

**Lolo National Forest**  
Building 24, Fort Missoula  
Missoula, MT 59804

**Special Restrictions**  
**Rattlesnake National Recreation Area and Wilderness**

**Missoula Ranger District, Lolo National Forest**  
**Missoula County, Montana**

Pursuant to 36 Code of Federal Regulations 261.50 (a) the following acts are prohibited as described below, within the Rattlesnake National Recreation Area and Wilderness on the Missoula Ranger District of the Lolo National Forest, Missoula County, MT. These restrictions are 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 from April 1 until December 1 of each year until revoked. This order supercedes the order of April 16, 2007.

**36 CFR 261.58 – Occupancy and Use**

**It is required that any food and refuse (36 CFR 261.58(cc)) and any bird, fish or other animal and parts thereof (36 CFR 261.58(s)) be stored, possessed or transported as described below:**

- a) Human, pet and livestock food (except baled or cubed hay without additives), garbage, and other attractants shall be stored in a bear resistant manner, in an approved storage technique when camp is unattended.
- b) Wildlife carcasses that are within ½-mile of any camp or sleeping area shall be stored in a bear resistant manner during nighttime hours.
- c) Burnable attractants (such as food leftovers or bacon grease) shall not be buried, discarded, or burned in an open campfire. Unconsumed attractants shall be placed with other garbage and packed out.
- d) The responsible party shall report the death and location of livestock to a Forest Service official at the Missoula Ranger District within 24 hours of death.
- e) Also attached and hereby made part of this order is Food Storage Information and Definitions (Exhibit B).

## **Area Description:**

- That portion of the Rattlesnake National Recreation Area and Wilderness and South Zone not covered under the Northern Continental Divide Ecosystem Occupancy and Use Restrictions Special order of April 15, 1998
- the Rattlesnake National Recreation Area and Wilderness (RNRAW),
- 320 acres in Sawmill Gulch: W 1/2 of SW 1/4 Sec. 27 (80 acres) and N 1/2 of NE 1/4 and NW 1/4 Sec. 34, T. 14 N., R. 19 W. PMM (240 acres),
- 320 acres in Grant Creek (including Ravine Gulch): SW 1/4 and SE 1/4 of NW 1/4 of Sec. 15 (200 acres) and SW 1/4, SE 1/4, NE 1/4 of NW 1/4 of Sec. 22 (120 acres), T. 14 N., R.19 W. PMM.
- About 580 acres in Woods Gulch: (excluding a portion of SE 1/4) Sec. 31, T. 14 N., R. 18 W., P.M.M.
- About 140 acres in and north of Danny O'Brien Gulch on Mount Jumbo: NW 1/4 of NE 1/4 Sec. 12, T. 13 N., R. 19 W. ; SW1/4 and NW 1/4 of SE 1/4 Sec. 1, NE 1/2 of NE 1/4 of SW1/4 Sec. 1, T. 13 N., R. 19 W. PMM.

See Map (Exhibit A) which is attached and hereby made a part of this order.

## **Exemptions:**

1. Persons with a permit, specifically authorizing the otherwise prohibited act or omission (36 CFR 261.50(e)(1)).
2. Any federal, state, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty (36CFR 261.50(e)(4)).

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DEBORAH L. R. AUSTIN  
Forest Supervisor  
Lolo National Forest

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Date

## **Penalty:**

Violations of these restrictions are punishable by a fine of up to \$5000 or imprisonment for up to 6 months, or both (16 USC 551).

