

**PROPOSED CHANGES
SUPERINTENDENT'S COMPENDIUM
2020
LAKE CLARK NATIONAL PARK AND PRESERVE**

The Superintendent is seeking public comment on the proposed Superintendent's Compendium. The proposed 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 on the web at:
<https://www.nps.gov/locations/alaska/proposed-compendiums.htm>

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

36 CFR 2.10(a) Bear resistant electric fencing required for camping

The NPS is proposing all camping facilities, shelters, structures and equipment must be enclosed within an active and functioning bear resistant electric fence when camping within ½ mile of the Cook Inlet coastline of Lake Clark National Park & Preserve. This regulation does not supersede, modify, or otherwise affect requirements for the use of a bear resistant food container or alternative approved food storage methods.

The reasons for this proposed addition are as follows:

- To avoid introducing problematic behaviors and habituation of bears to the visiting human population, the NPS proposes to introduce two restrictions related to sanitation and camp protection.
- This provision is intended to be a requirement in addition to the use of a bear resistant food container (BRC) or other approved food storage method. Due to possibility of failure or operator error in the use of a bear resistant electric fence, the park has determined that the additional precaution for food storage are still necessary.
- This provision is not intended to interfere with the appropriate disposal of removed human waste under state and local laws such as requirements/allowances for disposal of human waste within WAG bag or other, similar systems.

36 CFR 2.10(a) Food storage: designated areas and methods

NPS proposes to add language which includes the newly established Joe Thompson public use cabin to requirements that are already in effect for the park's previously established public use cabin (Priest Rock). This would have the effect of requiring food storage in accordance with approved methods in previous versions of this compendium but would not apply in cases of legally taken game or outside of areas specifically listed.

The reasons for this proposed addition are as follows:

- The NPS established and opened a new public use cabin called the Joe Thompson Cabin in fall of 2019. This change would ensure the Joe Thompson cabin is managed consistently with the Priest Rock cabin.
- Listing the cabins individually rather than grouping them as “public use cabins” is less confusing for the public.
- The NPS provides opportunities for safe food storage at the Joe Thompson cabin to make the food storage requirements as unobtrusive to the visitor experience as possible.

36 CFR 2.13(a)(1) Fires; designated areas and conditions

NPS proposes to add language to allow for campfires within established and designated fire rings within areas where fires are otherwise prohibited.

The reason for this proposed addition is as follows:

- When conditions and NPS resources are appropriate the NPS would like the flexibility to provide visitors with the opportunity for campfires in areas where they are otherwise prohibited such as near public use cabins.

36 CFR 2.14(a)(9)(b) Sanitation: disposal, carrying of human body waste

NPS proposes that within the designated historic sites at Kijik and Proenneke’s Cabin, within 100 yards of NPS structures and ½ mile of the Cook Inlet coastline of Lake Clark National Park & Preserve, all solid human body waste and associated sanitary products such as toilet paper must be removed for disposal outside of the area in a manner approved for the method of collection. This regulation does not apply to the use of approved restroom facilities within these areas.

The reasons for this proposed addition are as follows:

- The use of cat-holing techniques and the deposition or burying of sanitary products is not compatible with the preservation of cultural resources at historic sites.
- The use of cat-holing techniques and deposition or burying of sanitary products adjacent to recreation and visitor services facilities is contrary to industry standards and public health and CDC guidelines for reducing disease transmission.
- The National Park Service has observed a trend of steadily increasing visitation along the Lake Clark NP&P coastline of the Cook Inlet over several years. The increased human traffic has brought an increase in human waste. High levels of human waste produce litter (in the form of toilet paper and sanitary supplies), can overwhelm the natural processes that break it down and can lead to exposure to a variety of pathogens.
- Additionally it does not address the likelihood of foraging wildlife digging up and broadcasting human waste and sanitation products.

36 CFR 2.60(a)(3) Livestock use and agriculture

The NPS proposes to remove the blanket authorization language for allowing grazing of pack animals. Individuals seeking authorization to allow pack animals to graze would need to request a permit from the park superintendent.

The reasons for this proposed change are as follows:

- The current authorization has the effect of permitting the unmanaged recreational use and grazing of livestock in areas not compatible with that use such as immediately adjacent to visitor centers, administrative facilities and sensitive cultural or archaeological sites. Rather than manage this use through across the board restrictions under the compendium, the NPS would manage the use through individually issued permits.
- This section also does not provide for consistency between how food and feed are managed in bear country. The NPS would manage permits to ensure food and feed are managed consistently and appropriately.

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 except as follows:

- The sections of the Tanalian Falls Trail, Beaver Pond Trail, Ridge Trail, and Tanalian Mountain Trail within Lake Clark National Park and Preserve are closed to e-bikes from April 15th to November 15th. (See the attached map.)

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 within 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 except where parks determine there is a safety or resource impact concern. 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.
- The Tanalian Falls Trail is not designed or maintained for frequent bicycle use and is used heavily during the summer by pedestrian groups of visitors and camps in the Port Alsworth area.
- The NPS has not documented heavy bicycle use on the trail in the past and thus has taken a least enforcement approach by continuing to provide for light bicycle traffic in the trail. Introduction of e-bikes on the trail is expected to lead to increased cycle use creating substantially higher wear on trail structures such as wooden boardwalks and drains.
- Available data suggest that the ground along the Tanalian Falls Trail is generally frozen from November 15th to April 15th with some annual variation. Permitting the use of e-bikes during this time is a least-enforcement approach that will allow for winter trail access with decreased potential for user conflicts and wear on trail infrastructure.


Legend


Proposed Year Round E-Bike Routes


- Beaver Pond Trail Easement
- Tanalian Falls Trail Easement
- Woodlot Road


Proposed Seasonal E-Bike Routes


- Beaver Pond Trail
- Ridge Trail
- Tanalian Falls Trail
- Tanalian Mountain Trail

 Federal Lands

 Private ANCSA Native Lands

 Private Lands

 Alaska Parks Designated Wilderness

 Alaska Parks Eligible Wilderness

