

**PREAMBLE
TO THE
SUPERINTENDENT'S COMPENDIUM
2009**

**KATMAI NATIONAL PARK AND PRESERVE
ANIAKCHAK NATIONAL MONUMENT AND PRESERVE
ALAGNAK WILD RIVER**

PREAMBLE

The proposed compendium was available for comment from January 1 – February 15, 2009. The following preamble addresses comments received by the park on the proposed compendium. Groups or organizations who commented are identified in the discussion.

The park received comments from the State of Alaska and National Parks Conservation Association (NPCA).

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

The State of Alaska commented on adding clarification to how fire's diameter will be measured. The NPS has changed the provision to read "from outside edge to outside edge" to measure the diameter.

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

The State of Alaska commented on removing the words "non-government" as the words are not needed. The NPS agrees with this and has removed the words.

13.25(a) Temporary closures and restrictions to camping

Both the State of Alaska and the NPCA stated that they support this change.

**KATMAI NATIONAL PARK AND PRESERVE
ANIACHAK NATIONAL MONUMENT AND PRESERVE
ALAGNAK WILD RIVER**

Compendium 2009

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 provide 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 Katmai National Park and Preserve, PO Box 7, King Salmon, Alaska 99613 at (907) 246-3305 for questions relating to information provided in this compendium.*

For the purpose of this compendium, the term "parks," "park areas," or "park units" will refer to Katmai National Park and Preserve, Aniakchak National Monument and Preserve, and the Alagnak Wild River. The regulations contained within this compendium apply to all of these areas unless otherwise specified.

TITLE 36 CODE OF FEDERAL REGULATIONS

PART 1. GENERAL PROVISIONS

1.5 Closures and public use limits

See specific sections in this document for additional information regarding visiting hours, public use limits, and closures.

1.6(f) Compilation of activities requiring a permit

- Scientific research, 1.5
- Possessing a loaded, operable, *or* accessible weapon in the former Katmai National Monument, 2.4(d)
- 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)
- Using designated fee areas or facilities, 2.23(b)

- 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
- Motorized use of the Valley of Ten Thousand Smokes Road, 4.11(a)
- Use of the Lake Camp launching facilities/roadway by trailers over 50' in length, 4.11(a)
- 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
- Using aircraft access for subsistence activities in the Monument, 13.450(a), 13.450(b)(1)
- 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

Dead and downed wood may be collected for use as fuel for campfires within the former Katmai National Monument; however, no wood may be collected from historic structures or cabins. This would include the wood used to construct cabins or other historic structures such as caches or racks, and wooden furnishings, artifacts or other historic items..

Superseded by 13.35(c)(4), (d) and 13.485(b) in the 1980 ANILCA Preserve and Park additions.

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.

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

In the former Katmai National Monument, all edible fruits, berries, nuts and unoccupied seashells may be gathered by hand for personal use or consumption.

Superseded by 13.35(c)(1) and 13.485(b) in the 1980 ANILCA Preserve and Park additions.

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 bait fishing, except the Naknek River where bait may be used in accordance with state law pursuant to 13.1204(a). 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 open to fishing from motor road bridges and public boat docks except the floating bridge in the Brooks Camp Developed Area.

The floating bridge at Brooks Camp is the primary travel route between visitor services provided at Brooks Camp and the viewing platforms along the river. For the safety of visitors no fishing from the bridge will be allowed.

2.10(a) Camping: conditions and permits

Superseded in part by 13.25, 13.1222.

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.igbconline.org/html/safety.html>);

- 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>), with the concurrence of the Superintendent;
- Park provided metal food lockers at some coastal campsites; and
- Items or methods approved by the Superintendent.

(2) Throughout the park, all food 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:

- Legally taken game.
- 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.

The intent of these designations is to prevent the food conditioning of bears and other wildlife by not allowing bears to associate people with food; 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 generally approved as BRC. The park offers bear resistant containers for temporary use to the public. The containers are free of charge and can be picked up at the park's visitor centers in King Salmon and Brooks Camp.

