EXECUTIVE SUMMARY OF CHANGES
SUPERINTENDENT'S PROPOSED COMPENDIUM
2015
KATMAI NATIONAL PARK AND PRESERVE
ANIAKCHAK NATIONAL MONUMENT AND PRESERVE
ALAGNAK WILD RIVER

The Superintendent is seeking public comment on the proposed 2015 Superintendent's Compendium. The attached proposed compendium is a written compilation of designations, closures, permit requirements and other restrictions adopted under the Superintendent's discretionary authority. Comments will be accepted by mail or e-mail between January 15 and February 15. Comments are welcome at any time in addition to this timeframe, but comments received after February 15 will be considered in future compendium revisions. All comments received are subject to public release without modification, including any personal information provided. After review and consideration of the need for annual updates, the following changes are proposed.

Local Fire Bans
The NPS proposes a change to automatically adopt state and local burn/fire bans within NPS areas unless the superintendent determines the restriction is unnecessary.

Temporary Restriction on Taking Wolves and Coyotes May 1 through August 9
The NPS proposes to re-adopt temporary restrictions on the take of wolves and coyotes during the timeframe coyotes and wolves are denning in Alagnak Wild River and Aniakchak, Bering Land Bridge, Denali, Gates of the Arctic, Katmai, Lake Clark, Noatak, Wrangell-St. Elias, and Yukon-Charley Rivers National Preserves. These changes are in response to recent changes in state law. The result is that wolves and coyotes will remain protected during the period when they are raising vulnerable offspring and their pelts have little trophy, economic, or subsistence value. This change makes the affected closure dates for wolves and coyotes more consistent with Federal subsistence seasons. This proposal would not affect harvest under Federal Subsistence Regulations.

> The take of wolves or coyotes under state regulations is prohibited from May 1 through August 9 in Alagnak Wild River and Aniakchak, Bering Land Bridge, Denali, Gates of the Arctic, Katmai, Lake Clark, Noatak, Wrangell-St. Elias, and Yukon-Charley Rivers National Preserves.
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> *This provision does not affect season start dates after August 9. For example, if the state season is September 1, taking wolves under the state regulations would be authorized on September 1. If the state season starts on August 1, then the taking of wolves is not authorized in these NPS areas until August 10.*

The reasons for these restrictions are:
These restrictions are based on actions taken by the Alaska Board of Game (BOG) in 2012 and 2014 as well as previous years that extended the season for taking wolves and coyotes into the summer months in several GMUs that include some NPS Preserves. These BOG actions include establishment of a year-round coyote season and extending the season for taking wolves through June in several areas.

The State of Alaska is the primary entity responsible for managing wildlife in accordance with State mandates. At the same time, the NPS is charged with the responsibility for assuring that the take of fish and wildlife is consistent with the fundamental purposes of the park system and those of individual park units. Federal law provides that the fundamental purpose of national park areas is conservation of park resources and values, including the scenery, the natural and historic objects, and wild life therein, and prohibits impairment of park resources or values. Under NPS management policies, activities that may result in impairment include those that impact a "resource or value whose conservation is . . . key to the natural . . . integrity of the park or to provide opportunities for enjoyment of the park." Because the impact threshold at which impairment occurs is not readily apparent, the NPS policies require managers avoid unacceptable impacts to park resources and values. Unacceptable impacts are those that are inconsistent with park purposes and values; diminish opportunities for current or future generations to enjoy, learn about, or be inspired by park resources or values; or unreasonably interfere with other appropriate uses.

In addition to the above, legislated purposes of the National Preserves in Alaska include the protection of habitat for and populations of fish and wildlife. Congress directed the NPS to manage national preserves in the same manner as national parks with the exception that sport hunting and trapping are authorized. (ANILCA, Public Law 96-487, section 1313). In considering the management of national park areas, the National Park Service must consider the expectations laid out in the 1916 Organic Act, the 1970 General Authorities Act, and the 1978 Redwoods Amendment, as well as the 1980 Alaska National Interest Lands Conservation Act (ANILCA) and other legislation. National park areas are closed to the taking of wildlife except as specifically authorized by Congress. Congress authorized taking of wildlife in NPS preserves for Title VIII subsistence uses and for sport purposes. This is not an authorization without limit, and must be implemented in light of the high public value and integrity of the National Park System.

In passing ANILCA, Congress did not absolve the National Park Service from operating within the legal, regulatory, and policy framework applicable across the National Park System. The Senate Energy and Natural Resources Committee (S. Rpt. 96-413) stated "It is contrary to the National Park Service concept to manipulate habitat or populations to achieve maximum utilization of natural resources." A further statement in the Congressional Record on ANILCA provides that "[t]he standard to be met in regulating the taking of fish and wildlife and trapping is that the preeminent natural values of the park system shall be protected in perpetuity and shall not be jeopardized by human uses. These are very special lands and this standard must be set very high[.]" State harvest regulations apply in NPS preserves to the extent that it is consistent with NPS laws, regulations and policies. The NPS may close or restrict the take of wildlife in preserves pursuant to ANILCA section 1313 and federal regulations at 36 CFR 13.40 and 13.50.

These season extensions have the potential to create unacceptable impacts to the preserves' purposes and values. The practice of hunting or trapping wolves and coyotes into summer has long been prohibited. Consistent with sound management principles and conservation of wildlife, practices that disturb animals when they are in a vulnerable state—in their dens, when reproducing, or very young—are usually avoided. Accordingly, these practices have generally been prohibited under federal subsistence and state regulations.

Continuation of the natural process is expected in park areas except as specifically authorized by Congress. The take of denning wolves and coyotes has potential to impact the natural integrity of a native species. The practical effect of these allowances, open to all hunters and trappers, is increased efficiency for taking predator species. This has potential to create pressures on the natural abundance, behavior, distribution, and ecological integrity of these native wildlife species. State laws or actions that seek to manipulate natural wildlife populations for human consumption, or have that practical effect, are inconsistent with Congress's authorization for taking wildlife for sport purposes as well as with NPS statutes, regulations, and policies.

The NPS recognizes and supports subsistence and sport hunting, and trapping. These activities are important heritage activities in NPS preserves in Alaska. However, introducing NPS preserves to these liberalized wolf and coyote harvest opportunities, to include pups, when pelts are of poor quality and offspring are vulnerable could create unacceptable impacts to the resources and values for which the park area was established to protect. It also has the potential to disrupt the subsistence opportunity for taking that wolf or coyote later in the year when its coat is prime in order to sell the pelt for cash.

This restriction recognizes that state and federal management objectives and authorities differ and adopts a federal restriction for NPS preserves to comply with federal law and policy in park areas. The NPS remains committed to managing park resources and values in a way that minimizes interference with state management of resident wildlife resources.

A less restrictive approach has been attempted but was not effective. The NPS opposed proposals to the BOG that affected preserves, and requested that, if such regulations were adopted, NPS lands be excluded. The Board of Game adopted regulations without excluding NPS managed lands. In doing so, the Board of Game has made it clear that the State process will not be used to remedy management inconsistencies on NPS lands. Rather, NPS has been encouraged to use its own authorities to ensure that preserves are managed in a manner consistent with federal law, policy, regulation and non-conflicting State regulation. The NPS requested the Board revisit this authorization in preserves in 2013 and the Board considered but rejected that request at their January 2014 meeting. In the absence of change in state law or regulation, these restrictions are necessary. The NPS has proposed a regulation to permanently address this issue.

Bicycle Use in the Valley of 10,000 Smokes

The NPS proposes to adopt a prohibition on the use of bicycles in the Valley of 10,000 Smokes (as shown on the attached map).

The reasons for this restriction are as follows:

1.) The iconic Valley of 10,000 Smokes is a unique resource and the protection of this geological resource was the reason Katmai National Monument was created.
2.) The formation of cryptobiotic soils is a naturally occurring phenomenon that is part of the biological succession of a disturbed landscape;
3.) Cryptobiotic crusts are known to be very sensitive to disturbance.
4.) Compressional and shearing disturbances as those caused by the action of bicycle wheels can affect the ability of the cryptobiotic crusts to:
    - Maintain diversity of its crust community: reducing the crust community to a few species of cyanobacteria instead of the successional community of multiple species of cyanobacteria, lichens and mosses:
    - Maintain cyanobacterial connection to soil particles, which in turn, increases the erosion of the underlying soils, thus decreasing soil fertility;
    - Maintain surface roughness, which affects local hydrologic regimes and vascular plant seed entrapment, which then influences the successional pattern of the area;
    - Maintain soil temperatures that allow for the natural succession of the cryptobiotic soils from cyanobacteria to annual mosses.
5.) Bicycle use has the potential to significantly increase the levels of disturbance to these crusts compared to the hiking activity.
6.) Visitors hiking the Valley of 10,000 Smokes follow a route that is not designed for bicycle use and in a few locations where there are steep drop-offs there may not be places that bicycle users could pass hikers safely.
7.) The study of undisturbed cryptobiotic soils in Katmai National Park is of scientific value.

