

FLATHEAD NATIONAL FOREST
650 Wolfpack Way
Kalispell, MT 59901
Forest Supervisor's Order

Food/Wildlife Attractant Storage Special Order

Pursuant to 16 U.S.C. §551 and Title 36 C.F.R. §261.50(a) and §261.50(b) the following restrictions are in effect on the Flathead National Forest (Flathead, Lake, Missoula, and Lincoln County) Montana. These restrictions supersede and rescind the following special orders only on Flathead National Forest lands outside the Bob Marshall Wilderness complex: Special Order LC_10_D1_01 and Flathead National Forest Supervisor's Order F10-076-L-11.

PROHIBITIONS

1. 36 C.F.R. § 261.58(cc) Possessing or storing any food or refuse, as specified in this Order.
2. 36 C.F.R. § 261.58(s) Possessing, storing, or transporting any bird, fish, or other animal or parts thereof, as specified in this Order.

PURPOSE

The purpose of these restrictions is to reduce the likelihood of a bear getting a food reward and becoming conditioned to humans which would lead to an increase in a human-to-bear conflict, compromising the safety for both humans and bears.

AREA RESTRICTED

Appropriate food storage or attendance, as outlined in this Order, is required on all Flathead National Forest system lands outside of the Bob Marshall Wilderness Complex as depicted on the attached map, (Exhibit A), which is hereby made part of this Order.

IMPLEMENTATION

1. This Order will be in effect from July 1st, 2021 to December 1st, 2021.
2. Food/Wildlife Attractant Storage Special Order Information and Definitions are attached as Exhibit B, and hereby made a part of this Order.

EXEMPTIONS

Pursuant to 36 C.F.R. §261.50(e), the following are exempt from this Order:

1. Persons with a special use authorization or other Forest Service authorization specifically exempting them from the effect of this Order. 36 C.F.R. § 261.50(e)(1).
2. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty. 36 C.F.R. § 261.50(e)(4)

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 U.S.C. § 551 and 18 U.S.C. §§ 3559, 3571, and 3581).

INFORMATION

Further information regarding this order may be obtained at the Flathead National Forest, Supervisors Office located at 650 Wolfpack Way, Kalispell, MT, or call (406) 758-7502.

Done at Kalispell, Montana this 16 day of July, 2021.