A written determination of need per 36 CFR § 1.5(c) is attached.

See also 13.1228 for requirements in the Brooks Camp Developed Area.

See attached Brooks Camp Developed Area Map.

2.11 Picnicking: designated areas

Superseded by 13.26.

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

Areas throughout the park are designated as open to fires with the exception Lake Camp and the Brooks Camp Developed Area. Fires may not exceed 2 feet in diameter measured from the outside edge to outside edge of fire rings.

See also 13.1230 for Brooks Camp Developed Area.

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

Dumping of household, commercial, or industrial refuse brought into the park is prohibited.

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

No designated areas.

See 13.1232 for Brooks Camp Developed Area.

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

There are no areas designated.

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

Human waste will either be removed as trash or deposited in individual, one time use cat-holes dug at least 100 feet from any surface fresh water source and at least 6 inches deep.

This requirement is intended to ensure that proper disposal of human waste occurs in the backcountry to protect water quality and visitor health and safety. The restriction of 6 inches deep is to prevent the disturbance of cultural resource sites.

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

All toilet paper and other sanitary products shall be packed out as trash or burned.

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

No designated areas. Pets must be leashed or physically restrained at all times. See 13.1234 for the Brooks Camp Developed Area.

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).

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

Roads and parking areas open to vehicle traffic in the winter are designated as open to winter activities.

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

No designated areas.

2.20 Skating and skateboards

Superseded by 43 CFR 36.11(e).

2.21 Smoking

All public buildings are closed to smoking unless specifically permitted and signed as a designated smoking area. 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, 13.1240, 13.1208.

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

A permit from the superintendent is required for all public assemblies or meetings. Areas for assemblies or meetings will be designated on the permit.

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

A permit from the superintendent is required to sell or distribute printed matter. Areas for assemblies or meetings will be designated on the permit.

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. Any feed brought in must be “weed-free.”

These restrictions seek to lessen the impact of extended camps on vegetation and minimize the risk of nonnative plant invasion.

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 designated areas.

3.12(a) Water skiing: designated waters

No designated waters.

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

No designated routes or areas.

See also 43 CFR 36.11(g).

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

A permit is required for the use of any passenger vehicle with an 11-foot wheel base and trailer of more than 20-feet, or vehicle/trailer combination when the vehicle has over a 12-foot wheelbase at the Lake Camp facility.

The Lake Camp access road and ramp were designed for a passenger vehicle with maximum 11-foot wheel base and trailer of no more than 20-feet. Any vehicle with a wheel base of over 12-feet will reportedly have trouble making the turn. Vehicle/trailer combinations beyond these specifications have proven to cause damage to the roadway and limit other public access while attempting to navigate the corners. Use by permit only of vehicles and/or trailers exceeding the stated measurements allow the park to control the time, place and manner of use while ensuring resource protection, personal safety, and full public access to the boat launching facility.

A permit is required for motorized use of the Valley of Ten Thousand Smokes Road between April 1 and October 31.

The single vehicle road width, minimal visibility, nonexistent communication and continued operation of contracted construction equipment makes private use of the road unsafe. Use by permit only allows the park control the time, place, and manner of use while ensuring the users safety.

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

Speed limits on the Lake Camp road are 25mph unless otherwise posted.

The reduced speed limit is for public safety. Pedestrians, bicyclists and wildlife often use the roadway and visibility is limited due to road design and vegetation.

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 prohibited in the core Hallo Bay Meadows as shown in Appendix C from April 1st through October 31st.

This restriction is intended to prevent conflicts with bears and visitors at prime feeding sites that attract bears and bear viewers while providing for overnight camping in the area.

A written determination of need per 36 CFR § 1.5(c) is attached.

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 13.1222 for Brooks Camp Developed Area.

13.26 Picnicking-areas where prohibited or otherwise restricted

No restrictions at present. See 13.1238 for restrictions in Brooks Camp Developed Area.