The reasons less restrictive measures will not be effective:

1.) The use of wheeled conveyances on cryptobiotic soils is detrimental to the soils due to the shearing forces created by the weight of the wheels on the substrate.
2.) Routes developed are narrow and bicycles going off-route to pass other users would damage the cryptobiotic soils on either side of the trail.

Area of bicycle closure – Valley of Ten Thousand Smokes, Katmai National Park.

Extension of Closure Dates at Brooks Falls on the Brooks River

The NPS is proposing to extend the dates the Brooks River is closed at Brooks Falls to all public entry to promote public safety and prevent adverse impacts to wildlife. Under current regulations, the end date for the closure is August 15. The proposed end date is October 31.

Currently, 36CFR13.1226 restricts the entry to the area surrounding the Brooks Falls and the adjacent fish ladder from June 15 through August 15. The area closed to entry starts from the Riffles Platform (100 yards below the Falls) to a point 100 yards above the Brooks Falls. The closed area also includes the river bank and 50 yards from the high mark of the river. Through State of Alaska regulation, the waters within 300 feet of a fish weir or ladder are closed to sport fishing, unless otherwise marked by departmental markers.

The reason for this restriction is as follows:

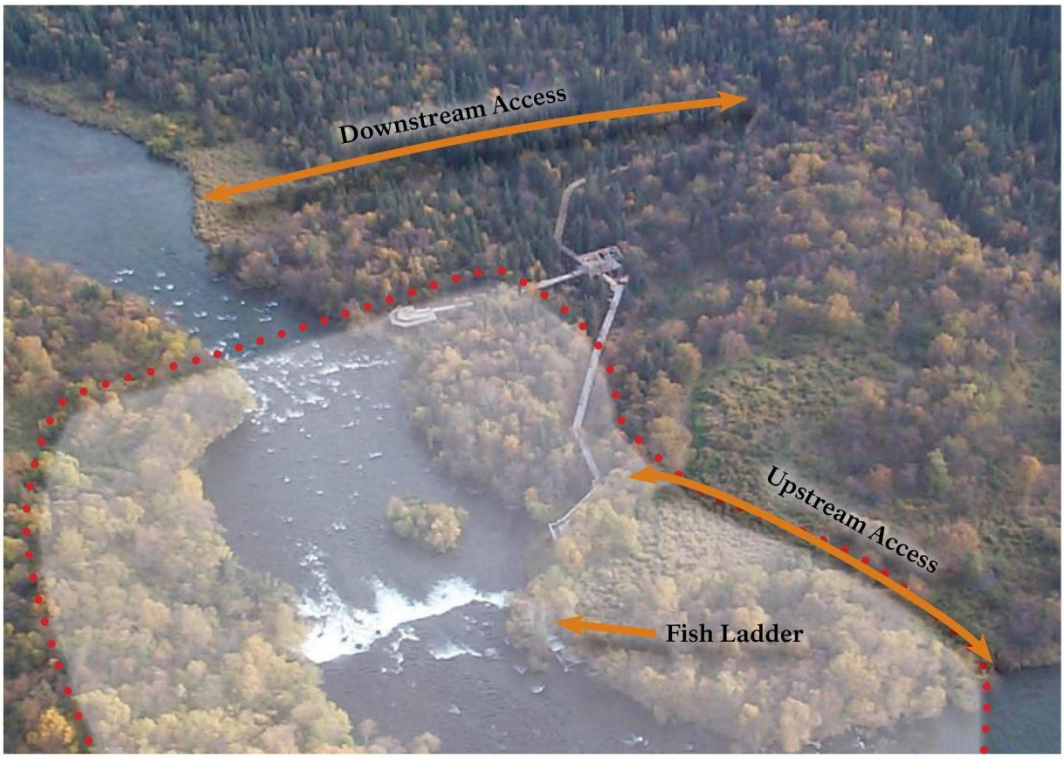
1. A growing body of research has documented the impact of human disturbance on wildlife. This regulation intends to minimize human impact on brown bears at Brooks Falls during fall. It has been found that the salmon runs that attract the bears to this location continue into the latter part of October. High numbers of salmon are present in the river until late October and these fish attract high concentrations of hyperphagic brown bears. Hyperphagia is a critical feeding time when bears increase the fat reserves

necessary to survive hibernation. In September and October, 50 to 70 bears use the Brooks River corridor. Brooks River is the primary salmon fishing opportunity in the Naknek River drainage after the beginning of September. This regulation provides additional protection for bears and minimizes bear-human conflicts.

2. During this time, bears become more aggressive as they continue to compete with other bears for diminishing food sources. Monitoring data has shown that bears are spending most of this time feeding The concentration of bears around the falls leads to increased levels of aggressive interactions. This aggressive behavior is a safety concern to park visitors using the Brooks Falls area. Public use in late September and early October has been steadily increasing over the past few years. This includes fishing and wildlife viewing, and although both activities are river dependent, they are not activities that need to take place at the falls or the fish ladder. The Brooks River is a mile and a half in length and fishing opportunities are available in every location except the areas around the fish ladder and the falls. For wildlife viewers, the two viewing platforms near the ladder and falls provide for exceptional viewing and photography opportunities and use remains unaffected by this closure.
3. Data shows bears are increasing their use of Brooks Falls in the fall. This regulation provides unimpeded access for, and minimizes human disturbance to, bears using the Brooks Falls area.

The reasons less restrictive measures will not be effective are as follows:

1. Opening the area around the falls and fish ladder to human use during this time period may deter bears from using the river for fishing and traveling corridor and thereby decrease their chances of surviving hibernation.
2. Safety concerns to river users increase during this time period as the bears are in Hyperphagia and are more aggressive as they feed on the remaining salmon.
3. Although all visitors are required to attend an NPS-sponsored bear orientation that explains wildlife distance regulations as they pertain to wildlife viewing or fishing, some visitors will place themselves in jeopardy in order to get that prized fish or that stunning photograph. If the area around the Falls remains closed, visitors will be required to stay out of the area while the bears are still actively using the resource in preparation for hibernation.



This photo shows the approximate location of the closed area around Brooks Falls (within the red dots) and the designated access routes around the closure.

KATMAI NATIONAL PARK AND PRESERVE
ANIAKCHAK NATIONAL MONUMENT AND PRESERVE
ALAGNAK WILD RIVER

2015 Proposed Compendium

National Park Service (NPS) regulations applicable to the protection and equitable public use of units of the National Park System grant specified authorities to a park superintendent to allow or restrict certain activities. NPS regulations are found in Titles 36 and 43 of the Code of Federal Regulations (CFR) and created under authority and responsibility granted the Secretary of Interior in Titles 16 and 18 of the United States Code. The following compendium comprises a listing of NPS regulations that provide the Superintendent with discretionary authority to make designations or impose public use restrictions or conditions in park areas. The applicability and scope of the compendium is articulated in 36 CFR Sections 1.2 and 13.2, and 43 CFR Section 36.1.

The larger body of NPS regulations that do not provide discretionary authority to the Superintendent is not cited in this compendium. A complete and accurate picture of regulations governing use and protection of the unit can only be gained by viewing this compendium in context with the full body of applicable regulations found in Titles 36 and 43 CFR. *Please contact Katmai National Park and Preserve, PO Box 7, King Salmon, Alaska 99613 at (907) 246-3305 for questions relating to information provided in this compendium.*

For the purpose of this compendium, the term "parks," "park areas," or "park units" will refer to Katmai National Park and Preserve, Aniakchak National Monument and Preserve, and the Alagnak Wild River. The regulations contained within this compendium apply to all of these areas unless otherwise specified.

TITLE 36 CODE OF FEDERAL REGULATIONS

PART 1. GENERAL PROVISIONS

1.5 Closures and public use limits

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service is prohibited except as approved in writing by the superintendent.

The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

In Park areas where use of model aircraft for hobbyist or recreational use has been previously authorized, such use may continue under a permit issued by the Superintendent.

This restriction does not affect the primary jurisdiction of the Federal Aviation Administration over the National Airspace System.

See specific sections in this document for additional information regarding visiting hours, public use limits, and closures.

