EXECUTIVE SUMMARY OF CHANGES
SUPERINTENDENT'S PROPOSED COMPENDIUM
2015
KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK

Klondike Gold Rush National Historical Park is seeking public comment on the park's 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.

Free Ranging or Use of Domestic Goats, Sheep, Llamas, and Alpacas
This change would prohibit use, possession, or free ranging of domestic goats, sheep, llamas, alpacas, or any other domestic animal of the Bovidae or Camelidae Family within NPS administered areas.

The reasons for this restriction are as follows:

- Wildlife biologists have determined that there is a significant risk of disease transmission from domestic livestock other than from the Family Equidae (horses, mules, donkeys) to Alaska's Dall's sheep, mountain goat, and other ungulate populations.
- Elsewhere in North America, wild sheep populations have been severely reduced after coming in contact with domestic livestock carrying a variety of pathogens. Other wild ungulates such as mountain goats are susceptible to many of the same pathogens as wild sheep.
- Introduced pathogens, such as *Pasturella* bacteria that causes pneumonia, could spread rapidly among Dall's sheep and mountain goats because these animals are immunologically native to domestic livestock diseases.
- According to The Wildlife Society and based on recommendations by the Alaska Department of Fish and Game, the Western Association of Fish and Wildlife Agencies, and others; potential threats include Johne's disease (paratuberculosis), infectious keratoconjuctivitis, contagious ecthyma, parainfluenza-3, lungworms and nasal bot flies.
- Direct contact between animals is not necessary for the spread of some diseases. For example, Johne's disease bacteria shed in the feces of livestock can remain viable and infective in the soil for a year, according to research summarized by The Alaska Chapter of The Wildlife Society.
- Potential consequences of a single disease transmission event are uniquely high for Dall's sheep and mountain goats in Alaska; both because they have not been exposed and habitat connectivity exists throughout the State; also according to research summarized by The Wildlife Society.

- In the last few years, Dall's Sheep have experienced low productivity in several parts of the state. Alaskan wild sheep abundance is generally low.
- The State of Alaska, Board of Game, recently prohibited use of goats and sheep for hunting wild sheep and mountain goats, due concern over disease transmission.

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

- Domestic livestock are prone to free ranging when not physically restricted.
- In other Alaska NPS areas, visitors have been observed in possession of domestic goats in the vicinity of Dall's sheep habitat.
- In order to protect native wildlife populations from disease transmission, a total restriction on use of domestic livestock (excluding horses, mules and donkeys) within park areas is necessary.

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.

KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK
PROPOSED COMPENDIUM
2015

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 where the Superintendent has exercised 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.

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 KlondikeGoldRushNationalHistoricalPark, Skagway, Alaska at (907)983-2921 for questions relating to information provided in this compendium.*

TITLE 36 CODE OF FEDERAL REGULATIONS

PART 1. GENERAL PROVISIONS

1.5 Closures and public use limits

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

(i). Eating and drinking are not permitted in exhibit display areas in park buildings nor in the Visitor Center Auditorium without specific authorization from the Superintendent.
The intent is to protect exhibit displays, floor coverings, and upholstery from damages which might accompany unsupervised use.

(ii). <u>Unmanned Aircraft.</u>
Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries Klondike Gold Rush National Historical Park 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 componentsthat 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.

(iii) Domestic Goats, Sheep, Llamas, and Alpacas
Use, possession, or free ranging of domestic goats, sheep, llamas, alpacas, or any other domestic animal of the Bovidae or Camelidae Family within NPS administered areas is prohibited.

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

(a)(2) Designated areas for specific use or activity or conditions

See specific sections in this document for additional information regarding designated areas and conditions for engaging in certain activities.

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)
- 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)
- First Amendment 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
- 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))
- Backcountry camping, 13.1402
- Access to inholdings where access is not made by aircraft, snow machine, 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 wood on the ground may be collected for use as fuel for campfires within the park.

