

HELENA NATIONAL FOREST  
2880 Skyway Drive  
Helena, MT 59602  
Forest Supervisor's Order

**PUBLIC HEALTH AND SAFETY**

Pursuant to 36 Code of Federal Regulations 261.50 (a) and (b) the following act is prohibited as described below, within the Helena National Forest, Lewis and Clark, Jefferson, Broadwater, Meagher, and Powell Counties, MT. This restriction is in addition to those enumerated in Subpart A, Part 261, Title 36, Code of Federal Regulations, and become effective when signed and will remain in effect until revoked.

**36 CFR 261.53 – Special Closures:**

**It is prohibited to go into or be upon any area of National Forest System land which is closed for the protection of public health and safety. [Title 36, 261.53(e)]**

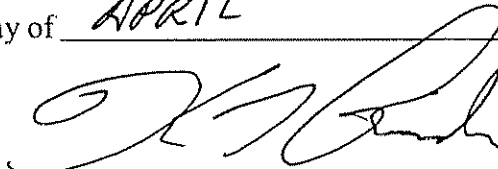
**NOTE:** For the purpose of this order, it is prohibited to possess, store, or transport any controlled substance as defined in Title 21 U.S.C., Section 802, paragraph 16 and scheduled in Title 21 U.S.C., Section 812 and the prohibitions relating to controlled substances contained in Title 21 U.S.C., Section 844 and 844(a) and any paraphernalia containing residue of a controlled substance on all roads, trails, and lands under the management and jurisdiction of the Helena National Forest.

**Exemptions:**

Pursuant to Title 36 CFR 261.50(e), the following persons are exempt from this order:

1. Any Federal, State, or local Officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
2. Any person who meets the exemptions as provided in Title 21 U.S.C. 844.

Done at Helena, Montana, this 21<sup>ST</sup> day of APRIL, 2006.



KEVIN RIORDAN  
Forest Supervisor

**Penalty:** Violations of these Prohibitions are 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 six months, or both. [16 U.S.C. 551, and 18 U.S.C. 3559 and 3571]

**Notification:** A copy of this order shall be posted as prescribed under 36 CFR 261.51.

## **Bond Schedule for Drug Special Order**

**Marijuana ----- \$300**

**All Other Controlled Substances ----- \$400**

**Paraphernalia with testable residue ----- \$125**

**Cutoff threshold amount for all controlled substances is: Personal Use**

**Any drug amounts indicating more than personal use or equipment etc indicating distribution will be referred to the U.S. Attorney's Office. If after consultation and prosecution is declined then a Violation Notice may be written.**

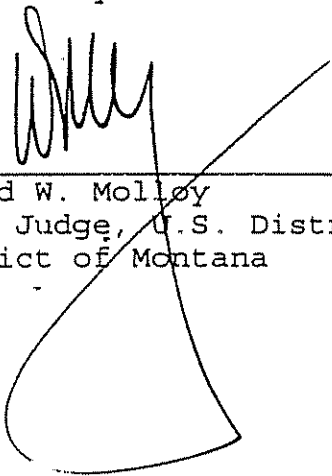
UNITED STATES  
DEPARTMENT OF AGRICULTURE  
U.S. FOREST SERVICE  
NORTHERN REGION

ADDENDUM TO BOND SCHEDULE  
36CFR

Section 261.53 Special Closures shall provide that pursuant to any closure prohibiting the possession, storage or transport of any controlled substance as defined in Title 21 U.S.C. Sec. 802 and scheduled in Title 21 U.S.C. Sec. 812 and the prohibitions relating to controlled substances contained in Title 21 U.S.C. Sec. 844 and 844(a) the amount of the bond for a small amount of controlled substance other than marijuana shall be \$400 and the amount of bond for paraphernalia containing residue of a controlled substance shall be \$125.

Effective February 14, 2006

Approved by



---



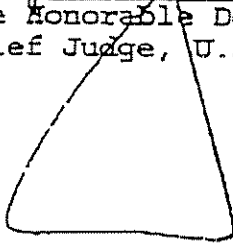
Donald W. Molloy  
Chief Judge, U.S. District Court  
District of Montana

UNITED STATES  
DEPARTMENT OF AGRICULTURE  
U.S. FOREST SERVICE  
NORTHERN REGION

ADDENDUM TO BOND SCHEDULE  
36 CFR

Section 261.58(t) Possessing or transporting any part of a tree or plant is amended to provide that in the instance where the plant material consists of a small amount of marijuana then the amount of the bond shall be the sum of \$300.

August 6, 2014  
Approved by

\_\_\_\_\_  
The Honorable Donald W. Molloy  
Chief Judge, U.S. District Court.

56

ed in schedule I, II, III, IV, or V of part B of Subchapter. The term does not include distilled spirits, wine, malt beverages, or tobacco, as terms are defined or used in subtitle E of the Internal Revenue Code of 1986.

(7) The term "counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization, bears the name, trademark, trade name, or other identifying mark, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person or persons who in fact manufactured, distributed, or dispensed such substance and which thereby falsely purports or is represented to be the product of, or to have been distributed by, such other manufacturer, distributor, or dispenser.

(8) The terms "deliver" or "delivery" mean the actual, constructive, or attempted transfer of a controlled substance or a listed chemical, whether or not there exists an agency relationship.

(9) The term "depressant or stimulant substance" means—

(A) a drug which contains any quantity of barbituric acid or any of the salts of barbituric acid; or

(B) a drug which contains any quantity of (i) amphetamine or any of its optical isomers; (ii) any salt of amphetamine or any salt of an optical isomer of amphetamine; or (iii) any substance which the Attorney General, after investigation, has found to be, and by regulation designated as, having a habit forming because of its stimulant effect on the central nervous system; or

(C) lysergic acid diethylamide; or

(D) any drug which contains any quantity of a substance which the Attorney General, after investigation, has found to have, and by regulation designated as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect.

(10) The term "dispense" means to deliver a controlled substance to an ultimate user or research subject by, or pursuant to the lawful order of, a practitioner, including the prescribing and administering of a controlled substance and the packaging, labeling or compounding necessary to prepare the substance for such delivery. The term "dispenser" means a practitioner who so delivers a controlled substance to an ultimate user or research subject.

(11) The term "distribute" means to deliver (other than by administering or dispensing) a controlled substance or a listed chemical. The term "distributor" means a person who so delivers a controlled substance or a listed chemical.

(12) The term "drug" has the meaning given that term by section 321(g)(1) of this title.

(13) The term "felony" means any Federal or State offense classified by applicable Federal or State law as a felony.

(14) The term "isomer" means the optical isomer, except as used in schedule I(c) and schedule II(a)(4). As used in schedule I(c), the term "isomer" means any optical, positional, or geometric isomer. As used in schedule II(a)(4), the term "isomer" means any optical or geometric isomer.

(15) The term "manufacture" means the production, preparation, propagation, compounding, or processing of a drug or other substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of such substance or labeling or relabeling of its container; except that such term does not include the preparation, compounding, packaging, or labeling of a drug or other substance in conformity with applicable State or local law by a practitioner as an incident to his administration or dispensing of such drug or substance in the course of his professional practice. The term "manufacturer" means a person who manufactures a drug or other substance.

(16) The term "marihuana" means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin. Such term does not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

(17) The term "narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(A) Opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation. Such term does not include the isoquinoline alkaloids of opium.

(B) Poppy straw and concentrate of poppy straw.