EXECUTIVE SUMMARY OF CHANGES
SUPERINTENDENT'S PROPOSED COMPENDIUM
2008
WRANGELL-ST. ELIAS NATIONAL PARK AND PRESERVE

Wrangell-St. Elias National Park and Preserve is seeking public comment on the park's proposed 2008 Superintendent's Compendium. The attached proposed compendium is a written compilation of designations, closures, permit requirements and other restrictions imposed under the Superintendent's discretionary authority. After review and consideration of the need for annual updates, additions related to food storage and revised service-wide boating regulations are proposed.

1.6(f) Compilation of activities requiring a permit
The following activities now require a permit under revised servicewide boating regulations:

- 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

2.10(d) Food storage: designated areas and methods
The following is proposed to be removed from 2.10(d), Definition of bear resistant container:

- Items approved by the National Park Service's Sierra Interagency Black Bear Group (http://www.nps.gov/seki/snrm/wildlife/sibbwg.htm);

The reasons for this restriction are as follows:

- The park is proposing to remove items approved by the National Park Service's Sierra Interagency Black Bear Group (SIBBG). Containers approved by the SIBBG include some models of Ursacks and Bear Vaults. These two containers have shown to be insufficient deterrents to bears gaining access to the contents.

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

- Based on this, the preventive measures cannot be made less restrictive for NPS areas in Alaska regardless of the recommendation suggested by the SIBBG.

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 the park; violation of the terms and conditions of the permit is prohibited.

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 park 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 is unique. A permit allows the park and the boater maximum flexibility to address the specific circumstances at hand when removing disabled vessels.

WRANGELL-ST. ELIAS NATIONAL PARK AND PRESERVE COMPENDIUM 2008

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 that provides the Superintendent with 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.

The larger body of NPS regulations that do not provide discretionary authority to the Superintendent is not cited in this compendium. 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 Wrangell-St. Elias National Park and Preserve, Copper Center, Alaska at (907)* 822-7210 *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

The Commissioner's Cabin and Women's Jail Cabin at Chisana, the Operations Center and Cook Cabin at May Creek, and the Freed Property research camp in Slana are restricted to administrative use, and are not available to the general public.

See also 13.1906 for the Headquarters/Visitor Center Developed Area.

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

- 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)
- Public assemblies and meetings, 2.51(a)
- Sale and distribution of printed matter, 2.52(a)
- 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))
- Cabins on federal lands, 13.100-13.188
- Subsistence use in the Park by person who does not live within the Park boundary or a resident zone community, 13.440(a)
- Using aircraft access for subsistence activities in the Park, 13.450(a), 13.450(b)(1), 13.3002(a)(3)
- Cutting of live standing timber greater than 3 inches in diameter for non-commercial subsistence uses, 13.485(a)(1)
- Access to inholdings where access is not made by aircraft, snowmachine, 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

Superseded by 13.35(c)(4), 13.35(d), and 13.485(b).

2.1(a)(5) Designated areas and conditions for walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, monument, or statue

No designated areas or conditions.

See 13.1904 for Kennecott Mines National Historic Landmark.

2.1(b) Designated trails

No restrictions on walking or hiking.

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

Superseded by 13.35(c) and 13.485(b).

2.2(d) Established conditions and procedures for transporting lawfully taken wildlife through park areas

See also 13.40(d)(5).

2.2(e) Designated areas for wildlife viewing with artificial light

No areas designated for closure.

2.3(d)(2) Fresh waters designated as open to bait fishing with live or dead minnows or other bait fish, amphibians, nonpreserved fish eggs or fish roe

No waters are designated as open to fishing with the types of bait identified above. Other types of bait may be used in accordance with state law. Subsistence fishing by federally qualified rural residents is allowed in accordance with 36 CFR part 13 and 50 CFR part 100.

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 at designated locations and times

See also 13.30(b)-(f).

2.10(a) Camping: conditions and permits

Superseded in part by 13.25.

See also 13.1904 for conditions specific to Kennecott Mines National Historic Landmark (KNHL) and the mill site within KNHL.

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.fs.fed.us/r1/wildlife/igbc/);
- Any additional items listed by the State of Alaska, Department of Fish and Game, Division of Wildlife Conservation (http://www.wildlife.alaska.gov/index.cfm?adfg=bears.containers#lightweight), with the concurrence of the Superintendent; and
- Items approved by the Superintendent.
- PVC/ABS plastic or aluminum backpacker canisters (such as those manufactured by Garcia Machine, Wild Ideas, or Purple Mountain Engineering)
- steel drums with locking rings

- modified military ammo cans or bear resistant metal panniers
- metal raft dry boxes

(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—
- 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.

Note: This does not apply to:
- Clean dishes and cooking equipment that are free of food odors. We strongly recommend that these items be securely stored; but clean and odor free items are not required to be stored in secure containers.
- Food that is being transported, consumed or prepared for consumption.
- The use of bait for trapping and hunting under the provisions of state and federal law.
- Food carried by persons climbing or traveling above the firn line on snow covered terrain.