This requirement is intended to protect standing vegetation from use as firewood.

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

All edible fruits, berries, and nuts may be gathered by hand for personal consumption.

See also 13.1404) regarding the collection of mushrooms.

These limitations are intended to identify items that can be harvested for personal use without damaging the health of these species or derogation of other park resources.

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

All areas are designated as open for fishing from motor road bridges and boat docks.

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(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;

- Items or methods approved by the Superintendent.

(2) Throughout the park, all food (except legally taken game) 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—

- In NPS provided bear boxes in Chilkoot Trail designated camp areas;
- On NPS provided bear poles in Chilkoot Trail designated camp areas;
- Within a hard sided building;
- Within lockable and hard sided section of a vehicle, vessel, or aircraft;or
- 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.
- 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.

(3) This provision does not apply to—

- Food that is being transported, consumed or prepared for consumption; and
- Clean dishes and cooking equipment free of food odors.

The intent of these designations is to prevent bears and other wildlife from obtaining and habituating to food and garbage, 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.Thepark provides bear poles and/or storage lockers at each campsite along the Chilkoot trail.

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.

Wood fires are permitted in the provided fire rings in the Dyea Campground or the stoves provided in warming shelters at Finnegan's, Canyon City, Pleasant and Sheep Camp warming shelters. All trash (tin foil, burnt food, glass, cans) must be removed from the fire site after use.

These requirements are intended to ensure that wood sources are not depleted, to minimize the risk of human caused wildfires, and prevent the accumulation of trash in fire rings and stoves.

2.14(a)(8) Sanitation: human waste in developed areas

Restrooms are provided in Skagway and outhouses at the developed areas in Dyea (campground and picnic area, Chilkoot Trailhead, Slide Cemetery, and Dyea Town Site).

This requirement is intended to ensure that proper disposal of human waste occurs in frequently visited public areas.

2.14(a)(9) Sanitation: designated areas for disposal of human waste in undeveloped areas

Outhouses are provided at the designated backcountry campsites; otherwise human feces must be either packed out or deposited in a "cathole" 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.

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

All roads and parking areas open to motor vehicle traffic are open to skiing, snowshoeing, sledding and other similar winter sports.

2.21 Smoking

All park offices and visitor facilities are closed to smoking.
Smoking is prohibited within 100 feet of the park fuelstorage facilities.

These restrictions are intended to protect public safety from fire or explosion around fuel storage facilities.

2.22 Property: leaving property unattended for 24 hours

Chilkoot trail user vehicles may be left parked at the designated overnight parking area near Dyea Ranger Station while hiking the trail.

The intent is to allow hikers to leave their vehicles at the trailhead in excess of the 24-hr property restriction.

2.35(a)(3)(i)(A) Alcoholic beverages and controlled substances

It is unlawful for any person to use or consume any alcoholic beverage on federally owned property open to the public within the business district of the city, except those premises covered by a liquor control license issued by the state authorizing the sale and consumption of alcohol within those premises. "Business district" is defined as the area located between First Avenue and Seventh Avenue from Spring Street west to State Street.

2.51 First Amendment Demonstrations

The areas designated on maps 1a and 1b are open to First Amendmentdemonstrations by groups involving 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

The area designated on map 1a is open to sale and 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.

The permit requirement allows distribution of printed matter with minimal impact on park visitors and activities.

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

All areas of the park are open to scattering of ashes without a permit, except for campgrounds, roads, picnic areas and other park developed areas.

PART 3. BOATING AND WATER USE ACTIVITIES

3.12(a) Water skiing: designated waters

No areas designated open.

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.

PART 4. VEHICLES AND TRAFFIC SAFETY

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

Vehicles over *26*feet are restricted from travel across federal lands in Dyea, except as otherwise specifically approved in advance by the Superintendent.

The restriction on vehicle length is intended to preserve the safety of other drivers, pedestrians, equestrians, and bicyclists on the unpaved, narrow, winding roads which have restricted sight-distances, clearances for parking, and turning radii.