1.6(f) Compilation of activities requiring a permit

- Launching, landing, or operating unmanned aircraft, 1.5
- Scientific research, 1.5
- Collecting research specimens, 2.5
- Operating a power saw in developed areas, 2.12(a)(2)
- Operating a portable motor or engine in undeveloped areas, 2.12(a)(3)
- Operating a public address system, 2.(12)(a)(4)
- Air delivery, 2.17(a)(3)
- Using designated fee areas or facilities, 2.23(b)
- Noncommercial soliciting, 2.37
- Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials, 2.38(a)
- Using or possessing fireworks and firecrackers, 2.38(b)
- Special events, 2.50(a)
- Demonstrations involving 26 or more persons, 2.51
- Sale and distribution of printed matter for First Amendment purposes by groups of 26 or more persons, 2.52
- Grazing, 2.60(a)(1), (2)
- Residing on federal lands, 2.61(a)
- Installing a monument or other commemorative installation, 2.62(a)
- Towing a person using a parasail, hang glider, or other airborne device, 3.12(b)
- Removing sunken, grounded, or disabled vessels, 3.14(a)
- Operating a submersible, 3.19
- Motorized use of the Valley of Ten Thousand Smokes Road, 4.11(a)
- Use of the Lake Camp launching facilities/roadway by trailers over 50’ in length, 4.11(a)
- Commercial notices or advertisements, 5.1
- Commercial operations, 5.3
- Commercial photography or filming, 5.5
- Construction or repair of any building, structure, facility, road, trail, or airstrip on federal lands, 5.7
- Mining operations (9.9(a)) or an approved Plan of Operations (in lieu of permit))
- Cabins on federal lands, 13.100-13.188
- Using aircraft access for subsistence activities in the Monument, 13.450(a), 13.450(b)(1)
- Cutting of live standing timber greater than 3 inches in diameter for non-commercial subsistence uses, 13.485(a)(1)
- Access to inholdings where access is not made by aircraft, snowmachine, motorboat or non-motorized surface transportation, 43 CFR 36.10(b)

- Salvaging, removing, possessing aircraft, 43 CFR 36.11 (f)(3)(ii)
- Helicopter landings, 43 CFR 36.11(f)(4)
- Off-road vehicle (ORV) use, 43 CFR 36.11(g)(2)
- Temporary access across federal land for survey, geophysical or exploratory work, 43 CFR 36.12(c)

PART 2. RESOURCE PROTECTION, PUBLIC USE AND RECREATION

2.1(a)(4) Designated areas for collection of dead wood on the ground for firewood

Dead and downed wood may be collected for use as fuel for campfires within the former Katmai National Monument; however, no wood may be collected from historic structures or cabins. This would include the wood used to construct cabins or other historic structures such as caches or racks, and wooden furnishings, artifacts or other historic items.

Superseded by 13.35(c)(4), (d) and 13.485(b) in the 1980 ANILCA Preserve and Park additions.

2.1(a)(5) Designated areas and conditions for walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, monument, or statue

No designated areas or conditions.

2.1(b) Designated trails

No restrictions on walking or hiking.

2.1(c)(1)-(3) Designated fruits, nuts, berries, and unoccupied seashells to harvest by hand and collection restrictions

In the former Katmai National Monument, all edible fruits, berries, nuts and unoccupied seashells may be gathered by hand for personal use or consumption.

For allowances in all other 1980 ANILCA park additions and Preserve lands, reference 13.35(c)(1) and 13.485(b).

2.2(d) Established conditions and procedures for transporting lawfully taken wildlife through park areas

See also 13.40(d)(5).

2.2(e) Designated areas for wildlife viewing with artificial light

No areas designated for closure.

2.3(d)(2) Fresh waters designated as open to bait fishing with live or dead minnows or other bait fish, amphibians, nonpreserved fish eggs or fish roe

No waters are designated as open to bait fishing, except the Naknek River where bait may be used in accordance with state law pursuant to 13.1202(a).

2.3(d)(8) Designated areas open for fishing from motor road bridges and public boat docks

All areas open to fishing from motor road bridges and public boat docks except the floating bridge in the Brooks Camp Developed Area.

The floating bridge at Brooks Camp is the primary travel route between visitor services provided at Brooks Camp and the viewing platforms along the river. For the safety of visitors no fishing from the bridge will be allowed.

2.4(a)(2)(i) Carrying, using, or possessing weapons

Individuals are authorized to possess firearms in NPS areas in accordance with applicable state and federal law. With the exception of public use cabins, possession of firearms is prohibited in federally owned or leased buildings. The laws regarding discharge of firearms remain unchanged.

2.10(a) Camping: conditions and permits

Superseded in part by 13.25, 13.1222.

2.10(d) Food storage: designated areas and methods

(1) Definition: A *bear resistant container*(BRC) means an item constructed to prevent access by a bear. BRC's include—

- Items approved by the Department of Interior and Agriculture's Interagency Grizzly Bear Committee: http://www.igbconline.org/html/container.html
- Additional items listed by the State of Alaska, Department of Fish and Game, Division of Wildlife Conservation: http://www.adfg.alaska.gov/index.cfm?adfg=livingwithbears.bearcontainers, with the concurrence of the Superintendent;
- Park-provided metal food lockers at some coastal campsites; and
- Items or methods approved by the Superintendent.

(2) Throughout the park, all food and beverages, food and beverage containers, garbage, harvested fish and equipment used to cook or store food must be stored in a bear resistant container (BRC) or secured—

- Within a hard sided building;
- Within lockable and hard sided section of a vehicle, vessel, or aircraft
- By caching a minimum of 100 feet from camp and suspending at least 10 feet above the ground and 4 feet horizontally from a post, tree trunk or other object on a line or branch that will not support a bear's weight; or
- The Superintendent may, upon request, waive or modify food storage requirements in circumstances where compliance with these requirements is not possible, overly burdensome, and is consistent with public safety and wildlife conservation interests.

Note: This provision does not apply to:

- Legally taken game.
- Food that is being transported, consumed, or prepared for consumption.
- The use of bait for trapping and hunting under the provisions of state and federal law.

The intent of these designations is to prevent the food conditioning of bears and other wildlife by not allowing bears to associate people with food; thus protecting wildlife and park visitors alike. We strongly recommend that dishes and cooking equipment be securely stored; but clean and odor free items are not required to be stored in secure containers. Ice chests and coolers, tents, dry bags or stuff sacks, plastic packing boxes (Totes, Action Packers, etc) and unmodified kayaks are not generally approved as BRC. The park offers bear resistant containers for temporary use to the public. The containers are free of charge and can be picked up at the park's visitor centers in King Salmon and Brooks Camp.

A written determination of need per 36 CFR § 1.5(c) is attached.

See also 13.1228 for requirements in the Brooks Camp Developed Area.

See attached Brooks Camp Developed Area Map.

2.11 Picnicking: designated areas

Superseded by 13.26.

2.13(a)(1) Fires: designated areas and conditions

State or local fire burn bans are automatically adopted under this section unless the superintendent determines the ban is not necessary in park areas.

Areas throughout the park are designated as open to fires with the exception of Lake Camp and the Brooks Camp Developed Area.

Fires in any location may not exceed 2 feet in diameter measured from the outside edge to outside edge and/or extend beyond the edge of established fire rings.

See also 13.1230 for Brooks Camp Developed Area, which restricts campfires to established receptacles.

2.14(a)(2) Sanitation and refuse: conditions using government receptacles

Dumping of household, commercial, or industrial refuse brought into the park is prohibited.

2.14(a)(5) Sanitation: designated areas for bathing and washing

No designated areas.
See 13.1232for Brooks Camp Developed Area.

2.14(a)(7) Sanitation: designated areas for disposal of fish remains

There are no areas designated.

2.14(a)(9), (b) Sanitation: disposal, carrying out of human waste

When the ground is not frozen, human feces must be either packed out or deposited in a "cat hole" dug 6-8 inches deep in soil at least 100 feet from any water source, shoreline, campsite or trail. When the ground is frozen, human feces must be disposed over at least 100 feet from any water source and covered with snow or packed out.

Tissue paper and sanitary items should be packed out or burned when fire hazard is low.

The intent of these conditions is to provide for healthy, sanitary and visually aesthetic environments as well as to protect natural resources.

2.15(a)(1) Areas designated as closed to pets

No designated closed areas under 2.15. Pets must be leashed or physically restrained at all times.

The Brooks Camp Developed Area is closed to pets(including service animals) pursuant to 13.123.