The intent of these designations is to prevent bears and other wildlife from obtaining and becoming conditioned 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 approved as BRC. The park offers, at no charge, bear resistant containers for temporary use to the public. A refundable deposit is required, and the containers can be obtained at the park's visitor center in Copper Center, AK.

2.11 Picnicking: designated areas

Superseded by 13.26.

2.13(a)(1) Fires: designated areas and conditions

Campfires and picnic fires are authorized in all areas of the park and preserve except the Headquarters/Visitor Center Developed Area and the mill site within the Kennecott National Historic Landmark. See 13.1904-13.1906. Where fires are permitted, all trash (tin foil, burn food, glass, and cans) must be removed from the fire site after use.

2.14(a)(2) Sanitation and refuse: conditions using government receptacles

No conditions established at present. Dumping commercial, household, or industrial refuse, brought in from private or municipal property, in government receptacles is prohibited.

2.14(a)(5) Sanitation: designated areas for bathing and washing

No designated areas. Unless otherwise allowed by the Superintendent, bathing and washing of cooking utensils, food and other property at all public water outlets, fixtures, or pools is prohibited.

2.14(a)(7) Sanitation: designated areas for disposal of fish remains

There are no designated areas.

Fish remains may not be disposed of on either land or water within 200 feet of public boat docks or designated swimming beaches, or within developed areas for reasons of public health and safety.

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

There are no designated areas or methods.

Disposing of human body waste within 100 feet of a water source, high water mark of a body of water, or a campsite, or within sight of a trail is prohibited.

2.14(b) Sanitation: conditions concerning disposal, carrying out of human waste

No special conditions have been established.

2.15(a)(1) Areas designated as closed to pets

No designated areas. Pets must be leashed or physically restrained at all times.

2.15(a)(3) Conditions for leaving pets unattended and tied to an object

No conditions at present.

Leaving pets unattended and tied to an object is prohibited.

2.15(a)(5) Pet excrement disposal conditions

No conditions at present.

2.15(b) Conditions for using dogs in support of hunting activities

No conditions at present.

2.16 (a)-(c) Horses and pack animals

Superseded by 43 CFR 36.11(e).
Access for subsistence purposes under 36 CFR 13.460(a) supersedes this section.

2.17(a)(1) Aircraft operation

Superseded by 43 CFR 36.11(f)(1).
Use of aircraft in national parks or monuments for subsistence purposes is prohibited under 36 CFR 13.450, except in Malaspina Forelands. See section 13.1902(c) of this document.

2.17(a)(2) Aircraft operation near docks, piers, swimming beaches and other designated areas

No areas prohibited.

2.17(c)(1) Conditions for removing downed aircraft

Superseded by 43 CFR 36.11(f)(3)(ii).

2.18(c) Snowmobiles: designated areas for use

No areas designated for snowmachine use.
Superseded in part by 43 CFR 36.11(c).
Superseded by 36 CFR 13.460 for subsistence uses.

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

This section only applies to designated roads and parking areas open to vehicular traffic.
This section is not applicable in Wrangell-St. Elias National Park and Preserve.

2.19(b) The towing of persons on skis, sleds, or other sliding devices by motor vehicle or snowmobile is prohibited, except in designated areas or routes

All areas of the park are open to towing.

2.20 Skating and skateboards

Superseded by 43 CFR 36.11(e).

2.21 Smoking

All park offices and visitor facilities are closed to smoking.
Smoking is prohibited within 100 feet of the park fuel and aviation gas storage facility.

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

2.22 Property: leaving property unattended for longer than 24 hours

Superseded by 13.45.

2.35(a)(3)(i) Alcoholic beverages: areas designated as closed to consumption

No areas designated as closed.

2.38(b) Fireworks: permits, designated areas, and conditions

No areas designated for use of fireworks.

2.51(e) Public assemblies/meetings: designated areas for public assemblies

Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views may be allowed within the Wrangell-St.Elias National Park/Preserve (WRST) Headquarters/Visitor Center complex, provided a permit has been issued by the Superintendent. The designated location for such activities is the area under and adjacent to the bus shelter located on the south side of the visitor parking area. This is the only area designated by the superintendent for such activities in the WRST Headquarters/Visitor Center complex. A map marking this designated location will be attached to the permit and is also available in the office of the Superintendent. All other

areas of the Park and Preserve are open to public assemblies with a permit from the Superintendent.

2.52(e) Sale and distribution of printed matter: areas designated for such use

All areas of the Park and Preserve are open to distribution with a permit from the superintendent.

2.60(a)(3) Designated areas for grazing

Grazing of pack or saddle animals by private parties, not to exceed 14 days, is authorized without a permit within the Park and Preserve. Any feed brought in must conform to the Alaska Weed Free Forage Certification Program. For more information on this certification, contact your local Soil & Water Conservation District. The Kenny Lake Soil & Water Conservation District office phone number is 822-4479.

Grazing in support of commercial operations is only allowed under permit from the superintendent.

These restrictions seek to lessen the impact of extended camps on vegetation.

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

All areas are open to scattering of ashes without a permit.