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

The park road between Dyea Road and Nelson Slough is limited to a maximum speed of 15 mph.

A reduced speed limit near Dyea is for public safety. Pedestrians and bicyclists 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.

KLONDIKE GOLD RUSH SPECIAL REGULATIONS

13.1402(a) Klondike Gold Rush: designated camping areas

Camping is authorized in the following areas pursuant to a permit:

- Dyea Campground
- Finnegan's Point Campground
- Canyon City Campground
- Pleasant Camp Campground
- Sheep Camp Campground

13.1402(b) Klondike Gold Rush: camping permit conditions

Dyea Campground – Between Memorial Day and Labor Day all campers must register and make payment. Campsite occupancy must be limited to two cars or four motorcycles, and eight persons.

All Chilkoot Trail Backcountry Camps – Between the dates of May 30 and September 4, all campers must obtain a backcountry use permit. Campsite occupancy must be limited to two tents and/or six persons.

Registration and permit requirements are intended to allow staff to accurately monitor compliance with camping conditions. Limits on the party size are intended to prevent impacts from overuse of limited facilities which are designed and provided for recreational occupancy within a prepared site.

13.1404Klondike Gold Rush: authorization to collect mushrooms

Edible mushrooms may be gathered by hand for personal consumption. The quantity gathered by any individual must not exceed three (3) gallons during any 24-hour period.

This designation is made pursuant to a determination that such collections by hand for personal consumption will not adversely affect park wildlife nor the perpetuation of the subject species, nor otherwise adversely affect other park resources.

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

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

The Superintendent will notify the public when snow cover is adequate in the Dyea Historic Townsite (as shown on the attached map) to allow snowmachine use each winter season. The public will also be notified of any changes in conditions (inadequate snow cover) resulting in any temporary closures or restrictions on snowmachine use and or re-openings following such temporary closures or restrictions.

The use of snowmachines for other activities is prohibited pursuant to 36 CFR 2.18(c).

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

The Dyea Historic Town site (as shown on the attached map) is closed to horses from April 1 through December 31 except by permit issued by the Superintendent.

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 park; 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.