2.15(a)(3) Conditions for leaving pets unattended and tied to an object

No conditions at present.
Leaving pets unattended and tied to an object is prohibited.

2.15(a)(5) Pet excrement disposal conditions

No conditions at present.

2.15(b) Conditions for using dogs in support of hunting activities

No conditions at present.

2.16 (a)-(c) Horses and pack animals

Superseded by 43 CFR 36.11(e).
Access for subsistence purposes under 36 CFR 13.460(a) supersedes this section.

2.17(a)(1) Aircraft operation

Superseded by 43 CFR 36.11(f)(1).

2.17(a)(2) Aircraft operation near docks, piers, swimming beaches and other designated areas

No areas prohibited.

2.17(c)(1) Conditions for removing downed aircraft

Superseded by 43 CFR 36.11(f)(3)(ii).

2.18(c) Snowmobiles: designated areas for use

No areas designated for snowmachine use.
Superseded in part by 43 CFR 36.11(c).

Superseded by 36 CFR 13.460 for subsistence uses.

2.19(a) Winter activities on roads and in parking areas: designated areas

Roads and parking areas open to vehicle traffic in the winter are designated as open to winter activities.

2.19(b) The towing of persons on skis, sleds, or other sliding devices by motor vehicle or snowmobile is prohibited, except in designated areas or routes

No designated areas.

2.21 Smoking

All public buildings are closed to smoking unless specifically permitted and signed as a designated smoking area.

All boardwalks, platforms and viewing structures within the Brooks Camp Developed Area are closed to smoking.

Smoking is prohibited within 100 feet of the park fuel and aviation gas storage facility.

These restrictions are intended to protect public safety from fire or explosion as well as reduce user conflicts.

2.22 Property: leaving property unattended for longer than 24 hours

Superseded by 13.45, 13.1208, 13.1240.

2.35(a)(3)(i) Alcoholic beverages: areas designated as closed to consumption

No areas designated as closed.

2.38(b) Fireworks: permits, designated areas, and conditions

No areas designated for use of fireworks.

2.51 First Amendment Demonstrations

All areas are designated as open to public demonstrations that involve 25 or fewer persons without a permit. Demonstrations involving twenty-six or more individuals must have a permit issued by the superintendent.

2.52 Designated areas for sale and distribution of printed matter for First Amendment purposes

All areas are designated as open to sale or distribution of printed matter by groups involving 25 or fewer persons without a permit. Printed matter is limited to message-bearing textual printed material such as books, pamphlets, magazines, and leaflets, provided that it is not solely commercial advertising. Distribution involving twenty-six or more individuals must have a permit issued by the superintendent.

2.60(a)(3) Designated areas for grazing

Grazing of pack or saddle animals by private parties, not to exceed 14 days, is authorized without a permit. Any feed brought in must be "weed-free."

These restrictions seek to lessen the impact of extended camps on vegetation and minimize the risk of nonnative plant invasion.

2.62(b) Memorialization: designation of areas for scattering ashes

All areas are open to scattering of ashes without a permit.

PART 3. BOATING AND WATER USE ACTIVITIES

3.3 Permits

No permits required at present.

3.7 Personal Flotation Devices: designated times and/or activities

No designated times or activities. PFDs must be worn in accordance with 33 CFR part 175.

3.8(a)(2) Boating, prohibited operations: designated launching areas

All areas are open to launching of boats.

3.8(a)(4) Operating a vessel in excess of designated length, width, or horsepower

No designations at present.

3.8(b)(3) Operating a vessel in excess of flat wake speed in designated areas

Designated no-wake zones are established in the following areas:

1. Naknek Lake within 200 yards of Naknek Lake beach within the Brooks Camp Developed Area, as marked by white and red No Wake buoys.

3.12(a) Water skiing: designated waters

No designated waters.

3.14(a) Conditions for removing sunken, grounded, or disabled vessels

A permit is required from the Superintendent before sunken, grounded, or disabled vessels may be removed from waters within NPS administered areas except when the operator is able to remove or repair the vessel on site safely and without potential for damage to resources.

This requirement allows the Superintendent to establish terms and conditions for salvage operations as necessary to protect resources and provide for public safety.

3.16 Swimming and wading: areas designated as closed

All areas are open to swimming and wading.

3.17(a) Designated swimming areas and beaches

No designated areas.

3.17(c) Use or possession of flotation devices, glass containers, kites, or incompatible activities in swimming areas or beaches

No restrictions at present.

3.18(a) SCUBA and underwater diving: closures and restrictions

No closures or restrictions at present.

PART 4. VEHICLES AND TRAFFIC SAFETY

4.10 Routes or areas designated for off-road motor vehicle use in Preserves

No designated routes or areas.
See also 43 CFR 36.11(g).

4.11(a) Load weight and size limits: permit requirements and restrictive conditions

A permit is required for the use of any passenger vehicle with an 11-foot wheel base and trailer of more than 20-feet, or vehicle/trailer combination when the vehicle has over a 12-foot wheel base at the Lake Camp facility.

The Lake Camp access road and ramp were designed for a passenger vehicle with maximum 11-foot wheel base and trailer of no more than 20-feet.Any vehicle with a wheel base of over 12-feet will reportedly have trouble making the turn. Vehicle/trailer combinations beyond these specifications have proven to cause damage to the roadway and limit other public access while attempting to navigate the corners. Use by permit only of vehicles and/or trailers exceeding the stated measurements allow the park to control the time, place and manner of use while ensuring resource protection, personal safety, and full public access to the boat launching facility.

A permit is required for motorized use of the Valley of Ten Thousand Smokes Road between April 1 and October 31.

The single vehicle road width, minimal visibility, limited communication and continued operation of contracted construction equipment makes private use of the road unsafe. Use by permit only allows the park control the time, place, and manner of use while ensuring the users safety.

4.21(b)-(c) Speed limits: designation of a different speed limit

Speed limit on the Valley of 10,000 Smokes Road is 25mph unless otherwise posted.

The reduced speed limit is for public safety. Pedestrians, bicyclists and wildlife often use the roadway and visibility is limited due to road design and vegetation.

4.31 Hitchhiking: designated areas

All areas are open to hitchhiking.

PART 5. COMMERCIAL AND PRIVATE OPERATIONS

5.7 Construction of buildings, roads, trails, airstrips, or other facilities

Maintenance of established landing strips utilizing non-motorized hand tools is not considered construction or repair and no permit is required.

PART 13. ALASKA REGULATIONS

13.25(a) Temporary closures and restrictions to camping

Camping is prohibited in the core Hallo Bay Meadows as shown in Appendix C from April 1st through October 31st.

This restriction is intended to prevent conflicts with bears and visitors at prime feeding sites that attract bears and bear viewers while providing for overnight camping in the area.

A written determination of need per 36 CFR § 1.5(c) is attached.

13.25(b) Site time limits: authorization to exceed 14 day limit at one location

No general exceptions at present.

13.25(c) Designated campgrounds: restrictions, terms, and conditions

Registered campers at the Brooks Camp Campground must break-down their camp and be checked out of the campground by 12:00 noon on their final day.

The purpose of this restriction is to ensure that campsites are available at a reasonable time for arriving campers.

See also 13.1222 for Brooks Camp Developed Area.

13.26 Picnicking-areas where prohibited or otherwise restricted

Picnicking is defined as the consumption or preparation of any food items (other than water) outside established buildings and attached structures (i.e., porches). Food items include any substance intended for human consumption.

13.35(d) Collection of dead standing wood: areas designated as open and conditions for collection

No designated areas.
See 2.1(a)(4), (c)(1)-(3) for restrictions in the former Katmai National Monument.

13.35(f)(1) Natural features: size and quantity restrictions for collection

See 2.1(a)(4), (c)(1)-(3) for restrictions in the former Katmai National Monument.

13.35(f)(2) Natural features: closures or restrictions due to adverse impacts

No closures or restrictions at present.
See 2.1(a)(4), (c)(1)-(3) for restrictions in the former Katmai National Monument.

13.40(e) Temporary closures or restrictions to the taking of fish and wildlife

The take of wolves or coyotes under state regulations is prohibited from May 1 through August 9 in Alagnak Wild River and Aniakchak, Bering Land Bridge, Denali, Gates of the Arctic, Katmai, Lake Clark, Noatak, Wrangell-St. Elias, and Yukon-Charley Rivers National Preserves.

This provision does not affect season start dates after August 9; the latter start date will apply. For example, if the state season is September 1, taking wolves under the state regulations would be authorized on September 1. If the state season starts on August 1, then the taking of wolves is not authorized in Preserves until August 10.