Picnicking is defined as the consumption or preparation of any food items (other than water). Food items include any substance intended for human consumption.

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

There are no additional restrictions in the 1980 ANILCA Preserve and Park Additions. See 2.4(a)(2)(i) for restrictions in the former Katmai National Monument.

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

No designated areas.

See 2.1(a)(4), (c)(1)-(3) for restrictions in the former Katmai National Monument.

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

See 2.1(a)(4), (c)(1)-(3) for restrictions in the former Katmai National Monument.

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

No closures or restrictions at present.

See 2.1(a)(4), (c)(1)-(3) for restrictions in the former Katmai National Monument.

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

No closures at present where hunting is authorized. See applicable State of Alaska hunting regulations for Katmai National Preserve, Aniakchak National Preserve, and Alagnak Wild River. Sport hunting is prohibited in Aniakchak National Monument. Katmai National Park is closed to all hunting.

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

Leaving a boat, trailer, or vehicle unattended for more than 72 hours 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.

In addition to the places in the Brooks Camp Developed Area designated in 13.1240, personal property may be left unattended at the Brooks Lodge Office Porch.

13.50(h) Facility closures and restrictions

No restrictions at present.

13.46 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

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

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

Fure's Cabin at the northeast corner of the "Bay of Islands" in the north arm of Naknek Lake is designated as a public use cabin.

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

The following conditions apply to Fure's cabin at the northeast corner of the "Bay of Islands" in the north arm of Naknek Lake:

- Use of the cabin site for specific administrative uses shall have priority over all unreserved public use when deemed necessary by the park superintendent.
- All use will be conducted for recreational activity by reservation through the King Salmon office.
- No commercial overnight use is permitted at the cabin.
- Reservations shall be made on a first-come first-served basis beginning no earlier than January 1 of each calendar year of the intended use.
- Use will be limited to groups no larger than six and the names of all group members shall be provided at the time a reservation is requested.
- Overnight stays are limited to no more than four consecutive nights and no more than seven nights a year.
- Use of the adjacent historic tower is not permitted.
- The use of a tent within the cleared area around the cabin is prohibited.
- Alterations to the structure, marring the surface of the wood logs, framing or other components of the cabin and surrounding structures is prohibited.

This requirement allows for equitable public use of the Fure's Cabin.

13.1188(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.

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

Cutting of timber for subsistence or any other purpose is not authorized in Katmai National Park. In all other areas, the Superintendent may allow subsistence harvest of trees greater than 3" subject to the terms and conditions of a permit issued by the superintendent.

The above restriction serves to minimize impact to park resources, ensure that natural biodegradation processes are unimpaired, and protect against over harvest.

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

Cutting of timber is not authorized in Katmai National Park. In all other areas, verbal or written permission from the Superintendent is required to cut live timber less than 3" in diameter, except as necessary to clear designated vehicle routes and airstrips.

The above restriction serves to minimize impact to park resources and protect against over harvest.

KATMAI NATIONAL PARK AND PRESERVE SPECIAL REGULATIONS

13.1204 Traditional redbfish fishery: conditions established by the Superintendent

No conditions at present.

13.1206 Wildlife distance conditions: designated bear viewing structure

There are three bear viewing structures: the platforms at the mouth of the Brooks River, the Falls and the Riffles.

The Falls and Riffles bear viewing platforms and boardwalks are closed from 10 pm to 7 am during the period June 15 through August 15. Entering or going upon these platforms and boardwalks during these hours is prohibited.

A schedule of visiting hours is required per the Finding of No Significant Impact for the Brooks River-Bear Viewing Facility. The schedule is intended to provide bears access to Brooks Falls and vicinity during the predictable period of time in which the general public is absent from viewing structures.

13.1222(a) Brooks Camp Developed Area (BCDA): designated camping areas

Camping is authorized at the Brooks Camp Campground only.