12/16/14

Superintendent **Date**

12/30/2014

Concurrence by Regional Director **Date**

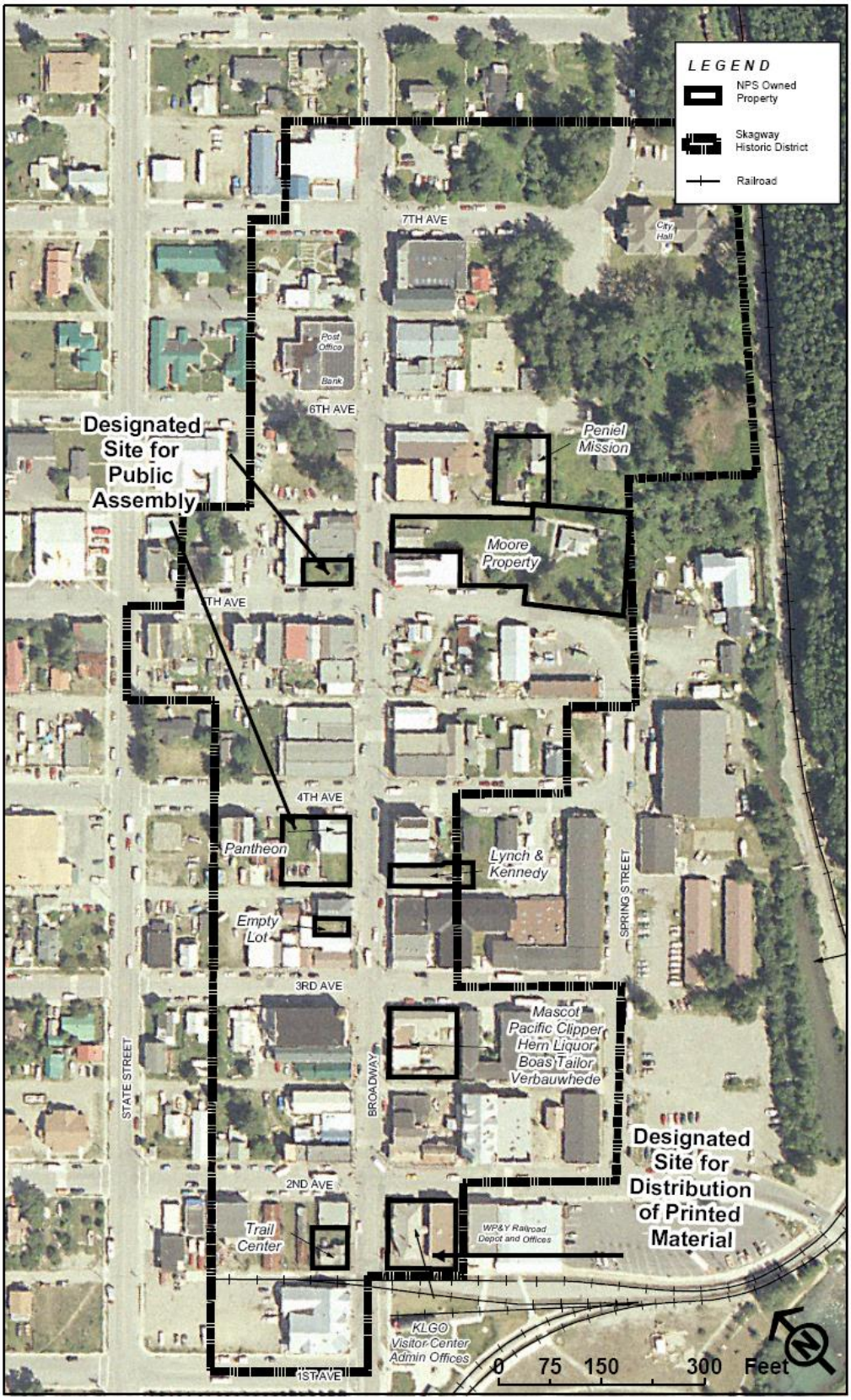
List of Attachments

1a. Skagway Unit area designations for public demonstrations and distribution of printed matter
1b: Dyea Unit area designation for public demonstrations
2: Dyea Historic Townsite

Additional Supporting Determinations:

