

- b). Residential and nonresidential lots of record within the 660 foot setback/buffer shall not be increased; and
  - c). The proposed physical development, use, development option, or subdivision within 660 foot setback/buffer will be screened with trees to shield the line of site to the nest; and
  - d). All physical development, use, development option, or subdivision activity is conducted outside the bald eagle nesting period, defined as February 1st through August 15th or as determined by the Wyoming Game and Fish Department.
- b. **Bald Eagle Crucial Winter Habitat.** No physical development, use, development option, or subdivision may occur within bald eagle crucial winter habitat unless the applicant can demonstrate that the development can be located within the bald eagle crucial winter habitat in such a way that it will not detrimentally affect the food supply provided by the crucial winter habitat, or detrimentally affect the potential survival of the bald eagle using the crucial winter habitat.
- c. **Exemptions.** The Bald Eagle standards are exempt where a bald eagle nest is established subsequent to initiating land disturbing activities pursuant to a Permit.
- d. **Consistency.** Notwithstanding the standards provided in this Section, the goals of this Section are intended to be consistent with the current National Bald Eagle Management Guidelines and US Fish and Wildlife Service recommendations.

#### H. Other NRO Standards

1. **Domestic Pets.** Domestic pets, especially dogs, can pose a serious threat to the survival of wildlife protected in this Section by killing, injuring, and chasing wildlife. On properties in the NRO, domestic pets (e.g., dogs and cats) shall be physically restrained (i.e., leashed, chained, fenced), or accompanied by a person who has strict voice control over the animal at all times. Cats and dogs shall not be allowed to roam unaccompanied in the NRO.

### 5.2.2. Bear Conflict Area Standards (1/1/15)

#### A. Purpose

The purpose of this Section is to prevent and mitigate conflicts between humans and bears in Teton County by establishing bear-attractant standards for residential and nonresidential uses according to conflict risk levels as defined herein in terms of Conflict Priority Areas (CPAs) and as delineated herein in terms of the map entitled "Teton County Bear Conflict Priority Areas" dated March 2008.

## B. Establishment of Conflict Priority Areas (CPAs)

1. **Conflict Priority Area 1 (CPA1): High to Moderate Priority.** Conflict Priority Area 1 refers to areas in Teton County that overlap with, lay adjacent to, or are in close proximity to, known bear-occupied habitat and/or regular travel corridors and/or seasonal bear-use areas, as documented by empirical research or wildlife management actions and observations. Sightings and conflicts are moderately frequent to frequent in this area depending on season and natural bear food availability. Therefore, this area is a high priority area for mitigating and preventing conflicts and addressing property and human safety concerns. Areas within Conflict Priority Area 1 (CPA1) include properties any part of which lies in the area so designated on the map entitled "Teton County Bear Conflict Priority Areas," dated March 2008.
2. **Conflict Priority Area 2 (CPA2): Low Priority.** Conflict Priority Area 2 refers to areas in Teton County that are within close proximity to, or lie adjacent to, CPA1. Areas within CPA2 contain habitat that is not suitable for regular, seasonal or occasional bear occupancy and or use. Conflicts have rarely been documented or verified in CPA2 and therefore are highly unlikely, even in the most unusual of circumstances. Regardless, because Teton County is essentially within and surrounded by grizzly bear and black bear habitat, all areas within the County carry some risk of conflict. Areas within Conflict Priority Area 2 (CPA2) include properties any part of which lies in the area so designated on the map entitled, "Teton County Bear Conflict Priority Areas," dated March 2008.
3. **Updates.** The Teton County Bear Conflict Priority Area Map shall be updated as deemed necessary by the Wyoming Game & Fish Department. Such updates shall be based on black bear and grizzly bear observations, occupancy trends, and habitat quality, but shall not necessarily be revised solely due to changes in the frequency or number of conflict incidents reported in Teton County.

## C. Bear Conflict Prevention Standards

1. **Standards for Conflict Priority Area 2 (CPA2).** There are no bear conflict prevention standards for properties located within CPA2.
2. **Standards for Conflict Priority Area 1 (CPA1).** Use of a property, any part of which lies in CPA1, shall comply with the following standards:
  - a. **Garbage**
    - i. All residential and nonresidential uses shall be required to store trash in certified bear-resistant containers or dumpsters. If trash is transferred from the property to a trash transfer station or landfill directly by the property owner or property lessee, trash may be stored in other containers as long as those containers are housed in a bear-resistant building or enclosure at all times while on the property.

- ii. All nonresidential uses conducting business as a food/drink preparation and service facility shall be required to store grease storage containers and stored foods exclusively inside bear-resistant buildings or enclosures.

- b. **Bird Feeders.** All properties within CPA1 shall comply with the following standard from April 1 through November 30 each year. Birdfeeders shall be hung at least 10 feet from the ground, deck, railing or surface and 4 feet from any structure, tree or limb and should have a catch pan attached directly underneath the feeder that is 4 inch larger in diameter than the widest diameter of the feeder itself.

### 3. Bear-Resistance Standards

- a. **Certified Bear-Resistant Container or Dumpster.** A certified “bear-resistant” container or dumpster is one that meets the “minimum structural design standards” published by the Interagency Grizzly Bear Committee (IGBC) in 1989 or has successfully passed the testing program and protocols recited in the Bear-Resistant Products Testing Program (October, 2005). A list of certified bear-resistant containers and dumpsters and the manufacturers that produce these products is available in the Teton County Planning and Development Department.
- b. **Bear-Resistant Building or Enclosure.** A bear-resistant building or enclosure is one that consists of and/or contains:
  - i. A framed building or enclosure with hard sides and a roof constructed of hard wood, non-reflective metal or other like product reasonably designed and manufactured to withstand an intrusion by a bear; or
  - ii. Chain-link fencing no less than 6 feet in height, at the top of which is barbed-wire fencing angled outwards; or
  - iii. Functional and maintained electric fencing designed to exclude bears; or
  - iv. A combination of (1), (2), and/or (3) in this subparagraph B.; and
  - v. Functional, maintained self-latching doors/gates, or doors and gates with locks.

**EXAMPLE:** Examples of bear-resistant enclosures include, but are not limited to, garages, metal sheds, houses, and electrified fencing designed to exclude bears or any other building designed and constructed to prevent access by bears.