13.45(b)(1)-(6) Exceptions to unattended or abandoned property

Superintendent authorizations for exceptions for unattended or abandoned property are made on a case by case basis. Contact park headquarters for more information.

13.45(c) Designated areas where personal property may not be left unattended for any time period, limits on amounts and types, manner in which property is stored

Leaving a boat, trailer, or vehicle unattended for more than 72 hours at the facilities associated with the Lake Camp launching ramp is prohibited without authorization from the Superintendent. Leaving a boat unattended at the Lake Camp dock is prohibited.

In addition to the places in the Brooks Camp Developed Area designated in 13.1240, personal property may be left unattended at the Brooks Lodge Office Porch.

13.50(h) Facility closures and restrictions

No restrictions at present.

13.122 Established conditions for removal of cabin for which a cabin permit has been denied, expired, or revoked

No conditions established at present (may require access permit).

13.160 Designated existing cabins, shelters or temporary facilities that may be shared for subsistence uses without a permit

No designations at present.

13.166 Established conditions and standards governing the use and construction of temporary structures and facilities for subsistence purposes, published annually

No conditions or standards established at present.

13.170 Designated cabins or other structures for general public use

Fure's Cabin at the northeast corner of the "Bay of Islands" in the north arm of Naknek Lake is designated as a public use cabin.

13.172 Established conditions and allocation system to manage the use of designated public use cabins

The following conditions apply to Fure's cabin at the northeast corner of the "Bay of Islands" in the north arm of Naknek Lake:

- Use of the cabin site for specific administrative uses shall have priority over all unreserved public use when deemed necessary by the park superintendent.
- All use will be conducted for recreational activity by reservation through the King Salmon office.
- No commercial overnight use is permitted at the cabin.
- Reservations shall be made on a first-come first-served basis beginning no earlier than January 1 of each calendar year of the intended use.
- Use will be limited to groups no larger than six and the names of all group members shall be provided at the time a reservation is requested.
- Overnight stays are limited to no more than four consecutive nights and no more than seven nights a year.
- Use of the adjacent historic tower is not permitted.
- The use of a tent within the cleared area around the cabin is prohibited.
- Alterations to the structure, marring the surface of the wood logs, framing or other components of the cabin and surrounding structures is prohibited.
- All food and personal items brought to the cabin must be removed after use.

This requirement allows for equitable public use of Fure's Cabin.

13.188(b) Established conditions for removal of temporary facility used in excess of 14 days

Individuals must remove facility, all personal property, and return the site to its natural condition.

These conditions are intended to protect the park from impacts to vegetation and soil and to ensure that personal items are not left in the park.

13.460 Closures or restrictions to the use of snowmobiles, motorboats, dog teams, and other means of surface transportation traditionally employed by local rural residents engaged in subsistence uses

All Park lands are closed to the use of ORVs. ORVs have not been determined to be "a means of surface transportation traditionally employed by local rural residents engaged in subsistence uses" in the park areas where subsistence use is allowed.

See also 36 CFR 2.16, 2.17, 2.18, 3.6, 4.10, 4.30; 43 CFR 36.11(c)-(e).

13.485(a)(1) Permit specifications for harvesting standing timber greater than 3" diameter for subsistence purposes (house logs & firewood)

Cutting of timber for subsistence or any other purpose is not authorized in Katmai National Park. In all other areas, the Superintendent may allow subsistence harvest of trees greater than 3" subject to the terms and conditions of a permit issued by the superintendent.

The above restriction serves to minimize impact to park resources, ensure that natural biodegradation processes are unimpaired, and protect against over harvest.

13.485(a)(2) Restrictions on cutting of timber less than 3" in diameter for subsistence purposes

Cutting of timber is not authorized in Katmai National Park. In all other areas, verbal or written permission from the Superintendent is required to cut live timber less than 3" in diameter, except as necessary to clear designated vehicle routes and airstrips.

The above restriction serves to minimize impact to park resources and protect against overharvest.

KATMAI NATIONAL PARK AND PRESERVE SPECIAL REGULATIONS

13.1204 Traditional redfish fishery: conditions established by the Superintendent

Seasons and methods for the take of redfish (spawned-out sockeye salmon that have no significant commercial value) under this regulation will be set by the Alaska Department of Fish and Game as posted in the annual Subsistence and Personal Use Statewide Fishing Regulations booklet.

The take of redfish under this regulation is not considered subsistence use by the National Park Service. Only individuals that are local residents who are descendants of Katmai residents who lived in the Naknek Lake and river drainage are allowed to take redfish under this regulation.

The Superintendent will develop and maintain a list of individuals who are "Local residents who are descendants of Katmai residents who lived in the Naknek Lake and River Drainage…" In developing and maintaining the list the Superintendent will:

- Consult with and review records provided by June 1st each year by the Naknek Native Village Council, South Naknek Village Council and King Salmon Tribe Council.
- Consider other information and documents provided by individuals and entities relevant to where an individual's ancestors resided and whether the individual is currently a local resident. Factors to be considered in determining whether an individual is a local resident may include, but are not limited to, the permanent address indicated on licenses issued by the State of Alaska Department of Fish and Game, driver's license, and tax returns, and the location of registration to vote.

13.1206 Wildlife distance conditions

There are three bear viewing structures: the platforms at the mouth of the Brooks River, the Falls and the Riffles.

The Falls and Riffles bear viewing platforms and boardwalks are closed from 10 pm to 7 am during the period June 15 through August 15. Entering or going upon these platforms and boardwalks during these hours is prohibited.

A schedule of visiting hours is required per the Finding of No Significant Impact for the Brooks River-Bear Viewing Facility. The schedule is intended to provide bears access to Brooks Falls and vicinity during the predictable period of time in which the general public is absent from viewing structures.

Within the area designated as Geographic Harbor, at the outlet of Geographic Creek, wildlife viewing within 50 yards of a bear utilizing a concentrated food source may only occur from the designated site at the outlet of Geographic Creek, under the limits of the following protocol which applies from April 1 through October 31:

1. All viewers must consistently utilize the same identified site (see Maps-C and D)
2. No food is allowed at the viewing site (except water).
3. No camping is allowed at the viewing site.

13.1222(a) Brooks Camp Developed Area (BCDA): designated camping areas

Camping is authorized at the Brooks Camp Campground only.

13.1226 Brooks Camp Developed Area (BCDA): designated route through Brooks Falls closure

A map showing the designated route is available at the Brooks Camp Visitor Center.

13.1228 Brooks Camp Developed Area (BCDA): designated facilities and conditions for food storage

All fish caught and retained within the BCDA must be immediately placed in a plastic bag (available at the Brooks Camp Visitor Center) and carried directly to the Fish Freezing building located adjacent to the Brooks Lodge Office. This includes fish caught below the bridge in the Brooks River, along the Naknek Lake beach and at the Beaver Pond.

General food storage facilities are provided at Brooks Campground, Lake Brooks, and Naknek Lake.

13.1232 Brooks Camp Developed Area (BCDA): designated areas for washing dishes or cooking utensils

Washing dishes or cooking utensils at outdoor locations other than the water spigot near the food cache in the Brooks Campground or other areas designated by the superintendent is prohibited.

13.1238 Brooks Camp Developed Area (BCDA): designated area in employee housing for picnicking

For purposes of this section, picnicking is defined as the consumption or preparation of any food items (other than water) outside of established buildings and attached structures (i.e., porches). Food items include any products intended for human consumption.

At the Lake Brooks Housing area, the outdoor propane grill between housing units BL1 and BL2, within an electric fence, may be utilized by park and lodge staff to prepare food. The grill must be cleaned and washed after use to mitigate the potential for it becoming a food source attractant.

At no time may food preparation or consumption occur in any other outdoor location other than an attached porch or deck of established buildings/structures. Food and/or drinks may not be left unattended for any length of time, even in designated locations.

13.1240 Brooks Camp Developed Area (BCDA): designated equipment caches for leaving property unattended

Brooks Camp Developed Area

Leaving property, other than motorboats and planes unattended for any length of time within the BCDA is prohibited. This prohibition includes unsecured items within open and accessible areas of motorboats and planes.

Property may be left secured and unattended at the Brooks Lodge Porch, Brooks Campground, or designated equipment caches at the Brooks Camp Visitor Center and Lake Brooks Picnic Area. The Brooks Lodge Office is also designated as an area where property may be left unattended pursuant to section 13.45(c).

13.1242 Brooks Camp Developed Area (BCDA): closures and restrictions

No closures and restrictions.