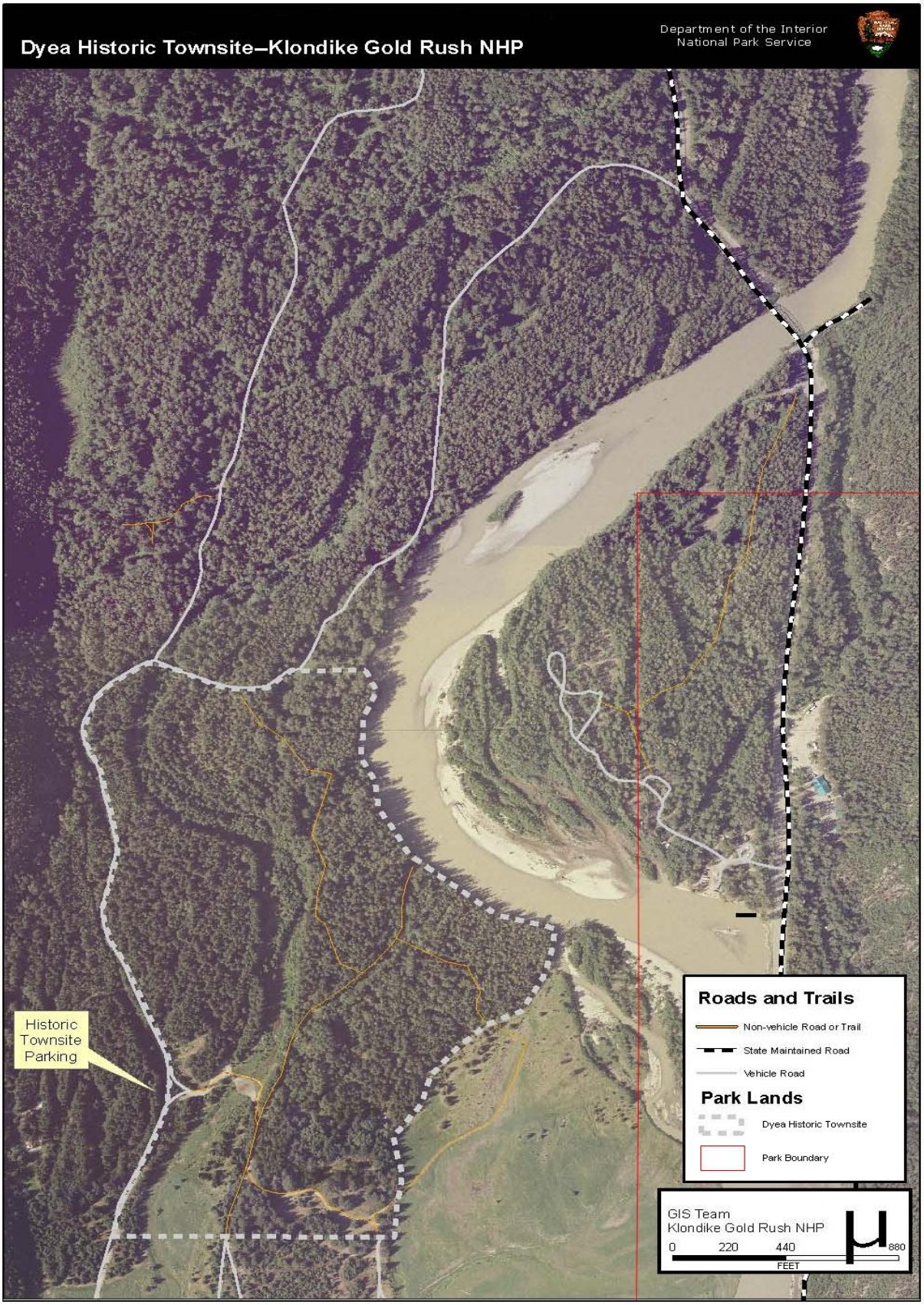
1. Collection of fruits, nuts, berries and mushrooms
2. Food storage
3. Alcohol consumption
4. Conditions for removing sunken, grounded, or disabled vessels
5. Adequate snow cover for use of snowmachines
6. Temporary closure to horses—Dyea Historic Town site
7. Launching, landing, or operating unmanned aircraft with NPS areas

Attachment 1a (36CFR 2.51 and 2.52) – Skagway Unit area designations for public demonstrations and distribution of printed matter.



Attachment 1b (36CFR 2.51) – Dyea Unit area designation for demonstrations.

Attachment 2 – Dyea Historic Townsite



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

Subject: Collection of fruits, nuts, berries, and mushrooms for personal use and consumption.

Pursuant to the authorities found in Title 36 Code of Federal Regulations (CFR) Sections 2.1(c)(1) and 13.68(b), NPS has determined that the collection of any edible mushrooms, fruits, nuts, and berries by hand for personal consumption will not adversely affect park wildlife, nor to the reproduction of the subject species, nor otherwise adversely affect park resources at Klondike Gold Rush NHP. This determination is consistent with the general allowance of similar collecting found in 36 CFR §13.20(b) which currently applies to most other Alaska park areas.

With respect to mushrooms in particular, park natural resources management staff members have consulted with other biologists and NPS resource managers before advising that the only real concerns with respect to collecting are possibly aesthetic. Over-harvest potentially endangering future reproduction is not viewed as a matter of any real concern. It has been noted that the extremely large and widespread nature of the long-lived, subterranean parent fungal organism, combined with the tremendous potential for spore production and dissemination from even a very few mature mushrooms, make direct impacts on the species through over-harvest of the fruiting bodies a very remote possibility.

