

**PROPOSED CHANGES  
SUPERINTENDENT'S COMPENDIUM  
2020  
KATMAI NATIONAL PARK AND PRESERVE  
ANIAKCHAK NATIONAL MONUMENT AND PRESERVE  
ALAGNAK WILD RIVER**

The Superintendent is seeking comment on proposed changes to the Superintendent's Compendium. The compendium is a written compilation of designations, closures, permit requirements and other restrictions adopted under the Superintendent's discretionary authority.

Information on how to submit comments is available at:  
<https://www.nps.gov/locations/alaska/proposed-compendiums.htm>

After review and consideration of the need for annual updates, the following substantive changes are proposed.

**2.10(d) Food storage: designated areas and methods:**

NPS proposes to remove the wording of "Park-provided metal food lockers at some coastal campsites," as there are no metal lockers located at any coastal campsites. NPS is unable to find the history of this language as the containers are not in place, nor is NPS intending to install metal food lockers in the Park's designated Wilderness.

**36 CFR 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**

The NPS is proposing to relax the current parking restrictions at Lake Camp. Current restriction imposes 72 hour limit, with the Superintendent able to grant permission for longer periods. The NPS is proposing to increase this up to potentially a 14 day limit (or longer), by posting the most current Superintendent authorized parking limit at the site.

Leaving a boat, trailer, or vehicle unattended for more than ~~72 hours~~ ***the posted limit*** 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.

Request for authorization to leave boats or trailers at Lake Camp longer than ~~72 hours~~ ***the posted limit*** may be made through the Chief Ranger's Office in King Salmon. (907) 246-2127.

The reason for this change is as follows:

- Pursuant to Title 36 of the Code of Federal Regulations 13.45(c) the Superintendent of Katmai National Park and Preserve had previously determined that a restriction on the storage of vehicles, vessels and trailers at Lake Camp was necessary to ensure that

equitable use was available to everyone. This restriction has been in place since 2004, and has changed from a 48 hr. limit to a 72 hr. limit in that time.

- Completely unregulated storage of vehicles, vessels and trailers at Lake Camp has historically led to problems with the public parking area turning into long-term storage. This fills up the available areas and prohibits equal access to all visitors.
- While there are still some issues with the long-term storage of unattended vessels and trailers the area can still be effectively managed, even with expanding the current 72 hr. restriction to a longer duration.

### **36 CFR 13.50 Closures and restrictions, National Park System Units in Alaska**

The NPS seeks public comment on allowing the use of electric bicycles (e-bikes) in National Park System units in Alaska. The proposal for the 2020 compendium is:

The term “e-bike” means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.).

E-bikes are allowed in accordance with the provisions of 36 CFR Part 4. E-bikes are allowed on park roads, parking areas, and trails that are open to traditional bicycles.

E-bikes are prohibited where traditional bicycles are prohibited under 36 CFR 4.30. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.

A person operating an e-bike is subject to the following sections of 36 CFR part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(2)-(5).

Except as specified in this Compendium, the use of an e-bike is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

This provision is approved and will remain in effect until rescinded or superseded.

The reason for this proposed addition is as follows:

On August 30, 2019, the National Park Service published an e-bike policy. A stated goal of the policy is to address e-bikes so that the NPS can exercise clear management authority over them within the National Park System. The policy provides that e-bikes are to be allowed in areas where traditional bicycles are allowed. Under national NPS regulations, traditional bicycles are allowed only on roads, parking areas, and designated trails. 36 CFR 4.30(h).

Under Federal law specific to conservation system units in Alaska, which include national parks, “nonmotorized surface transportation methods for traditional activities ... and for travel to and from villages and homesites” are allowed notwithstanding any other provision of law. 16 USC 3170(a). It has been the position of the Department of the Interior that these

methods include the use of traditional bicycles. E-bikes do not fall under this allowance because they have an electric motor and therefore are not “nonmotorized.”

Although ANILCA allows traditional bicycles anywhere within conservation system units in Alaska, NPS Region 11 (Alaska) proposes to allow e-bikes only on roads, parking areas, and designated trails where traditional bicycles are allowed. This will ensure that the NPS manages e-bikes in Alaska in the same way it manages e-bikes outside of Alaska. The nationwide policy intended to achieve a consistent management framework for e-bikes within the National Park System. In addition, the NPS has no data on the level of bicycle use on more than 20 million acres in Alaska that are off-trail and not in designated wilderness. This would make it very difficult to anticipate the impacts of allowing e-bikes in those same, vast locations – impacts that could include concerns about public safety associated with remote, cross-country travel, protection of resources in sensitive biomes such as tundra, and management objectives such as preserving wilderness character in eligible wilderness.