43 CFR, PART 36 TRANSPORTATION AND UTILITY SYSTEMS (Access Regulations)

36.11(c) Temporary closures to the use of snowmachines for traditional activities

No closures at present.
See also 2.18.

36.11(d) Temporary closures to the use of motorboats

No closures at present.
See also 3.3, 3.6.

36.11(e) Temporary closures to the use of non-motorized surface transportation

No closures at present.
See also 2.16, 3.3, 3.6.

36.11(f)(1) Temporary closures to landing fixed-wing aircraft

No closures at present.

36.11(f)(3)(ii) Established procedure for salvaging and removing downed aircraft

A permit is required from the Superintendent before downed aircraft may be salvaged and removed from the NPS lands; violation of the terms and conditions of the permit is prohibited.

> *This requirement allows the Superintendent to establish terms and conditions for salvage operations as necessary to protect resources, provide for public safety, and minimize impacts on visitors.*

36.11(g)(2) Use of off-road vehicles (ORV) on existing trails

No designated trails. See also 4.10.

Diane Chung 1/12/15

Superintendent **Date**

1/13/2015

Concurrence by Regional Director **Date**

Attachments: 2.10 Food Storage Determination
3.14(a) Conditions for removing sunken, grounded, or disabled vessels
13.25 Camping Closure Determination
2.13 Determination of Need for Opening of Park Areas to Fires
4.11(a) Load weight and size limits: permit requirements and restrictive conditions
4.11(a) Load weight and size limits: permit requirements and restrictive conditions
13.25(a) Temporary closures and restrictions to camping
13.26 Picnicking-areas where prohibited or otherwise restricted
Map –A: Brooks Camp Developed Area Map
Map – B: Hallo Bay Seasonal Camping Closure Map
Map – C: Geographic Harbor Topographical Map
Map – D: Geographic Harbor Aerial Photo Map
Wildlife distance conditions—viewing protocol for Geographic Harbor
13.1238 BCDA: Designated areas in BCDA employee housing for picnicking
1.5 Launching, landing, or operating unmanned aircraft with NPS areas

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Food Storage

Pursuant to Title 36 of the Code of Federal Regulations, §§ 1.5(c) and 2.10(d), the Superintendent of Katmai National Park and Preserve has determined that in order to protect public safety and prevent adverse impacts to wildlife, conditions are placed on storage of food, garbage, harvested fish, and equipment used to cook or store food throughout the park.

The reasons for this restriction are as follows:

1. The intent of the regulations is to prevent wildlife from obtaining food from humans or associating humans with food.
2. Wildlife in a natural ecosystem are adapted to subsist on natural foods. Because natural processes are expected within NPS areas, wildlife should not obtain food from people.
3. A public safety and resource conservation concern exists when wildlife obtain food from people or associate humans with any form of nutritional reward. Obtaining human food may adversely affect behavior of individuals and the health of wildlife populations.
4. Both black and brown bears are common throughout parklands and are readily attracted to even small quantities of human food. They are very curious and intelligent, and will commonly open or enter containers, tents, and structures.
5. Bears are extremely susceptible to conditioning to human food sources. Once they have learned to associate a site or item (e.g. tent, kayak, boat, etc.) with acquisition of food, they may return to that source repeatedly for further food rewards.
6. It does not matter whether the material is fresh, dry, powered, canned, etc. Once a curious bear has obtained a positive food reward, it will return and / or continue to seek out further rewards in similar situations.
7. Due to the transfer of knowledge from sows to cubs and the long life span of individual bears, young bears exposed to human foods may display unnatural and unacceptable behavior for decades.
8. Bears which become conditioned to human food are likely to be killed by humans in defense of life or property inside the parklands or on adjacent lands.
9. Humans are at risk of injury or death when bears attempt to obtain food from tents, packs, vessels, or other similar areas.

The reasons less restrictive measures will not be effective are as follows:

1. Educational efforts regarding proper food storage and disposal of food and garbage have been undertaken by state and federal agencies in Alaska and in other western states for many years. These efforts have undoubtedly reduced food conditioning and wildlife/ human conflicts.
2. Recognizing that variations in the environment and recreational activities require multiple food storage options, NPS managers have undertaken the following to assist visitors and

make these conditions less onerous by making bear resistant containers (BRCs) available at NPS headquarters and field locations.

3. Despite these efforts, NPS managers repeatedly encounter situations in which food or garbage is improperly stored throughout the parklands.
4. The food storage conditions under this section allow for a wide variety of storage options, including free loans of portable BRC units, to make compliance less onerous.
5. Because the NPS also recognizes that other storage practices may be appropriate and/or deviations from this policy may be warranted in certain circumstances, the Superintendent may make exceptions on a case by case basis if compliance would be overly burdensome or impossible and would not pose an undue risk of wildlife obtaining food from humans.
6. We have considered the use of the State of Alaska regulations which prohibit intentionally or negligently feeding wildlife or leaving human food, pet food, or garbage in a manner that attracts wildlife. While NPS officers cannot enforce this state regulation directly, the NPS considered this language for the compendium. Given the NPS mandate to protect wildlife, the NPS prefers a proactive approach designed to prevent wildlife from obtaining food from humans, intentionally or unintentionally.
7. Given the lack of complete compliance with educational efforts, the flexibility in compliance options, and the effort made by park managers to provide free equipment to promote compliance, these conditions are the least restrictive required to fulfill the parklands mission of protecting wildlife and human safety.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Backcountry Camping

Pursuant to Title 36 of the Code of Federal Regulations, §§13.25 and 13.50(d), the Superintendent of Katmai National Park and Preserve has determined that the core area of Hallo Bay Meadows must be closed to camping from April through October to prevent conflicts with bears and visitors at prime feeding sites that attract bears and bear viewers.

The reasons for this restriction are as follows:

1. There is an increasing demand, and corresponding increase in visitation, to view bears in Hallo Bay Meadows.
2. Hallo Bay Meadows is the preferred camping location for bear viewers as it is a primary access point for visitors arriving by boats and floatplanes.
3. Bears heavily use this area to feed on fish, clams and sedges during this specific time frame.
4. To minimize displacement of bears from these critical feeding sites, prevent user group conflicts, and reduce bear/human confrontations in camp situations.
5. The park lacks appropriate resources to establish designated sites or a registration system for this area.

The *managerial result* of this restriction is as follows:

1. The area closed to camping will be limited to the core meadow areas.
2. The duration of the closure will be from April 1st to October 31st.
3. The closure will be established in a manner that makes camping areas available on the periphery of the meadows and near primary access points providing reasonable access for day use by campers.
4. Other management options were considered including camping by permit or registration only, designated sites, and management zones; however, they were found to be more restrictive than necessary to achieve the stated purpose.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Conditions for removing sunken, grounded, or disabled vessels

Pursuant to Title 36 of the Code of Federal Regulations, 1.5(c) and 3.14(a), the Superintendent is requiring a permit before sunken, grounded, or disabled vessels may be removed except when the operator is able to remove or repair the vessel on site safely and without potential for damage to resources.

The reasons for this restriction are as follows:

- This requirement allows the Superintendent to establish terms and conditions for salvage operations as necessary to protect resources, provide for public safety, and minimize impacts on visitors.

The reasons less restrictive measures will not be effective are as follows:

- How to protect resources, public safety, and minimize visitor impact when removing a disabled vessel needs to be addressed on a case by case basis since the circumstances involved in each incident is unique. A permit allows the NPS and the boater maximum flexibility to address the specific circumstances at hand when removing disabled, grounded or sunken vessels.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Fires: designated areas and conditions

Pursuant to Title 36 of the Code of Federal Regulations, and 2.13(a)(1) the Superintendent of Katmai National Park and Preserve has determined:

Areas throughout the park are designated as open to fires may not exceed 2 feet in diameter.

The reasons for this designation are as follows:

- The park recognizes that the construction and use of personal campfires is common to backcountry travel within Katmai National Park and Preserve.
- The park wishes to make the lighting and/or maintaining of personal campfires an authorized practice within the designated size limits of not more than 2 feet in diameter.
- The park areas of Lake Camp and the BCDA will remain closed to fires except as provided for in designated receptacles.

The reasons less restrictive methods will not be effective are as follows:

- The threat of wildfires is generally not a significant concern based on the vegetation types and weather patterns commonly found in the area.
- The building and maintaining of fires in parks areas has been occurring for a long time and impacts have been found.
- Restrictions on the allowed size of fires will provide an increased level of protection to park resources and decrease the burn damage to organic soils.
- Continued restrictions at Lake Camp and the BCDA provide for the continued protection of park residents and visitors as well as both park visitor and business facilities.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Fires: Load weight and size limits: permit requirements and restrictive conditions

Pursuant to Title 36 of the Code of Federal Regulations, 4.11(a)the Superintendent of Katmai National Park and Preserve has determined:

A permit is required for the use of any passenger vehicle with an 11-foot wheel base and trailer of more than 20-feet, or vehicle/trailer combination when the vehicle has over a 12-foot wheel base at the Lake Camp facility.

