



**U.S. Department of Agriculture, U.S. Forest Service
Humboldt-Toiyabe National Forest
Bridgeport Ranger District**

Hoover Wilderness Food Storage Order

PROHIBITIONS

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a), the following acts are prohibited on all National Forest System (NFS) Lands within the Hoover Wilderness, Bridgeport Ranger District, Humboldt-Toiyabe National Forest, described below and shown on the attached map incorporated into this Order as Exhibit A (“Described Area”).

1. Possessing or storing any food – solid or liquid substance that is or may be consumed by any person or animal (including pet and stock food and harvested fish and small game but excluding water, hay / alfalfa without additives) – or refuse, including items that may have remnants of or smell like food (such as recycling, empty containers, cooking equipment, or personal care products), unless it is:
 - a. Possessed or attended by a person who is physically within 100 feet, awake, and within line-of-sight of the items;
 - b. Stored in a bear-resistant container defined as a securable container of solid, non-pliable material capable of withstanding a minimum of 300 pounds of energy;
 - c. Stored in a closed, hard-sided vehicle constructed of solid, non-pliable material that, when secured, would not allow a bear to gain entry by breaking, bending, tearing, biting or pulling with its claws (any windows in the vehicle must be closed);
 - d. Stored by other methods as per the terms and conditions of a Forest Service approved special-use authorization or operating plan.

36 C.F.R. § 261.58(cc)

EXEMPTIONS

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

1. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order), specifically exempting them

Order Number: # 04-17-23-06

from this Order or a written determination by a Forest Service authorized officer that a permit is not required under 36 C.F.R. § 251.50(e)(1) or (2).

2. Any Federal, State, or Local Officer, or member of an organized rescue or firefighting force in the performance of an official duty.
3. Persons in possession of a state hunting, fishing, or trapping license engaged in hunting, fishing, or trapping in compliance with state law.

PURPOSE

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

IMPLEMENTATION

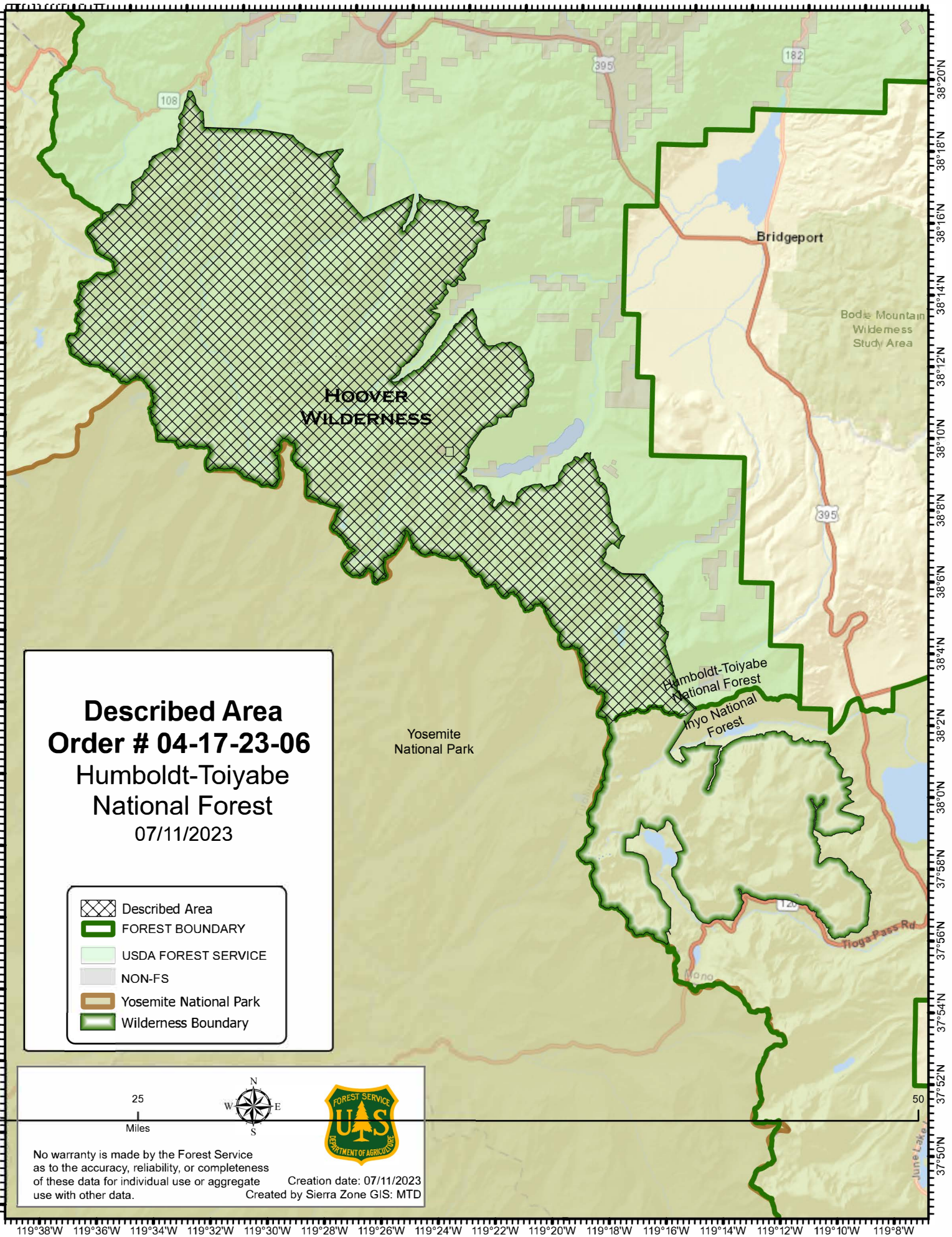
1. This Order shall be in effect from July 17, 2023 at 12:00am through Jul 17, 2028 at 12:00am, unless rescinded.
2. A map identifying the Described Area is attached and made part of this Order as Exhibit A. For a digital version of this Order and Exhibit A, go to <https://www.fs.usda.gov/alerts/htnf/alerts-notice>.
3. Unless otherwise expressly defined in this Order, the terms used in this Order are defined by the regulations of the Secretary of Agriculture, 36 C.F.R. Chapter II, Parts 200-299. If there are terms in this Order that are not expressly defined in the Order or 36 C.F.R. Chapter II, Parts 200-299, their meaning shall be determined by their plain language definitions.
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, 3571, and 3581.
5. Contact the Bridgeport Ranger District at U.S. Highway 395 S., CA 93517 (760) 932-7070, and the Humboldt-Toiyabe National Forest Supervisor's Office at 1200 Franklin Way, Sparks NV 89431 (715) 331-6444, for more information about this Order.
6. This Order supersedes any previous Orders prohibiting the same or similar acts in the same Described Area.