PART 3. BOATING AND WATER USE ACTIVITIES

3.3 Permits

No permits required at present.

3.7 Personal Flotation Devices: designated times and/or activities

No designated times or activities. PFDs must be worn in accordance with 33 CFR part 175.

3.8(a)(2) Boating, prohibited operations: designated launching areas

All areas are open to launching of boats.

3.8(a)(4) Operating a vessel in excess of designated length, width, or horsepower

No designations at present.

3.8(b)(3) Operating a vessel in excess of flat wake speed in designated areas

No designations areas.

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 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.

3.16 Swimming and wading: areas designated as closed

All areas are open to swimming and wading.

3.17(a) Designated swimming areas and beaches

No designated areas.

3.17(c) Use or possession of flotation devices, glass containers, kites, or incompatible activities in swimming areas or beaches

No restrictions at present.

3.18(a) SCUBA and underwater diving: closures and restrictions

No closures or restrictions at present.

PART 4. VEHICLES AND TRAFFIC SAFETY

4.10 Routes or areas designated for off-road motor vehicle use in Preserves

See also 13.40(c) regarding the Malaspina Glacier Forelands, 13.460 for subsistence access, and 43 CFR 36.11(g) for recreational access

This restriction minimizes the impacts of vehicle travel while allowing for access.

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

No restrictions at present.

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

No designations necessary at present.

4.30(a) Routes designated as open to bicycles

Superseded by 43 CFR 36.11(e).

4.30(d)(1) Wilderness closed to bicycle use

Superseded by 43 CFR 36.11(e).

4.31 Hitchhiking: designated areas

All areas are open to hitchhiking.

PART 5. COMMERCIAL AND PRIVATE OPERATIONS

5.7 Construction of buildings, roads, trails, airstrips, or other facilities

Maintenance of established landing strips utilizing non-motorized hand tools is not considered construction or repair and no permit is required.

PART 13. ALASKA REGULATIONS

13.25(a) Temporary closures and restrictions to camping

Camping is restricted at and adjacent to the information kiosk and spur road on the north side of the McCarthy Road at mile 59. Camping is prohibited from April 15 through October 15.

The restriction is necessary because of the danger presented to the camping public by human habituated bears. The campground is located in a bear corridor and adjacent to a large soap berry patch. Bear research has confirmed that bear encounters are unavoidable and that the bears tend to be accustomed to humans and to associate humans' with food. The risk to campers from both black and brown bears is unacceptably high. Private fee campgrounds are available in the immediate area.

13.25(b) Site time limits: authorization to exceed 14 day limit at one location

No general exceptions at present.

13.25(c) Designated campgrounds: restrictions, terms, and conditions

See also 13.1904(d), 13.1906(b).

13.26 Picnicking-areas where prohibited or otherwise restricted

No restrictions at present.

13.30(b) Temporary closures or restrictions to carrying, possessing, or using firearms

There are no additional restrictions.

13.35(d) Collection of dead standing wood: areas designated as open and conditions for collection

No designated areas at present.

13.35(f)(1) Natural features: size and quantity restrictions for collection

No restrictions at present.

13.35(f)(2) Natural features: closures or restrictions due to adverse impacts

No closures or restrictions at present.

13.40(c) Restrictions on activities related to commercial fishing rights or privileges

No restrictions at present.

13.40(e) Temporary closures or restrictions to the taking of fish and wildlife

No closures at present. See applicable State of Alaska hunting regulations. Sport hunting is prohibited in Wrangell-St. Elias National Park. See 50 CFR 100.26 for applicable subsistence hunting regulations.

13.45(b)(1)-(6) Exceptions to unattended or abandoned property

Superintendent authorizations for exceptions for unattended or abandoned property are made on a case by case basis. Contact park headquarters for more information.

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

No designated areas.

13.50(h) Facility closure and restrictions

No restrictions at present.

13.122 Established conditions for removal of cabin for which a cabin permit has been denied, expired, or revoked

No conditions established at present (may require access permit).

13.160 Designated existing cabins, shelters or temporary facilities that may be shared for subsistence uses without a permit

No designations at present.

13.166 Established conditions and standards governing the use and construction of temporary structures and facilities for subsistence purposes, published annually

No conditions or standards established at present.

13.170 Designated cabins or other structures for general public use

Esker Creek: Reservations are needed for Esker Creek Cabin. Reservations may be made in advance through the Yakutat Ranger Station (907)784-3295.
Glacier Creek
Jakes Bar
Nuggett Creek
Peavine 1
Peavine 2
May Creek
Orange Hill
Too Much Johnson
Solo Mountain
Chelle Lake
Huberts Landing
Viking Lodge: Reservations are needed for Viking Lodge. Reservations may be made in advance through the Slana Ranger Station (907) 822-5238.
All other cabins, not otherwise under NPS permit, are open for short-term public use (less than 14 days per year).

13.172 Established conditions and allocation system to manage the use of designated public use cabins

Other than Viking Lodge and Esker Creek cabins, cabins listed may be occupied on a first come, first serve basis.