The reason for this restriction is as follows:

- The Lake Camp access road and ramp were designed for a passenger vehicle with maximum 11-foot wheel base and trailer of no more than 20-feet. Any vehicle with a wheel base of over 12-feet will reportedly have trouble making the turn. Vehicle/trailer combinations beyond these specifications have proven to cause damage to the roadway and limit other public access while attempting to navigate the corners.

The reasons less restrictive methods will not be effective are as follows:

- Uses of these facilities by larger vehicles/trailers have caused damage in prior occasions. A permit for vehicles and/or trailers exceeding the stated measurements allow the park to assist individuals with launching and trailering boats while ensuring resource protection, personal safety, and full public access to the boat launching facility.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Load weight and size limits: permit requirements and restrictive conditions

Pursuant to Title 36 of the Code of Federal Regulations4.11(a) the Superintendent of Katmai National Park and Preserve has determined:

A permit is required for motorized non-government use of the Valley of Ten Thousand Smokes Road between April 1 and October 31.

The reason for this restriction is as follows:

- The single vehicle road width, minimal visibility, nonexistent communication and continued operation of contracted construction equipment make private use of the road unsafe.

The reasons less restrictive methods will not be effective are as follows:

- Unrestricted, non-government motor vehicle use is not safe due to narrow road width, limited visibility, and construction activity.
- Use by permit only allows the park to control the time, place, and manner of use while ensuring the users safety.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Temporary closures and restrictions to camping

Pursuant to Title 36 of the Code of Federal Regulations3.25(a) the Superintendent of Katmai National Park and Preserve has determined:

Camping is prohibited in the core Hallo Bay Meadows as shown in Appendix C from April 1st through October 31st.

The reasons for this restriction are as follows:

- This restriction is intended to prevent conflicts with bears and visitors at prime feeding sites that attract bears and bear viewers while providing for overnight camping in the area.
- Primary use of this area is by day-use visitors.
- Annual changes in vegetation growth times and food availability can affect when bears rely on the meadow area.
- Maintaining a regular area of overnight/extended human occupancy provides consistency to bears using the area and limits the spread of camping impact on vital meadow resources.

The reasons less restrictive methods will not be effective are as follows:

- Less restrictive dates do not account for changes in resource conditions or use by bear populations for critical food availability.
- Day use continues to make up the majority of visitation past mid-July when bears are still utilizing meadow resources. Camping outside of the meadow area continues to enhance viewing opportunities and limit injury to meadow habitat.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Picnicking-areas where prohibited or otherwise restricted

Pursuant to Title 36 of the Code of Federal Regulations 13.26 the Superintendent of Katmai National Park and Preserve has determined:

No restrictions at present. See 13.1238 for restrictions in Brooks Camp Developed Area.

Picnicking is defined as the consumption or preparation of any food items (other than water). Food items include any substance intended for human consumption.

The reasons for this clarification are as follows:

- Current regulations are written using the term "picnicking" which has varying definitions.
- Variations in definition do not allow for consistent understanding of the regulation by visitors and leads to inconsistent enforcement over time.
- Clarifying the term "picnicking" provides clarity to the regulation for all visitors, users and employees of the park.

Map A: Brooks Camp Developed Area
Katmai National Park and Preserve Compendium

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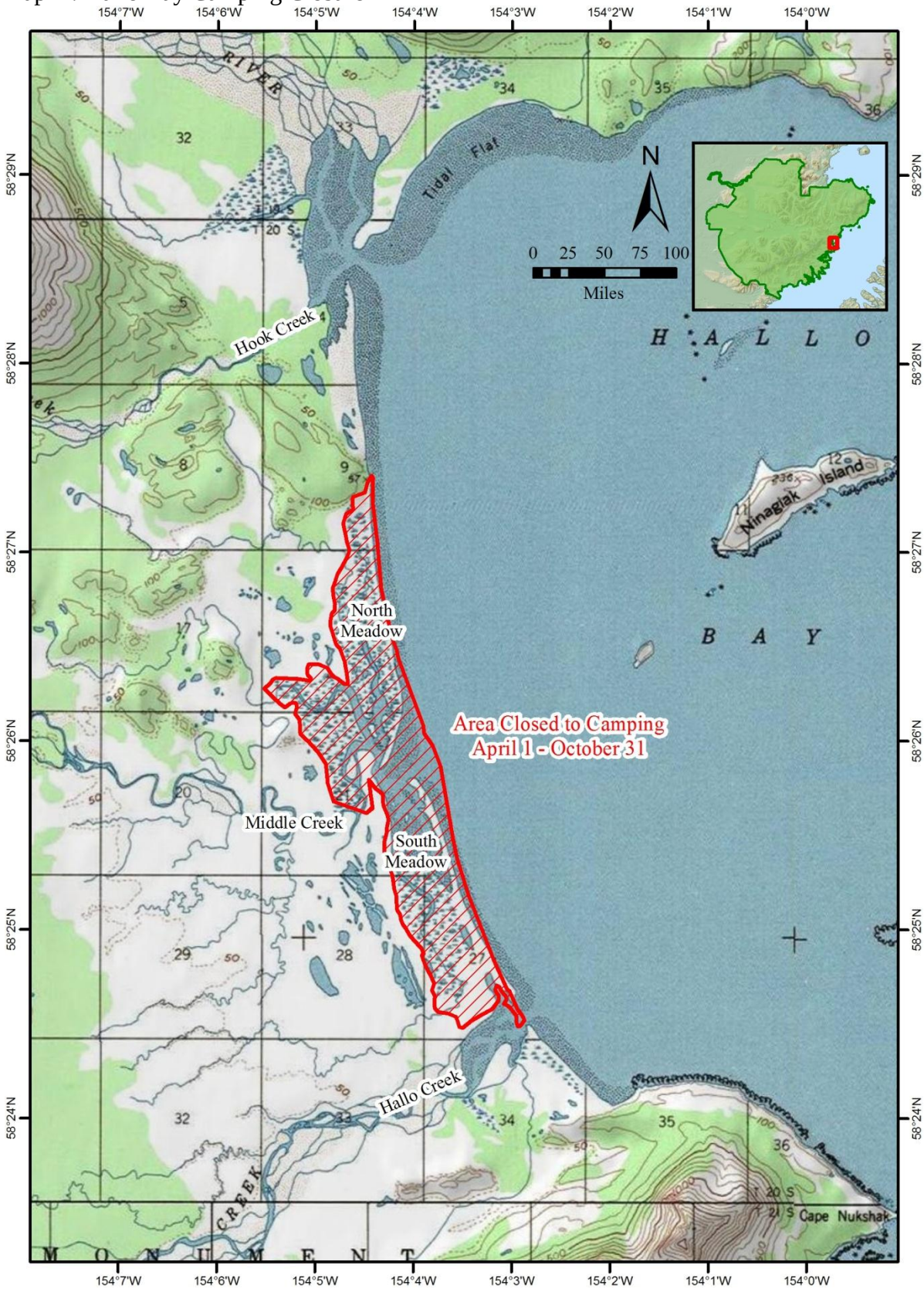
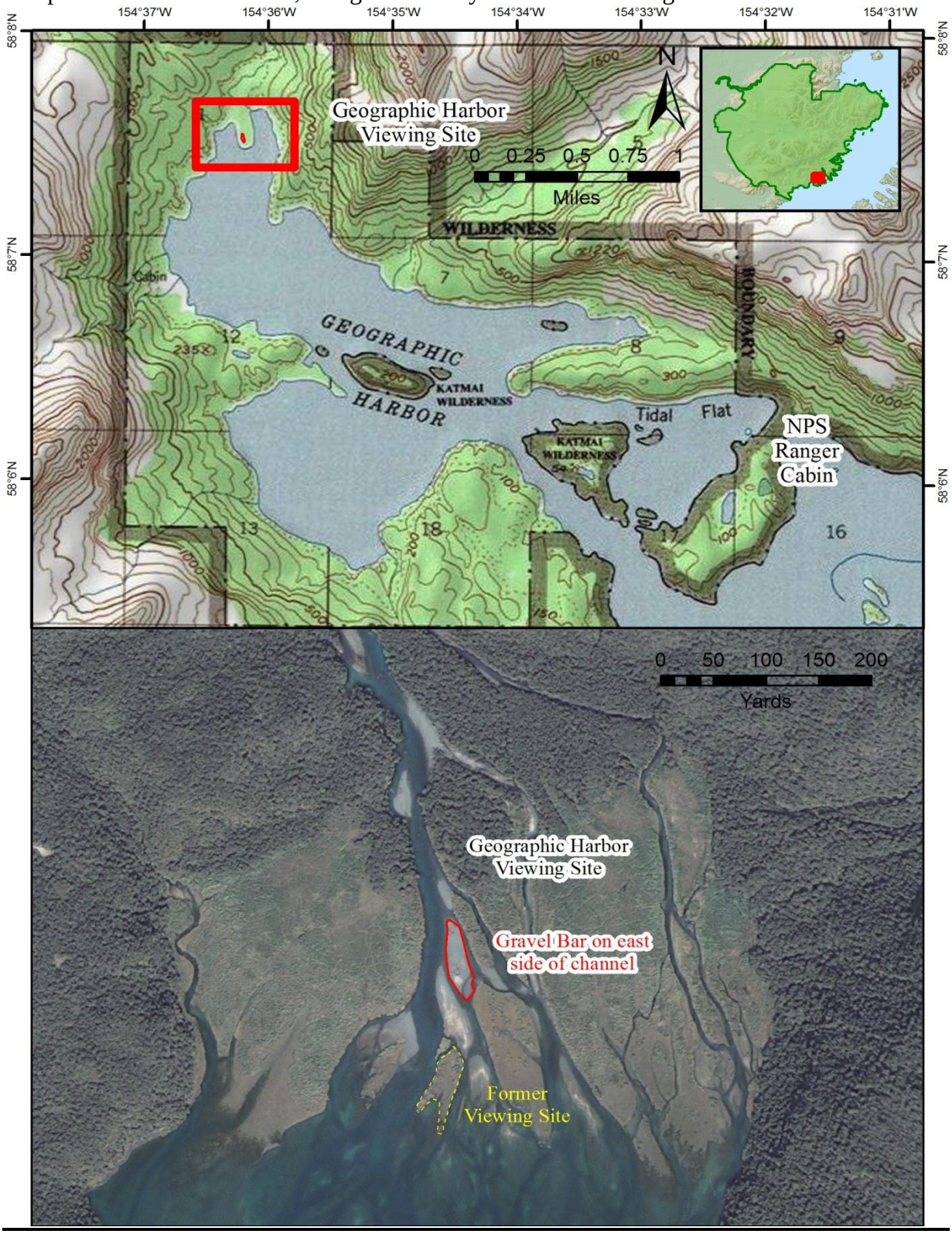
Map-B: Hallo Bay Camping Closure