Limits on the quantity of mushrooms gathered are intended to help establish an enforceable approach to what is perceived as an incidental problem of possible collection for non-personal uses. Mushrooms maybe removed from the list of permitted items for personal collection should new information surface in the future.

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), as Superintendent I have determined that in order to protect public safety and prevent adverse impacts to wildlife, certain conditions on storage of food, garbage, harvested fish, and equipment used to cook or store food are necessary in NPS managed areas within Klondike Gold Rush NHP.

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: Alcohol consumption

Pursuant to Title 36 of the Code of Federal Regulations, § 1.5 (c) and 2.35(a)(3)(i)(A), as Superintendent, I have determined that the Business district of Klondike Gold Rush NHP should be closed to consuming alcoholic beverages.

The reasons for this restriction are as follows:

1. Downtown Historic Skagway receives over 900,000 visitors per year in a short five month visitor season. Up to 10,000 visitors stroll along the congested six blocks of Broadway's restored market front on any given busy ship day. The existence of multiple alcoholic sales establishments within the historic district has increased the potentialforpublic intoxication on parklands. This behavior is deemed by the NPS and the municipality of Skagway as inappropriate and not fitting within the context of tourism and Skagway's economic goals.
2. Skagway Municipal Code 9.02.010-9.02.060 (9.02) 2 (10/2007) – Consumption of Alcoholic Beverages in Public Areas currently prohibits the consumption of alcohol in public areas within a larger defined Skagway area, in which all of the NPS historic unit is enclosed. While this code prohibition is applicable on federal public properties within the historic unit, existing federal regulations contain no such closure, thereby alluding to a public perception that the activity is permissible on federal properties. This inconsistency has resulted in an exacerbated problem of misunderstanding and confusion for the general public.

The reasons less restrictive measures are deemed ineffective are as follows:

1. Educational efforts regarding the closure and related municipal code will be added to the park's compendium to supplement enforcement efforts and attempt to curtail prohibited behavior on public lands. It is the park's opinion that additional educational efforts through signage and personal contact would not be effective due to the inherent nature of the activity itself. In addition, the additional signing would not be in keeping with the mandatory standards for signage and interpretive design with the historic scene.
2. Currently only Skagway police enforce violations of the municipal code regarding public consumption of alcohol. NPS Rangers do not have authority to enforce municipal code and there has not been a corresponding violation of federal regulations, the NPS has been unable to assist the city with responding to these incidents. This situation results in increased call volume and pressure on the local police department to respond to instances of public consumption of alcohol on park lands.
3. For consistency purposes, the NPS has decided to use similar language as that of Skagway Municipal Code 9.02.010 – 9.02.060 (9.02) 2 (10/2007).

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 of Klondike Gold Rush NHP 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 are 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: Adequate snow cover for using snowmachines for traditional activities

Pursuant to Title 36 of the Code of Federal Regulations 36.11(c)the Superintendent of Klondike Gold Rush National Historical Park has determined:

The Superintendent will notify the public when snow cover is adequate in the Dyea Historic Town site (as shown on the attached map) to allow snowmachine use each winter season. The public will also be notified of any changes in conditions (inadequate snow cover) resulting in any temporary closures or restrictions on snowmachine use and or re-openings following such temporary closures or restrictions.

The reasons for this restriction are as follows:

1) The Dyea Historic Town site, as the gateway community to the Chilkoot Trail, is rich in artifacts and other remnants from the Klondike Gold Rush of 1898 (see attached map). At the time of the Gold Rush, approximately 10,000 people lived in Dyea. Thousands of unique and irreplaceable cultural landscape features and artifacts exist within and above the top layers of soil, and as such are highly susceptible to damage from ground disturbance.