13.188(b) Established conditions for removal of temporary facility used in excess of 14 days

Individuals must remove facility, all personal property, and return the site to its natural condition.

These conditions are intended to protect the park from impacts to vegetation and soil and to ensure that personal items are not left in the park.

13.460 Closures or restrictions to the use of snowmobiles, motorboats, dog teams, and other means of surface transportation traditionally employed by local rural residents engaged in subsistence uses

The following three routes are closed to the use of off road vehicles (ORVs). The closures are centered on the three trails described and extend 1,000 feet to either side of each trail.

- Trail #1 has end points on the south side of The Sportsmen's Paradise Lodge property and northeast end of Jack Lake.
- Trail #2 has end points on the Jack Lake road and the Tanada Lake trail, and, from that intersection of the Tanada lake trail along an eastern parallel route of the main trail to a second intersection further south on the Tanada Lake trail.
- Trail #3 has end points on the Tanada Lake trail and the Copper Lake trail.

This closure is a seasonal closure in effect only during summer months. During winter periods in which there is 6-12 inches of snow or more, or a combination of snow and frost depth sufficient to protect the underlying vegetation and soil, these areas will be open to over snow vehicles. This closure will be in effect until a determination by the Superintendent concludes that these routes no longer represent an unacceptable adverse impact on the resource.

The Superintendent has determined that Trails #1, #2, and #3 are causing an unacceptable adverse impact on the resource. A map depicting these trails may be viewed on the park's web site or a physical copy can be obtained from the Superintendent upon request. This closure will be in effect until a determination by the Superintendent concludes that these routes no longer represent an unacceptable adverse impact on the resource.

See also 36 CFR 2.16, 2.17, 2.18, 3.6, 4.10, 4.30, 13.40(c) and 43 CFR 36.11(c)-(e).

13.485(a)(1) Permit specifications for harvesting live standing timber greater than 3" diameter for subsistence purposes (house logs & firewood)

See policy statement on subsistence green wood harvest.

13.485(a)(2) Restrictions on cutting of live timber less than 3" in diameter for subsistence purposes

No restrictions at present.

WRANGELL-ST. ELIAS SPECIAL REGULATIONS

13.1902(b) Aircraft access for residents of Yakutat to Malaspina Forelands

The Malaspina Forelands are defined as: those areas that are to the seaward side of the Malaspina Glacier that not covered by ice and that lie between Bancas Point in Disenchantment Bay and the Park boundary on the Chaix Hills.

These areas are available for aircraft access under a permit issued by the Superintendent for residents of Yakutat that are Federally qualified for subsistence in Wrangell-St. Elias National Park and Preserve.

13.1910 Kennecott Mines National Historic Landmark and developed areas: closures and restrictions

Discharging a firearm on federal lands from May 1 through September 30 within the mill site as defined in 13.1904(d) is prohibited unless required for defense of life or property.

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

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

No closures at present.
See also 2.18.

36.11(d) Temporary closures to the use of motorboats

No closures at present.
See also 3.3, 3.6.

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

No closures at present.
See also 2.16, 3.3, 3.6.

36.11(f)(1) Temporary closures to landing fixed-wing aircraft

No closures at present.

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.

36.11(g)(2) Use of off-road vehicles (ORV) on existing trails

ORVs may be operated on existing trails pursuant to a permit issued under 43 CFR 36.11(g)(2). Existing trails where ORVs may be operated are shown on a map available at park headquarters in Copper Center or the Slana Ranger Station. Pneumatic tired vehicles and tracked vehicles are authorized. Recreational ORVs may not be operated in designated wilderness. These designations and restrictions do not apply to subsistence use of ORVs traditionally used for subsistence activities.

This restriction will minimize the impacts of vehicle travel in the park while allowing for access.

See also 13.40(c) regarding the Malaspina Glacier Foreland and 13.460 for subsistence access.

This compendium is approved and rescinds all previous compendiums issued for Wrangell-St. Elias National Park and Preserve.

Please note the attachments and appendices below.

/s/ Meg Jensen **12/19/07**

Superintendent **Date**

List of Attachments

1. Wrangell-St. Elias Subsistence Green Log Policy

Appendix

1. Map of area restricting discharge of firearms within Kennecott Mill Site.
2. Map of area closed to camping near mile 59 McCarthy Rd.
3. Map of trails closed to ORV traffic near Jack, Tanada, and Copper lakes.

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), the Superintendent of Wrangell-Elias National Park and Preserve has determined that in order to protect public safety and prevent adverse impacts to wildlife, conditions are placed on storage of food, garbage, lawfully taken fish or wildlife, and equipment used to cook or store food throughout the park.