Map – C:

Red circle with text on lower map defines the viewing location subject to the Superintendent's exception to 36 CFR 13.1206, being within 50 yards of a bear using a concentrated food source.



Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Wildlife Distance Conditions, viewing protocol at Geographic Harbor

Pursuant to Title 36 of the Code of Federal Regulations, 13.1206 wildlife distance conditions, the Superintendent of Katmai National Park and Preserve is formalizing a wildlife viewing protocol at Geographic Harbor.

13.1206 Wildlife distance conditions

Within the area designated as Geographic Harbor, at the outlet of Geographic Creek, wildlife viewing within 50 yards of a bear utilizing a concentrated food source may only occur from the designated site at the outlet of Geographic Creek, under the limits of the following protocol which applies from April 1 through October 31:*

1. All viewers must consistently utilize the same identified site (see Map-C)
2. No food is allowed at the viewing site (except water).
3. No camping is allowed at the viewing site.

The reasons for this protocol are as follows:

- The park recognizes that bear viewing at Geographic Harbor is limited by tidal conditions to a specific area at the mouth of Geographic Creek.
- Regular use of this viewing site has been occurring for over 15 years making human presence at the site consistent and predictable by bears.
- The park recognizes that use of this viewing area places the visitor/guide in violation of a wildlife distance restriction when bears are fishing in the creek.

The reasons less restrictive methods will not be effective are as follows:

- The park recognizes that having multiple access routes to the general area and viewing practices at Geographic Creek reduces the consistency of human presence; thereby creating unacceptable human-bear interactions.
- The absence of this protocol places visitors and guides in violation of wildlife distance regulations.

** This protocol does not restrict access to any other location within Geographic Harbor. Visitors and commercial operators may access and view wildlife from all other areas of the harbor but must maintain the required 50 yard distance from bears feeding on spawning salmon or other concentrated food source.*

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Designated areas in BCDA employee housing for picnicking

Pursuant to Title 36 of the Code of Federal Regulations, 13.1238 picnicking, the Superintendent of Katmai National Park and Preserve has designated areas for picnicking in the employee housing area at Brooks Camp.

> For purposes of this section, picnicking is defined as the consumption or preparation of any food items (other than water) outside of established buildings and attached structures. Food items include any products intended for human consumption.
>
> At the Lake Brooks Housing area, the outdoor propane grill between housing units BL1 and BL2, within an electric fence, may be utilized by park and lodge staff to prepare food. The grill must be cleaned and washed after use to mitigate the potential for it becoming a food source attractant.
>
> At no time may food preparation or consumption occur in any other outdoor location other than an attached porch or deck of established buildings and attached structures. Food and/or drinks may not be left unattended for any length of time, even in designated locations.

The reasons for this designation are as follows:

- Because of the high concentration of bears in the Brooks Camp Developed Area, applicable regulations require the limited designation of a site within employee housing (of which there are 3 separate housing areas) for employees to have food outside of structures.
- The designated sites are situated in areas that are easily monitored by employees and provide specific opportunities for full time residents within the BCDA.

The reasons less restrictive methods will not be effective are as follows:

- Allowing unrestricted outdoor cooking or eating by employees poses an unacceptable risk to all persons and property by attracting bears to areas, objects and structures that are not adequately supervised or protected.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Launching, landing, or operating unmanned aircraft on NPS lands and waters administered by the NPS.

Pursuant to Title 36 of the Code of Federal Regulations section 1.5, the Superintendent has adopted the following restriction on use of unmanned aircraft in NPS areas.

1.5 Closures and public use limits

(a)(1) Visiting hours, public use limits, closures

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service is prohibited except as approved in writing by the superintendent.

The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

In Park areas where use of model aircraft for hobbyist or recreational use has been previously authorized, such use may continue under a permit issued by the Superintendent.

This restriction does not affect the primary jurisdiction of the Federal Aviation Administration over the National Airspace System.

The reasons for this restriction are as follows:

- The use of unmanned aircraft is a relatively new activity in NPS areas across the country, including Alaska.
- As these devices have recently become more affordable, the use of these devices is increasing at a high rate, including in NPS areas.
- The Alaska Board of Game recently adopted a prohibition on using unmanned aircraft for taking wildlife.
- This restriction is based on maintenance of public health and safety, protection of environmental and scenic values, protection of natural and cultural resources, implementation of management responsibilities, and avoidance of conflict among visitor use activities.
- The Alaska National Interest Lands Conservation Act set aside federal conservation system units in Alaska (including NPS units) in part to protect natural landscapes, unaltered ecosystems in their natural state, wilderness resource values and related recreational opportunities, wildlife populations and habitat, and to maintain opportunities for scientific research and undisturbed ecosystems.
- The purpose of Katmai National Park and Preserve is to protect, study, and interpret active volcanism surrounding the Valley of Ten Thousand Smokes, extensive coastal resources, habitats supporting a high concentration of salmon and brown bears, and an

ongoing story of humans integrated with a dynamic subarctic ecosystem.

- The NPS must take a precautionary approach in terms of conserving resources and visitor enjoyment of those resources. New recreational activities are not allowed until the NPS has determined that such use is appropriate and will not cause unacceptable impacts.
- The NPS has adopted an interim policy, applicable nationwide, that prohibits launching, landing, or operating unmanned aircraft in areas administered by the NPS. This compendium provision is required to implement this interim national policy.

The reasons less restrictive measures will not be effective are as follows:

- This restriction is a necessary interim measure taken to ensure park resources and visitor enjoyment of those resources are protected consistent with NPS policies while the NPS considers how to address this new use on a long-term basis.
- This closure is required to implement this interim policy are necessary to maintain public health and safety in units of the National Park System and to protect park resources and values until the NPS can determine whether specific uses of unmanned aircraft on lands and waters administered by the NPS are appropriate and will not cause unacceptable impacts on park resources and values.