored in a closed vehicle (hard-sided camper, vehicle trunk, or cab or trailer cab) 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
   b. 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
   c. Suspended at least 10 feet clear of the ground at all points and 4 feet horizontally from any supporting tree or pole (recommended to be 100 yards from camping or sleeping area); or
   d. Stored in commercial bear-resistant container or electric fence certified through the **Interagency Grizzly Bear Committee Certified Bear-Resistant Equipment and Electric Fences for Public Lands (http://www.igbconline.org/html/container.html)**; or

e. Stored by other methods approved in writing issued by the Forest Supervisor responsible for the area where the method is proposed for use. Containers or fences developed for personal use may be inspected for approval by the local District Ranger or their designated representatives(s). See "*Bear-Resistant Containers – Minimum design and structural standards inspection and testing methodology 1989*" and "*Electric Fence System: Requirements for Meeting the NCDE Food Storage Special Order, 1999*", or most recent IGBC publication, for criteria for approving personal use containers or fences.

f. Animal carcasses more that ½ mile from a camping area and more than 200 yards from a National Forest System Trail may be left on the ground.

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, refuse or attractant 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. **"Contained Stove fire"** means a metal stove that completely encloses the fire.

8. **"Daytime"** means ½ hour before sunrise to ½ hour after sunset, 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 visitor map.

10. **"Person(s)"** means an adult (18 years or older) in control of attractants.

11. **"Transporting"** means the activity of carry from one place to another.