The reasons for this restriction are as follows:

1. Wildlife in a natural ecosystem is adapted to exist on natural food source. Obtaining human food may adversely affect behavior and nutrition of wildlife.
2. Both black and brown bears are common throughout the 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.
3. 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.
4. 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.
5. Any impact to nutrition may manifest itself in reduced reproductive success and life expectancy.
6. While nutritional impact on wildlife may vary depending on a number of factors, notably the percentage of the overall diet of the animal is made up of non-natural food and during what time of year, no impact is acceptable under National Park Service management policies.
7. Bears which become conditioned to human food in this area are likely to be killed by humans in defense of life or property inside the parklands or on adjacent lands.
8. 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 doubtless improved the situation and reduced wildlife/ human conflict and impacts.
2. Recognizing that variations in the environment and recreational activity require multiple food storage options, park managers have undertaken the following to assist visitors and make these conditions less onerous:

    - Park supplied bear resistant food storage containers (BRFC) are available at park headquarters.

3. Despite these efforts, park managers repeatedly encounter situations in which food or garbage is improperly stored throughout the parklands.
4. The food storage conditions imposed under this section allow for a wide variety of storage options, including free loans of portable BRFC units, to make compliance less onerous.
5. We have considered the use of the Alaska State Administrative Code 5 AAC 92.230 which reads:

A person may not intentionally feed a moose (except under terms of a permit issued by the department), bear, wolf, coyote, fox, or wolverine, or negligently leave human food, pet food, or garbage in a manner that attracts these animals. However, this prohibition does not apply to use of bait for trapping fur bearers or hunting black bears under 5 AAC 84-5 AAC 92.

- Park employees lack authority to enforce this regulation directly, and would rely on state officers. Given limited state staffing in this area and other priorities, enforcement would be severely hampered.
- If we adopted the language of the state regulation into a park condition under this section, we would unreasonably force our enforcement officers to prove "negligence" in court. The threshold we seek to enforce is lower given our specific legal mandate to protect wildlife.

6. 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: Firearms discharge

Pursuant to Title 36 of the Code of Federal Regulations, 1.5 (c) and 13.1910, the Superintendent of Wrangell-Elias National Park and Preserve has determined that in order to protect public safety, discharging a firearm on federal lands within the mill site in KNHL during peak visitor season is prohibited.

The reasons for this restriction are as follows:

After review and consideration of the need for annual updates, the park is proposing one change relating to public safety.

13.73(e) Kennecott Mines National Historic Landmark and developed areas: closures and restrictions

Discharging a firearm on federal lands from May 1 through September 30 within the mill site as defined in 13.1907(d) is prohibited unless required for defense of life or property.

The reasons for this restriction are as follows:

- Due to the increasing visitation numbers, the proximity of the Kennicott Glacier Lodge and other highly frequented visitor facilities, and the nature of the park reconstruction efforts at Kennecott, discharging firearms poses a serious public safety concern.

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

- The community of Kennecott is unincorporated and has no local formal government that could address the unsafe discharge of firearms within the concentrated visitor use of the Mill Site.
- Although State law prohibits hunters from shooting from or across roadways, the roadways within Kennecott are small, and the nature of use in the area would continue to place people at risk. Visitors, local residents, local workers, and NPS staff conduct most of their activities in and around the buildings and structures of the area, and not on roadways.
- The restriction will only be in place on federal lands in the mill site and only during summer months. During this time, there are higher concentrations of visitors, summer residents, and employees in this particular area which elevates safety concerns over the discharge firearms in this area.
- Any subsistence hunting activity that does not require the discharge of a firearm within this limited area would not be affected by this proposed restriction.

United States Department of the Interior

NATIONAL PARK SERVICE

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January 10, 1989

MEMORANDUM

To: Park Staff

From Superintendent, Wrangell-St. Elias NP/P

Subject: Subsistence Green Log Policy

The preamble to 36 CFR Pert 13 dated June 17, 1981, states the following with regard to the subsistence use of timber and plant materials:

> Section 13.49(a) relaxes the general public use regulations by allowing local rural residents in park areas where subsistence uses are allowed to obtain a permit to cut standing live timber of greeter then three inches diameter at ground height for subsistence needs such as shelter or fuel. Before issuing a permit, the Superintendent must determine that the proposed cutting is compatible with the purposes for which the park area was established. Furthermore, the Superintendent will include in the permit any stipulations deemed necessary to protect the resources of the park area...

In order to implement this direction, a study of the forest resources in areas subject to timber cutting was initiated in 1986. This study concluded that in order to protect the continued viability of the slow—growth forests found within the park and preserve, limited harvesting of green logs could continue under certain conditions and would need to be closely monitored, in addition, the number of requests for green log permits has steadily increased since the establishment of the park. In order to deal with these requests in a rational and reasonable manner, the following policy and permits terms end conditions have been established:

POLICY:
It is the policy of the Superintendent, Wrangell-St. Elias National Park and Preserve to allow for the non-commercial cutting of green logs in accordance with the provisions of the Alaska Natural Lands Conservation Act (ANILCA) and Title 36 CFR, Part 13.49, "…the Superintendent may permit cutting in accordance with the specifications of a permit if such cutting is determined to be compatible with the purposes for which the park area was established." This policy covers the non-commercial cutting of live standing timber (green logs) for appropriate subsistence use, such as house logs or firewood greater than 3" at ground height.

