

FOREST ORDER

**USDA FOREST SERVICE
ARAPAHO and ROOSEVELT NATIONAL FORESTS**

**Occupancy and Use Restrictions for
Food and Refuse Storage to Reduce Bear-Human Conflicts**

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a), the following acts are prohibited on the National Forest System (NFS) lands within the Canyon Lakes, Boulder, Clear Creek, and Sulphur Ranger Districts of the Arapaho and Roosevelt National Forests described below and in Exhibit A (the “Restricted Areas”).

The Restricted Areas includes:

- All developed recreation sites constructed and operated by or under the authorization of the U.S. Forest Service including: campgrounds, trailheads, day-use sites and developed picnic sites, guard stations and/or cabins;
- All NFS lands within 300 feet of either side of the centerline of all open public roads (as indicated on the Motor Vehicle Use Map); and
- Additional areas where conflict with bears and people are known to occur: Lost Lake, Diamond Lake Backcountry Travel Zone, and Jasper Lake Backcountry Travel Zone.

The following Exhibits are and hereby incorporated into this Order:

- Exhibit A - Descriptions of Restricted Areas
- Exhibit B - Bear Attractant Storage Information Sheet

PROHIBITIONS:

1. Possessing or storing any food or refuse, as specified in the order. 36 C.F.R. § 261.58(cc)

The term “food and refuse,” as used in this Order, is defined as:

- Any solid or liquid substance that is or may be consumed by any person or animal, including pet and stock food. Examples: soft drinks, alcoholic beverages, canned foods, processed livestock feed and grains, pet and bird foods/feeders, and harvested fish and game. It does not include water or hay without additives.
- Items that may have remnants of or smell like food, such as: empty food and beverage containers; cooking utensils and equipment (e.g., stoves, grills, and coolers); or personal care, hygiene, or similar products.
- All other trash and refuse, including items saved for recycling.

EXCEPT WHEN:

- Possessed or attended by a person who is physically within 100 feet, awake, and within line-of-sight of any food or refuse.
- Stored in a U.S. Forest Service provided trash, recycling or food storage containers located at a developed recreation site.

- Stored in a bear-resistant container certified by the Interagency Grizzly Bear Committee Courtesy Inspection Program.
 - Stored in a closed, locked vehicle 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. Inside the shut trunk of a car or inside of a hard-sided vehicle or camper with all doors and windows completely closed would be considered acceptably stored.
 - Stored in a hard-sided building, such as a cabin, with doors and windows closed and secured.
 - Suspended at least 10 feet off the ground at all points and 4 feet horizontally from any supporting tree or pole.
 - Stored or secured by other methods approved by the Forest Supervisor or the District Ranger responsible for the area.
 - Stored or secured in a container or method approved through the terms and conditions of a special-use authorization or operating plan.
2. Possessing, storing or transporting any bird, fish, or other animal or parts thereof, as specified in the order. 36 C.F.R. § 261.58(s).

Note: Harvested fish, birds and small game are defined as food and thus addressed in prohibition #1. This prohibition does not affect hunting or fishing as otherwise allowed.

EXCEPT WHEN:

- Hanging or suspending game carcasses harvested during the big-game hunting seasons in or near dispersed camping sites located within 300 feet of the centerline of an open public road (as indicated on the Motor Vehicle Use Map) and located at least 100 yards from any developed recreation site.

EXEMPTIONS:

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

1. Persons with a Forest Service special use authorization or other authorization specifically exempting them from the effect of this Order.
2. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty

This Order is necessary to minimize the potential of habituating bears to human food sources and therefore reduce risk of adverse interactions between bears and humans. This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because it falls within 36 CFR 220.6(d)(1). This categorical exclusion was chosen to protect public health and safety.

ORDER # ARP-2022-02

This Order supersedes, rescinds, and replaces Order No. ARP-2021-01 dated May 11, 2021.

This Order becomes effective when signed and will remain in effect until May 11, 2023 or until rescinded, whichever occurs first.

Executed in Fort Collins, Colorado this 3rd day of May, 2022.

MONTE WILLIAMS

Forest Supervisor
Arapaho and Roosevelt National Forests
Pawnee National Grassland

A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, imprisonment for not more than 6 months, or both. (16 U.S.C. § 551 and 18 U.S.C. §§ 3559, 3571, 3581).