



Categorical Exclusion Documentation Form (CE Form)

Project: 2021 Denali National Park and Preserve Superintendent's Compendium

PEPC Project Number: 99601

Description of Action (Project Description):

This compliance addresses the 2021 Denali National Park and Preserve Superintendent's Compendium.

Changes to the Superintendent's Compendium for 2021 are adopted with respect to the following:

2.1(c)(1-3) Collection of fruits, nuts, etc. Clarification that edible materials collected in the park do not have to be consumed within the park.

430(i)(1) Designated roads, parking areas, and trails open to electric bicycles, or specific classes of electric bicycles
Addition of new language to address a new activity.

4.30(i)(7) Electric bicycle use restrictions/conditions Addition of new language to address a new activity.

13.50 Addition of language to reflect the requirement in Executive Order 13991 that masks are worn and physical distancing is maintained on NPS property to limit the spread of COVID-19 and protect public health and safety.

Addition of language addressing permitting for commercial filming pursuant to an injunction issued under Price v. Barr.

13.934(b) Denali Park Road permits Minor updates to reflect current conditions and permitholders.

The proposed changes described above represent clarifications and minor amendments to existing regulations.

A public comment period regarding proposed changes to the compendium was open from January 15, 2021 - February 15, 2021. Two non-substantive comments were received.

General information about park compendiums:

The Superintendent's Compendium is the summary of park specific rules implemented under the discretionary authority of the park Superintendent. The park compendium is updated annually and is a written compilation that addresses designations, closures, permit requirements, and other restrictions and/or specifications imposed under the discretionary authority of the superintendent. The Superintendent's Compendium is prepared in accordance with the delegated authority contained within the regulations in Title 36, Code of Federal Regulations, Chapter I, Parts 1 through 7, as authorized by Title 54, United States Code, Section 100101 and 100751, and establishes regulatory provisions for Denali National Park and Preserve. Parts 1 through 6 are general regulations applicable to all areas of the National Park System, and Part 13 contains special regulations specific to individual parks in Alaska.

The park compendium does not contain those regulations found in 36 Code of Federal Regulations (CFR) and other United States Codes (U.S.C.) and CFR Titles which are enforced without further elaboration at the park level.

Regulations set forth in the Superintendent's Compendium are categorically excluded under the National Environmental Policy Act (42 USC 4321 et seq.); Council on Environmental Quality regulations (40 CFR Parts 1500-1508); U.S. Department of the Interior (DOI) regulations (43 CFR Part 46); DOI Manual part 516; and NPS Director's Order 12 - Conservation Planning, Environmental Impact Analysis, and Decision-Making.

Project Locations:

Location

County: Denali Borough **State:** AK

There are no required mitigations identified.

CE Citation: A.8 Modifications or revisions to existing regulations, or the promulgation of new regulations for NPS-administered areas, provided the modifications, revisions or new regulations do not: a) Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it, b) Introduce noncompatible uses which might compromise the nature and characteristics of the area, or cause physical damage to it, c) Conflict with adjacent ownerships or land uses, or d) Cause a nuisance to adjacent owners or occupants.

CE Justification:

This CE addresses the 2021 Superintendent's Compendium. The compendium is a collection of park-specific authorizations and restrictions. The changes to the existing compendium implemented with the 2021 compendium are minor adjustments of existing regulations that primarily seek to provide clarity or increase public and resource safety. The changes in the 2021 compendium do not: a) increase public use of the park to the extent of compromising the nature and character of the park or causing physical damage to it; b) introduce non-compatible uses to the park that could compromise the nature and character of the park or cause physical damage to it; c) cause conflict with adjacent ownerships or land uses, or d) cause a nuisance to adjacent owners or occupants.

Decision: I find that the action fits within the categorical exclusion above. Therefore, I am categorically excluding the described project from further NEPA analysis. No extraordinary circumstances apply.

Signature

Superintendent: _____ **Date:** _____

Brooke Merrell

Extraordinary Circumstances:

| If implemented, would the proposal... | Yes/No | Notes |
|--|--------|--|
| A. Have significant impacts on public health or safety? | No | Most of the changes to the 2021 compendium will have no impact on public health or safety. Requiring masks and social distancing under section 13.50 is intended to slightly modify visitor behavior in order to protect public health and safety. |
| B. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas? | No | |
| C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))? | No | |
| D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? | No | |
| E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? | No | |
| F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects? | No | |
| G. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office? | No | |
| H. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species? | No | |
| I. Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment? | No | |
| J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)? | No | |
| K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 13007)? | No | |
| L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)? | No | |