Of primary concern to the National Park Service is the maintenance and protection of forest resources and other park values. Subsistence green log permits will only be issued if it can be shown that harvest will not impair or otherwise degrade the viability of the forest resource and other park values. Applicants for subsistence green log permits must meet the following conditions prior to issuance of a permit by the Park Superintendent.

STANDARD PERMIT PROCEDURES AND CONDITIONS:

For subsistence house log permits, the applicant must demonstrate a significant need for green logs, and may only be used for a primary place of residence.

Applicant generally must live within the park boundary and have demonstrated a customary and traditional use of park resources.

Applicant must provide evidence of exploring reasonable alternative sources for logs such as logs from state, private or university lands, or by transporting logs which are harvested outside the park, to the building site. The Superintendent will also consider the availability of suitable downed timber from both private and public lands in determining amount of green logs to be taken from park lands.

For subsistence house log permits, the applicant must submit a rough plan/sketch, dimensions and proposed method of construction to the Superintendent before permit is considered.

For subsistence house log permits, the allowable harvest shall not exceed 120 trees (includes both live and dead trees), the amount required for a cabin of 280 sq. ft. (determined on the basis of the average size of 237 cabins identified on park/preserve lands). This amount includes a 20% allowance for waste, unusable wood, tree size variability and miscellaneous needs.

For firewood permits, the applicant will be limited to what is reasonably needed for purposes of heating, cooking, etc. in the primary place of residence.

The Superintendent may further limit the amount of logs based on concerns for forest viability, limited annual production and potential impact on park values.

Subsistence house logs may only be used for a primary residence and may not be used for commercial purposes (sale of whole logs or sale of lumber cut from subsistence logs) or in structures used for commercial purposes (lodges, etc.).

Green logs granted for firewood use may be used only for that purpose and may not be used for house construction, saw timber or other uses unless specifically authorized on the permit.

All subsistence logs must be marked and measured by NPS staff prior to harvest.

The Superintendent will designate access routes to be used for harvesting and skidding subsistence green logs.

Subsistence green logs may not be harvested farther than one half mile from a designated access route.

Timber felling and skidding will be limited by ground conditions and season to protect resource values and is generally limited to frozen ground with a minimum of 6-12" of snow cover.

An additional subsistence house log permit will not be issued to a landowner/family for a period of 10 years after the previous permit was issued. This condition applies to any land subdivided or transferred subsequent to the issuance of the original subsistence house log permit.

An additional subsistence house log permit may be issued due to emergency or unusual and unforeseen circumstances (fire, other damage, etc.).

Subsistence firewood permits may be issued on a yearly basis.

Permits may not be issued in zones or areas where subsistence timber harvest would result in a threat to the viability of the forest resource or which would otherwise compromise the purposes for which the park was established.

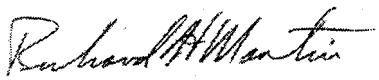
Environmental, archeological, historical, and subsistence compliance may be required prior to issuance of subsistence log permit.

The Special Use Permit (10-114) shall be the permitting instrument and shall be completed in accordance with NPS-53.

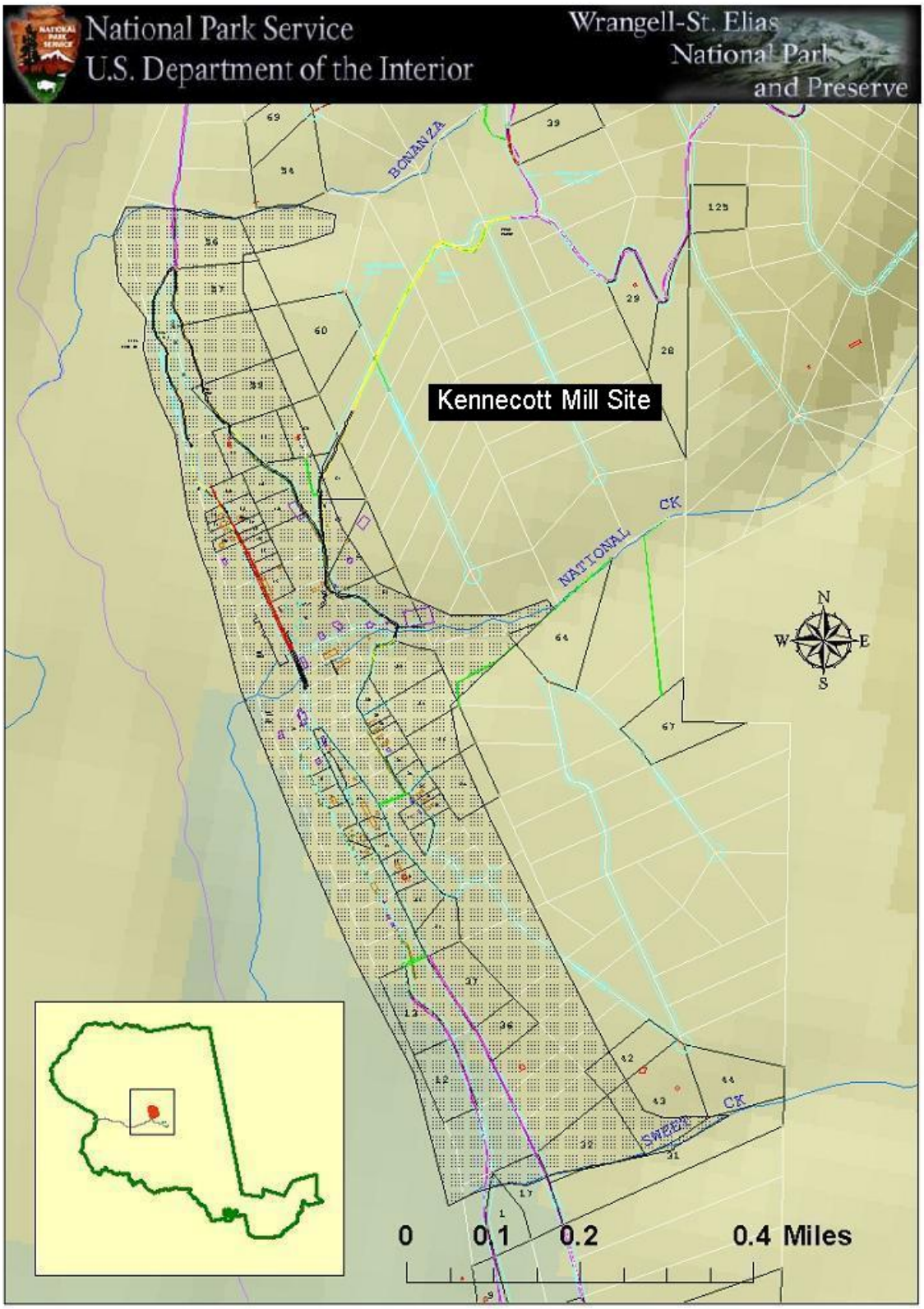
Violation of the terms and conditions of the permit may result in an immediate revocation of the permit by the Superintendent.