Signed and issued on July 13th 2023

Order Number: # 04-17-23-06

William A. Dunkleberger
Forest Supervisor
Humboldt Toiyabe National Forest

Exhibit A



Assessment of Need and Enforcement Plan

Order Number 04-17-23-06

1. Background: The Bridgeport Ranger District on the Humboldt Toiyabe National has had continued issues with bear habituation in the Hoover Wilderness, a popular camping location in proximity to numerous cities. In addition, the Hoover Wilderness is currently the only area in proximity to Yosemite National Park and other Forests within Region 5 of the U.S. Forest Service, that do not have a current Bear Storage Requirement in place. To maintain consistency with partner agencies and regions, Bridgeport Ranger District will require Bear Resistant & Certified containers, when utilizing areas within the boundaries of the Hoover Wilderness. This order will not conflict with any State Laws pursuant to various hunting, fishing, trapping and or gaming laws that may require leaving food out for bait or other means not identified. Furthermore, the order was determined to be a categorical exclusion under 36 CFR 220.6 (d) Categorical Exclusions.

2. Intent of Order: To provide the legal ability to enforce prohibitions on persons within the Hoover Wilderness Boundaries, who fail to ensure Food, Beverages and other like items are secured in a bear resistant container when unattended.

3. Enforcement Plan: A cooperative effort will be accomplished by personnel from Forest Service LEI, Forest Protection Officers, Bridgeport Ranger District Staff and by posting notice of requirements at key locations, including additional educational outreach at local shops, and other areas of interest.

The following activities need to occur to implement this special order in a manner that results in public acceptance and safety:

Action	Responsible Official	Date
Prepare proposed order at request of District	N. LaPrade	06/11/2023
Review proposed order to ensure Categorical Exclusion under NEPA Requirements and Civil Rights Impacts.	Elizabeth Wharton & Dave Risby	07/11/2023
Approve proposed order	Forest Supervisor Bill Dunkelbeger	07/13/2023
Post order in accordance with 36 CFR 261.51	Bridgeport Ranger District Staff	07/13/2023
Prepare educational information for forest website	Forest & PAO	07/13/2023

Enforcement Plan approved for implementation:

FOREST SUPERVISOR
William A.
Dunkleberger