

**SUMMARY OF CHANGES
SUPERINTENDENT'S COMPENDIUM
2021
DENALI NATIONAL PARK AND PRESERVE**

The compendium is a written compilation of designations, closures, permit requirements, and other restrictions adopted under the Superintendent's discretionary authority. After review and consideration of the need for annual updates and public comments on the proposed changes, the following changes have been incorporated into the 2021 Denali National Park and Preserve Superintendent's Compendium.

2.1(c)(1)-(3) Collection of fruits, nuts, etc.

The NPS added language to clarify that items gathered by hand for personal use or consumption do not have to be consumed within the park.

The revised language reads:

All edible fruits, berries, mushrooms, and nuts within the former Mt. McKinley National Park may be gathered by hand for personal use or consumption.

4.30(i)(1) Designated roads, parking areas, and trails open to electric bicycles, or specific classes of electric bicycles

The NPS added language to address the new activity of electric bike (e-bike) use within the park. Other restrictions and regulations related to the use of e-bikes are in section 13.50 of the Superintendent's Compendium.

The added language reads:

- The Denali Park Road
- Parks Highway
- The 2.3 mile long multi-purpose trail between the Nenana River Canyon Bridge and the Denali Visitor Center is designated as open for bicycle use. No other areas or trails within the Frontcountry Developed Area are designated as open to bicycle use.

4.30(i)(7) Electric bicycle use restrictions/conditions

The NPS added language to address the new activity of electric bike (e-bike) use within the park. Other restrictions and regulations related to the use of e-bikes are in section 13.50 of the Superintendent's Compendium.

The added language reads:

No additional restrictions or conditions in areas designated as open to electric bicycle use. See 36 CFR 4.30(i) for more information.

13.50 Closures and restrictions

The NPS added language to reflect the requirement in Executive Order 13991, Protecting the Federal Workforce and Requiring Mask-Wearing, that masks are worn and physical distancing is maintained on NPS property to limit the spread of COVID-19. This language was added to the compendium at the direction of the NPS Deputy Director for Operations, exercising the delegated Authority of the Director.

The added language reads:

Individuals over the age of two years must wear masks, except when actively eating or drinking, in the following locations:

1. All common areas and shared workspaces in buildings owned, rented or leased by the National Park Service, including, but not limited to, park visitor centers, administrative offices, lodges, gift shops and restaurants.
2. The following outdoor areas, when others are present, where the superintendent has determined that physical distancing (staying at least six feet apart) cannot reasonably be maintained:
 - The Frontcountry Developed Area, as defined in 36 CFR 13.970, when physical distancing is not possible

Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.

The NPS added language addressing how commercial filming will be managed to comply with the injunction issued by the United States District Court for the District of Columbia in Price v. Barr. The court held that requiring those engaged in commercial filming to obtain permits and pay fees is unconstitutional under the First Amendment. The court entered a permanent injunction preventing the National Park Service from implementing and enforcing those permit and fee requirements. This language was added to the compendium at the direction of the NPS Deputy Director for Operations, exercising the delegated Authority of the Director. In the future, the NPS intends to promulgate regulations addressing filming activities that are consistent with the outcome of the litigation. Once effective, those regulations will replace and supersede the compendium language added to the 2021 Superintendent's Compendium.

The added language reads:

The following types of filming activities may occur in areas open to the public without a permit and without advance notice to the NPS:

- Outdoor filming activities outside of areas managed as wilderness involving five persons or less and equipment that will be carried at all times, except for small tripods used to hold cameras.

The organizer of any other type of filming activity must provide written notice to the Superintendent at least 10 days prior to the start of the proposed activity. Based upon the information provided, the Superintendent may require the organizer to apply for and obtain a permit if necessary to:

- maintain public health and safety;
- protect environmental or scenic values;
- protect natural or cultural resources;
- protect opportunities for subsistence use;
- allow for equitable allocation and use of facilities; or
- avoid conflict among visitor use activities.

If the Superintendent determines that the terms and conditions of a permit could not mitigate the concern identified above in an acceptable manner, the Superintendent may deny a filming request without issuing a permit. The Superintendent will provide the basis for denial in writing upon request.

The NPS will consider requests and process permit applications in a timely manner. Processing times will vary depending on the complexity of the proposed activity. If the organizer provides the required 10 day advance notice to the NPS and has not received a written response from the NPS that a permit is required prior to the first day of production, the proposed filming activities may occur without a permit.

The following are prohibited:

1. Engaging in filming activity without providing advance notice to the Superintendent when required
2. Engaging in a filming activity without a permit if the activity takes place in areas managed as wilderness or if the Superintendent has notified the organizer in writing that a permit is required.
3. Violating a term and condition of a permit issued under this action.

Violating a term or condition of a permit issued under to this action may also result in the suspension and revocation of the permit by the Superintendent.

13.934(b) Denali Park Road permits

The NPS updated the language in this section to more accurately reflect current conditions. Although permit allocations may change after completion of the 2021 Superintendent's

Compendium, the revised language reflects conditions as of 2020, including the sale of properties between inholders.

The revised language reads:

The annual date for evaluating motor vehicle permits for the restricted portion of the Denali Park Road is April 1. The annual apportionment of permits is listed below.

Denali Backcountry Lodge: 315

Kantishna Roadhouse: 420

Northface Lodge/Camp Denali: 315

Kantishna Air Taxi: 10

Hank Swan: 15

Gene Desjarlais: 15

Romany Wood: 10

Greg LaHaie: 70

Michael Conlin: 35

Rusty Lachelt: 2

Ray Krieg: 50

Paul Shearer: 35

Rainy Creek LLC: 9

Mark Wayson: 14