



**UNITED STATES DEPARTMENT OF AGRICULTURE  
U.S. FOREST SERVICE  
BEAVERHEAD-DEERLODGE AND BITTERROOT NATIONAL FORESTS**

*Occupancy and Use Prohibitions*

**PROHIBITIONS**

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a), the following acts are prohibited **annually from March 1 to December 1** on the National Forest System (NFS) lands within the Beaverhead-Deerlodge and Bitterroot National Forests, described further below and shown on the attached map incorporated into this Order as Exhibit A (the “Described Area”).

1. Possessing or storing any food for human or animal consumption, refuse, or items that may have remnants or smell like food or refuse (including personal hygiene products, beverages, unburned food or garbage residue from fire pits or stoves, or empty food or beverage containers but excluding water or water containers, hay, or hay cubes without additives), unless these items are:
  - a. Attended by a person who is awake, alert, and within 100 feet and line-of-sight of the items;
  - b. Suspended at least 10 feet off the ground and at least four feet from any supporting tree or pole;
  - c. Stored in a container or using a method listed in the most current Interagency Grizzly Bear Committee Certified Bear-Resistant Products list or that has been approved under the IGBC’s courtesy inspection program (non-commercial products made for personal use may be inspected and approved under that program). This includes electric fences that are installed properly and meet the design and minimum electrical output specifications on that list, and are tested for proper operation at least every 24 hours with a voltmeter; or
  - d. Stored in a closed vehicle, trailer, building, or facility constructed of solid, non-pliable material that, when secured, has 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 must be closed). Horse or livestock trailers may not have any openings greater than 10 inches in two dimensions and must have any food, refuse, or animal carcasses stored more than three feet from any opening.\* **36 C.F.R. §261.58(cc)**.

**\*This Order refers to these methods collectively as “Forest Service-approved storage methods.”**

2. Possessing or storing any bird, fish, or other animal carcass or parts thereof (including livestock carcasses) that have not been prepared for human or animal consumption, unless these items are:
  - a. Being field dressed, transported, or prepared for eating;
  - b. Stored in accordance with Forest Service-approved storage methods and at least 100 yards from any known occupied camping area; or
  - c. Stored more than  $\frac{1}{4}$  mile (straight-line distance) from any known occupied camping area and more than 200 yards from any NFS Trail or Road. **36 C.F.R. §261.58(s).**
3. Camping within:
  - a. 100 yards of any known bird, fish, or other animal carcass or parts thereof (including livestock carcasses) stored in accordance with Forest Service-approved storage methods; or
  - b.  $\frac{1}{4}$  mile of any known bird, fish, or other animal carcass or parts thereof (including livestock carcasses) not stored in accordance with Forest Service-approved storage methods. **36 C.F.R. §261.58(e).**

### **EXEMPTIONS**

Pursuant to 36 C.F.R. § 261.50(e), the following persons 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.
2. Any Federal, State, or Tribal employee placing baits for research or management purposes as part of their official duties.

### **DESCRIBED AREA**

All NFS lands within the Beaverhead-Deerlodge National Forest, except for the portion of the Butte Ranger District within the Elkhorn Mountain Range (east of Interstate Highway 15 and Montana State Highway 69), and all NFS lands within the portion of the Anaconda-Pintler Wilderness that is part of the Bitterroot National Forest.

### **PURPOSE**

The purpose of this Order is to protect public safety and wildlife by minimizing human-bear interactions.

## **IMPLEMENTATION**

1. This Order will be effective on 4/25/2022 at 08:00 and shall remain in effect until December 31, 2026 at 24:00 or until rescinded, whichever occurs first.
2. A map identifying the Described Area is attached and made part of this Order as Exhibit A. For a digital version of the Order and Exhibit A, go to [Beaverhead-Deerlodge National Forest - Alerts & Notices \(usda.gov\)](https://www.usda.gov/land-management/land-use/land-use-change/land-use-change-alerts-notice)
3. Unless otherwise defined in this Order, the terms in this Order are defined in accordance with 36 C.F.R. § 261.2. If there are terms in this Order that are not defined in the Order or in Forest Service regulations, their meaning is determined by their plain language definition.
4. A violation of the above prohibitions is punishable as a Class B misdemeanor by a fine of not more than \$5,000 for individuals and \$10,000 for organizations, or by imprisonment for not more than six months, or both. 16 U.S.C. § 551; 18 U.S.C. §§ 3559(a)(7), 3571(b)(6), (c)(6), and 3581(b)(7).
5. Further information regarding this Order may be obtained at the Beaverhead-Deerlodge Bitterroot National Forests Supervisor's Office in Dillon, MT, (406) 683-3900.
6. This Order supersedes any previous Orders prohibiting the same or similar acts in/on the same Described Area.

Done at Dillon, Montana, this 25th day of April.

LISA  
TIMCHAK

Digitally signed by LISA  
TIMCHAK  
Date: 2022.04.22 12:22:00  
-06'00'

Forest Supervisor  
Beaverhead-Deerlodge National Forest

MATTHEW  
ANDERSON

Digitally signed by  
MATTHEW ANDERSON  
Date: 2022.04.25 08:38:36  
-06'00'

Forest Supervisor  
Bitterroot National Forest

# Exhibit A

## Occupancy and Use Special Order – Food Storage and Sanitation Area of Application