By: _____



Kurtis E. Steele
Forest Supervisor

EXHIBIT A
Food/Wildlife Attractant Storage Special Order
F10-010-S-21

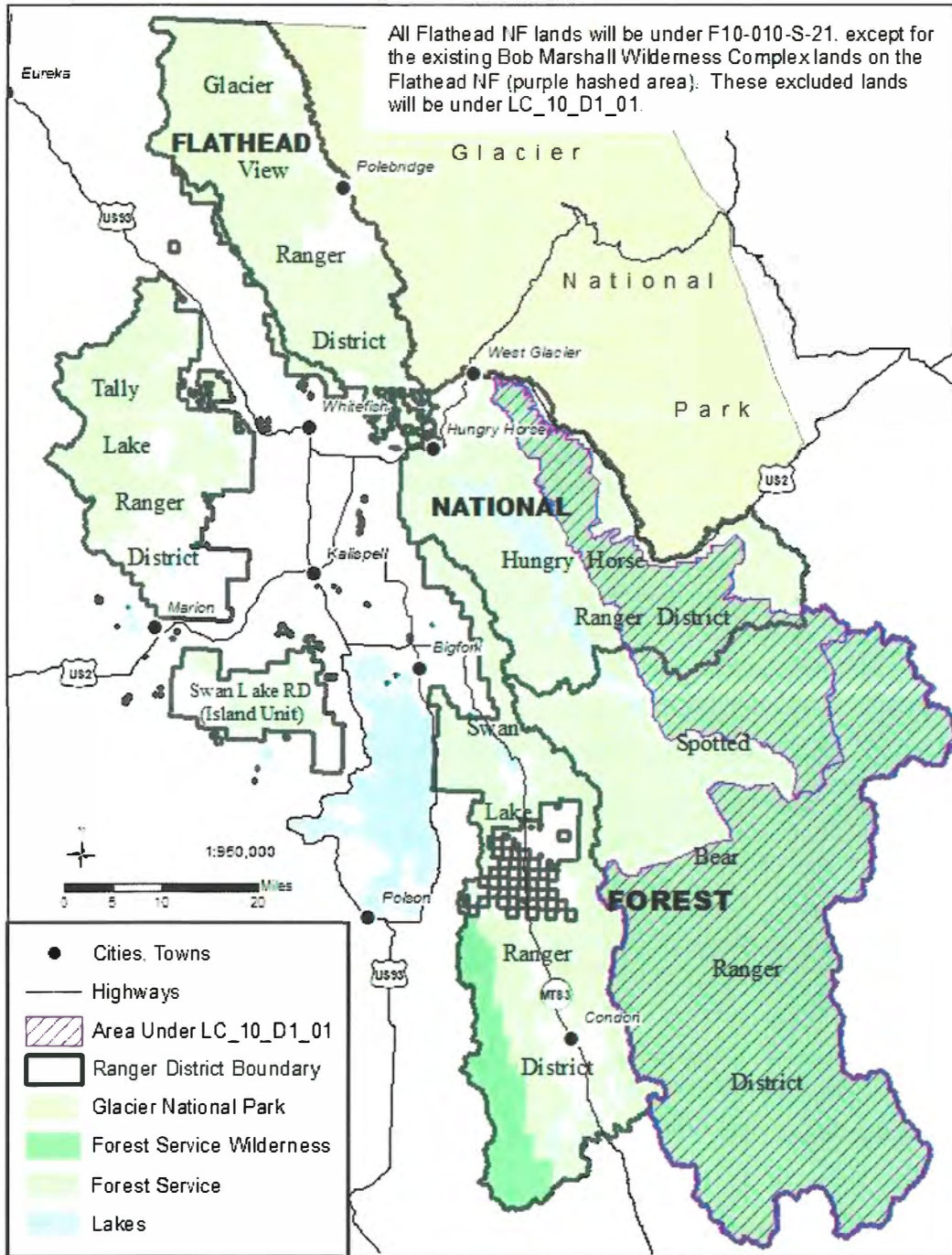


Exhibit B
Food/Wildlife Attractant Storage Special Order
Information and Definitions

It Is Required That:

1. During daytime hours, all attractants, including human, pet, and livestock food (except baled or cubed hay without additives) and garbage shall be acceptably stored in a bear resistant manner when not being attended.
2. During nighttime hours, all attractants, including human, pet, and livestock food (except baled or cubed hay without additives) and garbage shall be acceptably stored unless it is in immediate control, being prepared for eating, being eaten, being transported, or being prepared for acceptable storage.
3. Any harvested animal carcasses (including big game, birds, fish or other animal parts) that are within 1/2-mile of any camp or sleeping area shall be stored in a bear-resistant manner by the responsible party. If a wildlife carcass is within an attended camp during daytime hours it may be on the ground.
4. Attractants shall not be buried, discarded, or burned in an open campfire.
 - a) Leftover food or food waste products may be placed in an appropriate, sealed container and packed out with garbage.
 - b) Leftover food or other attractants may be burned in a contained stove fire.
 - c) Attractants may be placed into a suitable container (i.e. tin can) to prevent leaching into the ground and burned over an open campfire. Any remaining attractants unconsumed by burning shall be placed with other garbage and packed out.
5. The responsible party shall report the death and location of any livestock to a Forest Service Official within 24 hours of discovery. In some very remote areas, it may not be possible to meet the 24-hour requirement. In these special cases, the responsible party shall report to a Forest Official the discovery of any dead livestock within 48 hours.
6. Approved bear-resistant containers meet the following criteria: A container included in the most current Interagency Grizzly Bear Committee (IGBC) Certified Bear-Resistant Products list. A container not on the list may also be certified by the local District Ranger or their designated representative(s) if it is inspected and approved based on IGBC criteria.

