

SPECIAL ORDER IN THE
NORTHERN REGION - GALLATIN, BEAVERHEAD, AND CUSTER NATIONAL FORESTS
ROCKY MOUNTAIN REGION - SHOSHONE NATIONAL FOREST
INTERMOUNTAIN REGION - BRIDGER-TETON AND TARGHEE NATIONAL FORESTS

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

Definitions

1."Bear resistant container" means a securable container constructed of solid non-pliable material capable of withstanding 200 foot-pounds of energy (using the approved bear-resistant container impact testing machine). When secured and under stress the container will not have any cracks, openings, or hinges that would allow a bear to gain entry by biting or pulling with its claws. Wood containers are not considered bear-resistant unless they are reinforced with metal,

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."Grizzly bear use area" means those area(s) delineated by a Forest Supervisor on maps identified as part of this order (Exhibit A).

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

5."Acceptable storage" means:

a.stored in a bear resistant container or;

b.stored in a closed vehicle constructed of solid, nonpliable material or;

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

Prohibitions

The following acts are prohibited while occupying or using the grizzly bear use areas shown in Exhibit A of this Order.

1. Possessing or leaving unattended any animal carcass (36 CFR 261.58 (s)) 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.

2. Possessing or leaving unattended any food during the daytime period 1/2 hour before sunrise until 1/2 hour after sunset (36 CFR 261.58 (cc)) 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.

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

4. Camping within 1/2 mile of any animal carcass or within 100 yards of any acceptably stored animal carcass except when such carcass is being eaten, being prepared for eating, or being transported (36 CFR 261.58 (e)).

Exceptions

1. Prohibitions 1, 2, 3, or 4 do not apply to any person with a permit issued by the Beaverhead, Custer, Gallatin, Shoshone, Bridger-Teton, or Targhee National Forest Supervisors or District Rangers authorizing the otherwise prohibited act.

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

Duration of Order

Pursuant to 36 CFR 261.50 **(c)**, this order is effective from April 1 through December 1 annually.

Done at - Missoula , Montana this 13th day of August 19 90

Harm (for)

Regional Forester
Northern Region

Done at Denver, Colorado this 28th day of August 1990

Cary E. Cargill

Regional Forester
Rocky Mountain Region

Done at Ogden, Utah this 4th day of September 19 90.

Robert C. Joslin

Regional Forester
Intermountain Region

Violations of this prohibition listed in 36 CFR are punishable by a fine of not more than \$5000 or imprisonment for not more than six months, or both (16 USC 551; P.L. 98-473)