## **Notification:**

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

## **Exhibit B**

### **FOOD STORAGE INFORMATION AND DEFINITIONS**

#### **INFORMATION:**

#### **IT IS REQUIRED THAT:**

1. Human, pet and livestock food (except baled or cubed hay without additives), garbage, and other attractants shall be attended or stored in a bear resistant manner. Food, garbage and other attractants (includes all livestock grain and pellets) shall be stored in an approved storage technique when camp is unattended.
2. Wildlife carcasses, birds, fish or other animal parts that are within ½-mile of any camp or sleeping area shall be stored in a bear resistant manner during night time hours. If a wildlife carcass is within an attended camp during daytime hours it may be on the ground.
3. Attractants (such as food leftovers or bacon grease) shall not be buried, discarded, or burned in an open campfire.
  - a) Leftover food or other attractants may be burned in a contained stove fire.
  - b) Leftover food or food waste products may be placed in an appropriate, sealed container and packed out with garbage.
  - c) Attractants may be placed into a suitable container (i.e. tin can), to prevent leaching into ground, and burned over an open campfire.
  - d) Any remaining attractants unconsumed by burning shall be placed with other garbage and packed out.
4. The responsible party shall report the death and location of any livestock to a Forest Service official at the Missoula Ranger District within 24 hours of death. In some very remote areas, it may not be possible to meet the 24-hour requirement. In these special cases, the responsible party shall report to a Forest Official the death of any livestock within 48 hours.
5. Bear resistant container: A securable container constructed of solid non-pliable material capable of withstanding 20 foot-pounds of energy applied by direct impact. The USFS Missoula Technology and Development

Center (MDT) has an impact testing machine available to evaluate containers for strength.

### **DEFINITIONS:**

1. Attended (occupied ) camp: at least one adult person (attendee) is physically present in camp during daytime hours. During the nighttime hours all attractants must be within 50' of the attendee, or attractants must be stored in a bear resistant manner.
2. Attractant: any substance with an odor that may attract bears.
3. Attendee: An adult (18 years or older) in control of campsite.
4. Bear resistant container: a securable container constructed of solid non-pliable material capable of withstanding 200 foot-pounds of energy applied by direct impact. The container when secured and under stress, will not have any cracks, openings, or hinges that would allow a bear to gain entry by biting or pulling with its claws.
5. Bear resistant manner means any food items, including canned foods, garbage, and attractants, must be stored in one of the following ways if camp is unattended:
  - a) Secured in a hard-sided camper or vehicle trunk or cab;
  - b) Suspended at least 10 feet up (from the bottom of the suspended item) and 4 feet out from any upright support, i.e. tree, pole;
  - c) Stored in bear-resistant containers;
  - d) Stored within an approved and operating electric fence;
  - e) Or stored in any combination of these methods;
  - f) Stored by methods other than those described in this section #5a-e that shall be approved in writing by the Forest Supervisor.
6. Contained fire stove: a metal stove that completely encloses the fire.
7. Daytime: ½ - hour before sunrise until ½ -hour after sunset.

8. Food: any nourishing substance, including human food (canned, solid or liquid), livestock feed (except baled or cubed hay without additives) and pet food, and garbage from human, livestock or pet foods.
9. Livestock: a domesticated animal, such as a mule, horse or llama, etc.
10. Nighttime: ½-hour after sunset until ½-hour before sunrise.
11. Wildlife carcass: the body, or any parts thereof, of any deceased wild animal, bird, or fish.
12. Approved electric fence: will meet, as a minimum, the following specifications. Refer to Forest Service publication 9623-2850-MTDC for more description of fence specifications and set-up.
  - a. Minimum fence height....4 feet.
  - b. Minimum post height.....5 feet.
  - c. Maximum spacing between posts.....8 feet.
  - d. Conductors (wire): Minimum of 7 wires, with 6-10 inch spacing between wires. Bottom wire must be within 2” of the ground. All wire must be smooth metal fence wire of at least 16 gauge or poly wire, except the top wire which may be poly tape of at least six strand stainless steel.
  - e. The system will be set-up to operate both as a ground wire return and a grounded system. The 2 top wires will be hot, with all other wires alternating hot and ground. The minimum length ground rod is 2 feet.
  - f. Fence charger: Minimum (1) stored energy of 0.7 joules, (2) tested peak output of 5000 volts, (3) shocks per minute 40. User must be able to test electrical output in the field.
  - g. The fence will be set-up as a “tight wire” fence. The wire will be tight and under tension, not loose or sagging.
  - h. Minimum distance between fence and items inside.....3 feet.