Subsistence green log permits may only be issued by the Superintendent or his designee.

This policy will remain in effect until revoked in writing by the Superintendent.



Richard H. Martin


National Park Service
U.S. Department of the Interior
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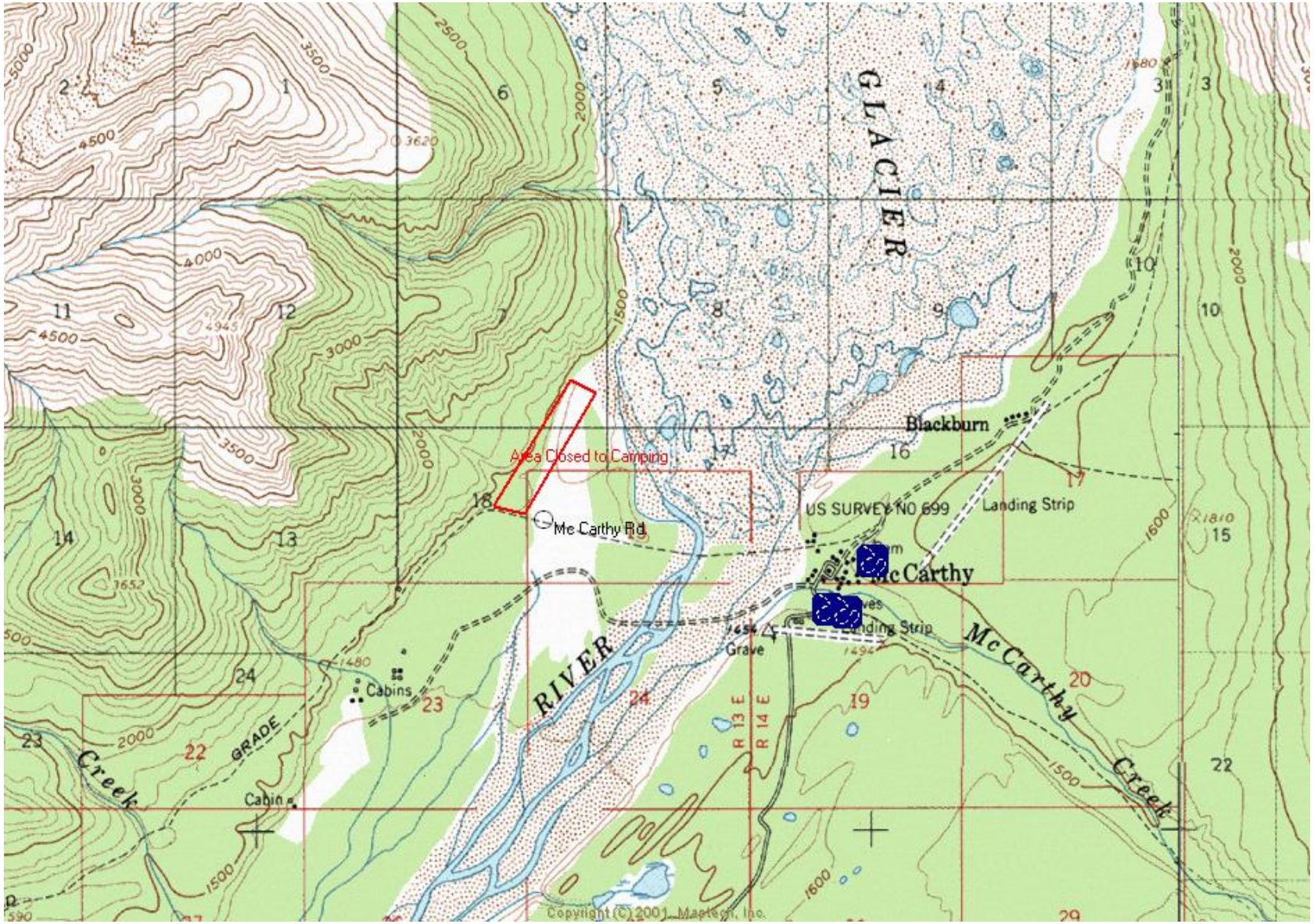