### **36 CFR 13.1242 Brooks Camp Developed Area (BCDA) Closures and Restrictions**

The Superintendent is given broad authority in 36 CFR 13.1242 to manage activities in the BCDA to protect resources as well as public health and safety. The NPS is proposing to take a more active role in managing critical areas within the BCDA including the Brooks River Corridor. The Brooks River Corridor is defined as the area within the BCDA upriver from the bridge to the outlet of Brooks Lake to include lands within 50 yards of the ordinary high water mark on each side of the Brooks River. Due to changing visitor use patterns, wildlife use patterns and other factors it has become necessary to manage public use on a more day to day basis. The NPS proposes using the existing authority granted to the Superintendent in 36 CFR 13.1242 to actively manage areas in the BCDA. This will be accomplished by implementing use restrictions, modifying closure dates, or prohibiting activities on an as-needed basis to match current wildlife, environmental and public use conditions.

***The Superintendent may prohibit activities, impose restrictions or require permits within the Brooks Camp Developed Area. Information on closures and restrictions will be available in the park visitor center. Violating BCDA closures or restrictions is prohibited.***

The reason for this restriction is as follows:

- High visitor use of the Brooks River along with improper visitor actions has been determined to cause a detriment to the access and use of the resource by Alaskan Brown Bears.
- Katmai National Park has received increasing complaints regarding negative bear/human interactions along the Brooks River corridor with increasing concern for both the health and safety of the bears as well as the safety of the visiting public.
- Due to changing use patterns by bears, hard closure dates such as those found in 36 CFR 13.1226 have proven inadequate to protect the bear population and consider the safety of visitors in these areas. Modifying closure dates and implementing temporary closures as needed will allow the NPS to better manage visitor use to match current wildlife and

visitation trends, providing for the best visitor experience and also protect the wildlife and resources.

- Human visitation to the Brooks Developed area has increased since original restrictions and closures were put in place. This has led to increased bear/human interactions. Failure to adjust the rules and restrictions to reflect current and changing wildlife and visitation needs to provide for public safety and protect the wildlife populations would have potentially dangerous consequences.
- Actively managing public use based on current conditions will allow for maximum visitor use for any given condition, as compared to static closure or set prohibitions on activities.
- Utilizing all available management tools including temporary closures, requiring additional visitor orientations, utilizing a registration or permit system to enter and utilize sensitive areas are all potential options to allow for better resource protection and increased visitor education about the special responsibilities and hazards involved in undertaking activities within critical areas of the BCDA.

#### **43 CFR 36.11(d) Temporary closures to the use of motorboats**

The use of motorboats upriver of the elevated bridge on the Brooks River is prohibited from April 1 until October 31. This includes the area beneath the elevated bridge and extends to the inlet of the Brooks River on Lake Brooks.

The reason for this restriction is as follows:

- The replacement of the floating bridge with an elevated bridge over Brooks River introduces the potential for motorboats to travel up river, areas that were previously not accessible.
- This would create a disturbance and potential hazard to wildlife, particularly brown bears who frequently travel and fish the river in large numbers.
- Motorboat use upriver from the bridge on the Brooks River would interfere with the visitor experience at Katmai NP&P where bear viewing and photography are two of the most popular activities.
- The Brooks River is a renowned destination for fishing, and the presence of motorboats would interfere with the opportunity to experience a quiet and remote stretch of Alaska.
- Visitors often wade into the river for fishing and photography. The Brooks River is shallow, has sharp bends in places, and visibility is often reduced by tall vegetation along the banks. Motorboats operating in this area could present a significant hazard to people recreating in the river.
- There are cultural materials, including human remains, which are located along the Brooks River, some of which are found in a cut bank area that is highly susceptible to erosion. These artifacts, currently in situ, would be at high risk of loss or compromise if exposed to the added erosive forces of boat wakes.

#### **43 CFR 36.11(e) Temporary closures to the use of non-motorized surface transportation**

The Valley of Ten Thousand Smokes, as shown on the attached map, is closed to bicycles except November 1 through March 31 if the superintendent has determined there to be adequate snow cover.

The reasons for this restriction are as follows:

- 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.
- The formation of cryptobiotic soil crusts is a naturally occurring phenomenon that is part of the biological succession of a disturbed landscape;
- Cryptobiotic soil crusts are known to be very sensitive to disturbance. Compressional and shearing disturbances as those caused by the action of bicycle wheels can affect the ability of the cryptobiotic soil crusts to:
  - Maintain biological diversity within the soil crust community: reducing the soil crust community to a few species instead of the natural successional community of multiple species of algae, cyanobacteria, fungi, lichens, mosses, and liverworts;
  - Maintain connection to soil particles, which if disturbed, increases the erosion of the underlying soils, thus decreasing soil productivity;
  - Maintain surface roughness, which affects local hydrologic regimes and vascular plant seed entrapment, which then influences the successional pattern of the area;
  - Maintain soil temperature and moisture, which allows for the natural development and succession of the biotic community.
- Bicycle use has the potential to significantly increase the levels of disturbance to these cryptobiotic soil crusts compared to the hiking activity.
- 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.
- The study of undisturbed cryptobiotic soil crusts in Katmai National Park is of scientific value.

The reasons less restrictive measures will not be effective:

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

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Superintendent