2) The Dyea Historic Town site is located near the coast of the upper Lynn Canal and experiences temperate winter climes. In most years the town site does not sustain adequate snow pack to provide for recreational snowmachine use without significant impacts to the natural and cultural resources of the area.

3) Due to the large amount of artifacts in this particular location, the superintendent will announce when snow cover is sufficient to allow for snowmachine use without threatening the cultural resources in the historic town site.

4) The Park is currently working to address the long-range vision for the Dyea Area through a planning process in accordance with the National Environmental Policy Act. Several public scoping meetings have already been held. An Environmental Assessment is expected to be released in 2013. This plan will evaluate snowmachine use in Dyea.

The reasons less restrictive measures are deemed ineffective are as follows:

1) Less restrictive measures are not sufficient to protect the artifacts in the Dyea Historic Town site. Once artifacts are disturbed, damaged or lost, they are difficult if not impossible to interpret or recover. Public notice that snow cover is adequate will help the public and protect irreplaceable park resources.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure
Subject: Temporary closure to horses in the Dyea Historic Town site

Pursuant to Title 36 of the Code of Federal Regulations 36.11(e)the Superintendent of Klondike Gold Rush National Historical Park has determined a temporary closure to horses is necessary to protect resources in the Dyea Historic Town site:

The Dyea Historic Town site (as shown on the attached map) is closed to horses from April 1 through December 31 except by permit issued by the Superintendent.

The reasons for this restriction are as follows:

1) The Dyea Historic Town site, as the gateway community to the Chilkoot Trail, is rich in artifacts and other remnants from the Klondike Gold Rush of 1898 (see attached map). At the time of the Gold Rush, approximately 10,000 people lived in Dyea. Thousands of unique and irreplaceable cultural landscape features and artifacts exist within and above the top layers of soil, and as such are highly susceptible to damage from ground disturbance.

2) The Park is currently working to address the long-range vision for the Dyea Area through a planning process in accordance with the National Environmental Policy Act. The restriction will eliminate horse traffic from the core historic town site except for limited and infrequent use by special permit holders. Limited horse use by written permit will be restricted to an established route. Other conditions may apply to protect the cultural resources of the park and prevent the spread of exotic plant species. If the desired condition as defined in the Dyea planning document is observed to be deteriorating, permits will not be issued until impacts are mitigated. Several public scoping meetings have already been held. An Environmental Assessment is expected to be released in 2014.

3) The closure area is a small 80 acre parcel encompassing the historic Dyea Town site. Alternate routes have already been designated for commercial horse use outside the core Dyea Historic Town site and independent horse use remains unrestricted in the larger Dyea area.

The reasons less restrictive measures are deemed ineffective are as follows:

1) Once artifacts are disturbed, damaged, or lost, they are difficult if not impossible to interpret or recover. This closure is necessary to protect artifacts until Dyea management options have been fully assessed and a strategy identified for providing long-term public access within the historic town site while protecting irreplaceable resources in the area.

2) The park seeks to provide for improved visitor access to the core area of the Dyea Historic Town site. This includes making the new and existing trails accessible to people with disabilities. Developing a trail that could accommodate frequent horse use and visitors with disabilities would require a hardened surface to an extent which is determined to be inappropriate in the historic setting. The

exception to the closure as allowed by permit will limit horse use to very low levels of frequency and occurrence on a single designated route, which is expected to result in insignificant impacts to the established trail tread and will not interfere with access to the town site by persons with disabilities.

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 of Klondike Gold Rush National Historical Park 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 within the boundaries of Klondike Gold Rush National Historical Park 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 componentsthat 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.
- Klondike Gold Rush National Historical Park strives to preserve the cultural landscape and historic resource values of the 1898 Klondike Gold Rush that shapes today’s park visitor experience. The use of unmanned aircraft is deemed by park management to be inconsistent with these values and an unacceptable impact to the visitor experience.
- 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.
- Thisclosure 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.