Area Closed to Camping
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Blackburn
US SURVEY NO 699
Landing Strip
McCarthy
Landing Strip
Grave
Cabins
Cabin
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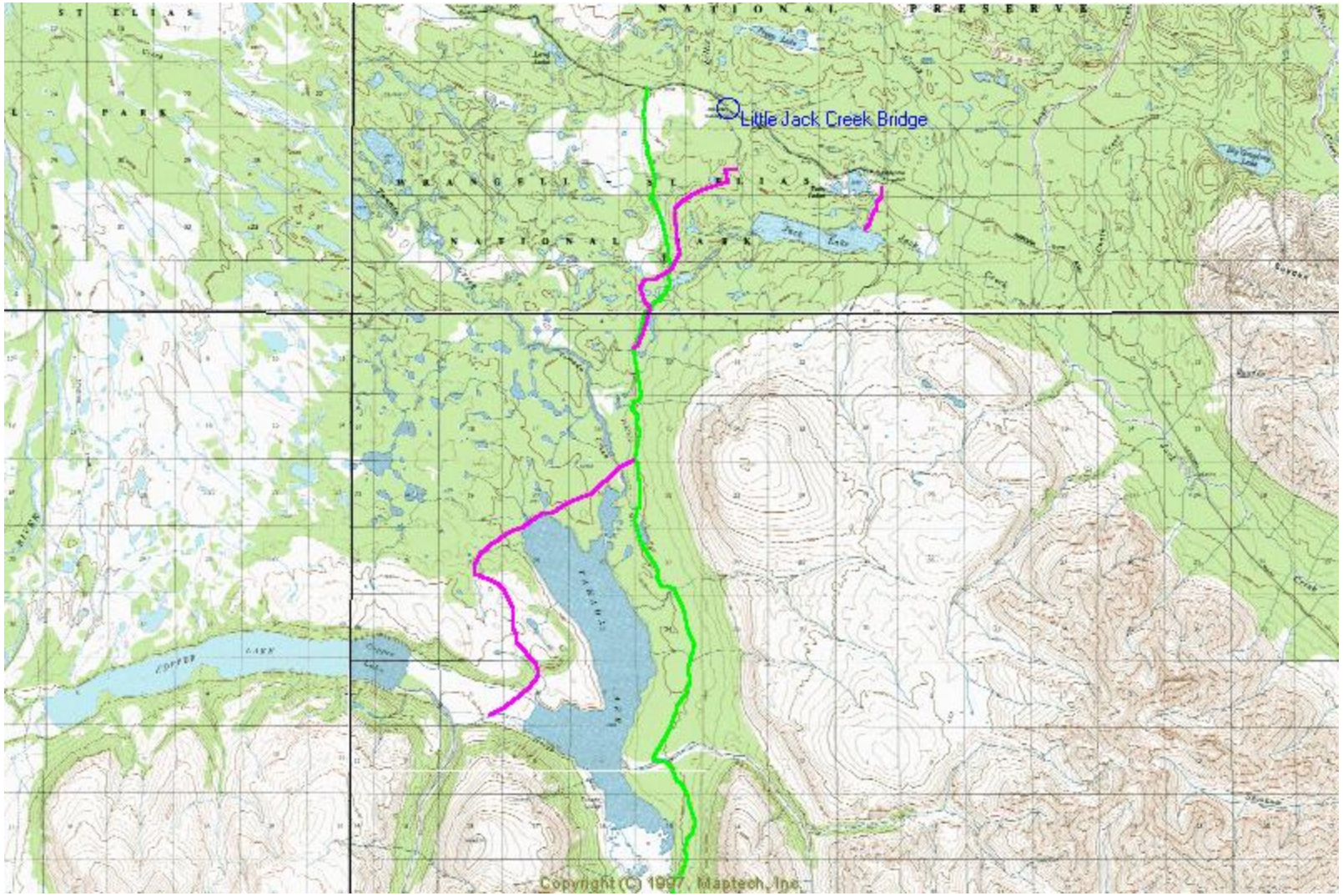
Little Jack Creek Bridge
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