13.1226 Brooks Camp Developed Area (BCDA): designated route through Brooks Falls closure

A map showing the designated route is available at the Brooks Camp Visitor Center.

13.1228 Brooks Camp Developed Area (BCDA): designated facilities and conditions for food storage

Food storage facilities are provided at Brooks Campground, Lake Brooks, and Naknek Lake.

13.1232 Brooks Camp Developed Area (BCDA): designated areas for washing dishes or cooking utensils

Washing dishes or cooking utensils at locations other than the water spigot near the food cache in the Brooks Campground or other designated areas is prohibited.

13.1240 Brooks Camp Developed Area (BCDA): designated equipment caches for leaving property unattended

Brooks Camp Developed Area

Leaving property, other than motorboats and planes, unattended for any length of time within the BCDA is prohibited, except at the Brooks Lodge Porch, Brooks Campground, or designated equipment caches at the Brooks Camp Visitor Center and Lake Brooks Picnic Area. The Brooks Lodge Office Porch is also designated as an area where property may be left unattended pursuant 13.45(c).

13.1242 Brooks Camp Developed Area (BCDA): closures and restrictions

No closures and restrictions.

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 NPS lands; 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

No designated trails. See also 4.10.

This compendium is approved and rescinds all previous compendiums issued for Katmai National Park and Preserve, Aniakchak National Monument and Preserve, and the Alagnak Wild River.

Superintendent: 
Ralph Moore

3-16-2009
Date:

- Attachments:
- 2.10 Food Storage Determination
 - 3.14(a) Conditions for removing sunken, grounded, or disabled vessels
 - 13.25 Camping Closure Determination
 - 2.13 Determination of Need for Opening of Park Areas to Fires 2.13(a)(1) Fires:
designated areas and conditions
 - 4.11(a) Load weight and size limits: permit requirements and restrictive
conditions
 - 4.11(a) Load weight and size limits: permit requirements and restrictive
conditions
 - 13.25(a) Temporary closures and restrictions to camping
 - 13.26 Picnicking-areas where prohibited or otherwise restricted
- Brooks Camp Developed Area Map
Hallo Bay Seasonal Camping Closure Map

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 Katmai 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, powdered, 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 providing for human safety.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Backcountry Camping

Pursuant to Title 36 of the Code of Federal Regulations, §§ 13.25 and 13.50(d), the Superintendent of Katmai National Park and Preserve has determined that the core area of Hallo Bay Meadows must be closed to camping from April through October to prevent conflicts with bears and visitors at prime feeding sites that attract bears and bear viewers.

The reasons for this restriction are as follows:

1. There is an increasing demand, and corresponding increase in visitation, to view bears in Hallo Bay Meadows.
2. Hallo Bay Meadows is the preferred camping location for bear viewers as it is a primary access point for visitors arriving by boats and floatplanes.
3. Bears heavily use this area to feed on fish, clams and sedges during this specific time frame.
4. To minimize displacement of bears from these critical feeding sites, prevent user group conflicts, and reduce bear/human confrontations in camp situations.
5. The park lacks appropriate resources to establish designated sites or a registration system for this area.

The *managerial result* of this restriction is as follows:

1. The area closed to camping will be limited to the core meadow areas.
2. The duration of the closure will be from April 1st to October 31st.
3. The closure will be established in a manner that makes camping areas available on the periphery of the meadows and near primary access points providing reasonable access for day use by campers.
4. Other management options were considered including camping by permit or registration only, designated sites, and management zones; however, they were found to be more restrictive than necessary to achieve the stated purpose.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Conditions for removing sunken, grounded, or disabled vessels

Pursuant to Title 36 of the Code of Federal Regulations, 1.5(c) and 3.14(a), the Superintendent is requiring a permit before sunken, grounded, or disabled vessels may be removed from the park.

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.

Determination of Need for Opening of Park Areas to Fires

Subject: Designation of areas and conditions open to the lighting and maintaining of fires

Pursuant to Title 36 of the Code of Federal Regulations, 2.13 (a)(1), the lighting or maintaining of a fire is prohibited except within designated areas and under conditions established by the Superintendent.