Definitions

1. Attended: At least one adult person (attendee) is physically present within 100 feet of attractants.
2. Attractant: Food as defined below and garbage from human, livestock, or pet foods
3. Food: Any nourishing substance, which includes human food or drink (canned, solid, or liquid), livestock feed (except baled or cubed hay without additives) and pet food
4. Attendee: An adult, 18 years of age or older, in control of attractants.
5. Bear-resistant container: A container included in the most current Interagency Grizzly Bear Committee (IGBC) Certified Bear-Resistant Products list. (<http://igbconline.org/>)
6. Bear-resistant manner: Any attractants, including food and garbage, must be stored in one of the following ways if unattended:
 - a) secured in a hard-sided Recreational Vehicle, vehicle trunk, cab, or trailer cab;
 - b) secured in a hard-sided dwelling or storage building;
 - c) suspended at least 10 feet up (from the bottom of the suspended item) and 4 feet out from any upright support, i.e. tree, pole;
 - d) stored in an approved bear-resistant container;
 - e) stored within an approved and operating electric fence;
 - f) stored in any combination of these methods; or
 - g) stored by methods other than those described in Section #6, a-f, that shall be approved in writing by the Forest Supervisor.
7. Contained fire stove: A metal stove that completely encloses the fire
8. Daytime: 1/2-hour before sunrise to ½ hour after sunset
9. Nighttime: 1/2-hour after sunset to ½ hour before sunrise
10. Livestock: A domesticated animal, such as mule, horse, llama, or goat
11. Wildlife carcass: The body, or any parts thereof, of any deceased wild animal, bird, or fish

12. Approved electric fences will meet, as a minimum, the following specifications:

a) **7 Strand Fence** (refer to Forest Service publication 9923-2321-MTDC, "Electric Fence Systems: Requirements for Meeting the NCDE Food Storage Special Order, 1999", for more description of fence specifications and set-up):

- i) The fence will be set up as a "tight wire" fence. The wire will be tight and under tension, not loose or sagging.
- ii) Minimum fence height.....4 feet
- iii) Minimum post height.....5 feet
- iv) Maximum spacing between posts8 feet
- v) Conductors (wire): Minimum of 7 wires, with 6-10 inch spacing between wires. Bottom wire must be within 2 inches of the ground. All wire must be smooth metal fence wire of at least 16 gauge or poly wire, except the top wire which may be poly tape of at least six strand stainless steel.
- vi) The system will be set up to operate both as a ground wire return and a grounded system. The 2 top wires will be hot, with all other wires alternating hot and ground. The minimum length ground rod is 2 feet.
- vii) Fence charger (minimum): (1) energizer output of 0.7 joules; (2) tested peak output of 5000 volts; (3) 40 shocks per minute. **User must be able to test electrical output in the field.**
- viii) The charger must be made inaccessible to disturbance from a bear. The charger may be stored within the interior of the fence or located a minimum of 10 feet above ground.
- ix) Minimum distance between fence and items enclosed by fence.....3 feet.

b) **Portable Electric Mesh Fence** (refer to Forest Service publication 0723-2305-MTDC, "Specifications for Portable Electric Fence Systems as Potential Alternative Methods for Food Storage, 2007", for more description of fence specifications and set-up):

- i) Portable electric mesh fence shall not be left in any location for more than 14 days.
- ii) Minimum fence height.....33 inches
- iii) Minimum post length.....42 inches
- iv) Post construction required to be polyethylene with metal spike on bottom
- v) Minimum of 3 strands of stainless steel wire per horizontal wire
- vi) Minimum number of horizontal wires.....8

- vii) Horizontal opening in mesh required to be less than 12 inches
- viii) Minimum length of ground rod required to be 1 foot and earth ground is mandatory
- i) Fence charger (minimum): (1) energizer output of 0.11 joules; (2) Minimum tested peak output voltage (on every hot conductor, with no load other than the fence) required to be 5,000 volts. (3) Minimum pulse duration (with a 10,000-ohm load applied) required to be 0.05 milliseconds: (4) Minimum shocks per minute....35. **User must be able to test electrical output in the field.**
- ix) Minimum distance between fence and items inside..... 1½feet
- x) Readable placard indicating fence is electrified is required
- xi) Maximum fence length.....60 feet
- xii) Minimum of 2 LED lights

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