The reasons for this designation are as follows:

- The park recognizes that the construction and use of personal campfires is common to backcountry travel within Katmai National Park and Preserve.
- The park wishes to make the lighting the maintaining of personal campfires a permitted practice within the designated size limits of not more than 2 feet in diameter.
- The Park areas of Lake Camp and the BCDA will remain closed to fires except as provided for in designated receptacles.

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

- The threat of wildfires is generally not a significant concern based on the vegetation types and weather patterns commonly found in the area.
- The building and maintaining of fires in parks areas has been occurring for a long time and no large scale impacts have been found.
- Restrictions on the allowed size of fires will provide an increased level of protection to park resources and decrease the burn damage to organic soils.
- Continued restrictions at Lake Camp and the BCDA provide for the continued protection of park residents and visitors as well as both park visitor and business facilities.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Fires: designated areas and conditions

Pursuant to Title 36 of the Code of Federal Regulations, and 2.13(a)(1) the Superintendent of Katmai National Park and Preserve has determined:

Areas throughout the park are designated as open to fires may not exceed 2 feet in diameter.

The reasons for this designation are as follows:

- The park recognizes that the construction and use of personal campfires is common to backcountry travel within Katmai National Park and Preserve.
- The park wishes to make the lighting and/or maintaining of personal campfires an authorized practice within the designated size limits of not more than 2 feet in diameter.
- The Park areas of Lake Camp and the BCDA will remain closed to fires except as provided for in designated receptacles.

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

- The threat of wildfires is generally not a significant concern based on the vegetation types and weather patterns commonly found in the area.
- The building and maintaining of fires in parks areas has been occurring for a long time and no large scale impacts have been found.
- Restrictions on the allowed size of fires will provide an increased level of protection to park resources and decrease the burn damage to organic soils.
- Continued restrictions at Lake Camp and the BCDA provide for the continued protection of park residents and visitors as well as both park visitor and business facilities.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Fires: Load weight and size limits: permit requirements and restrictive conditions

Pursuant to Title 36 of the Code of Federal Regulations, 4.11(a) the Superintendent of Katmai National Park and Preserve has determined:

A permit is required for the use of any passenger vehicle with an 11-foot wheel base and trailer of more than 20-feet, or vehicle/trailer combination when the vehicle has over a 12-foot wheelbase at the Lake Camp facility.

The reason for this restriction is as follows:

- The Lake Camp access road and ramp were designed for a passenger vehicle with maximum 11-foot wheel base and trailer of no more than 20-feet. Any vehicle with a wheel base of over 12-feet will reportedly have trouble making the turn. Vehicle/trailer combinations beyond these specifications have proven to cause damage to the roadway and limit other public access while attempting to navigate the corners.

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

- Uses of these facilities by larger vehicles/trailers have caused damage in prior occasions. A permit for vehicles and/or trailers exceeding the stated measurements allow the park to assist individuals with launching and trailering boats while ensuring resource protection, personal safety, and full public access to the boat launching facility.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Load weight and size limits: permit requirements and restrictive conditions

Pursuant to Title 36 of the Code of Federal Regulations 4.11(a) the Superintendent of Katmai National Park and Preserve has determined:

A permit is required for motorized non-government use of the Valley of Ten Thousand Smokes Road between April 1 and October 31.

The reason for this restriction is as follows:

- The single vehicle road width, minimal visibility, nonexistent communication and continued operation of contracted construction equipment make private use of the road unsafe.

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

- Unrestricted, non-government motor vehicle use is not safe due to narrow road width, limited visibility, and construction activity.
- Use by permit only allows the park to control the time, place, and manner of use while ensuring the users safety.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Temporary closures and restrictions to camping

Pursuant to Title 36 of the Code of Federal Regulations 3.25(a) the Superintendent of Katmai National Park and Preserve has determined:

Camping is prohibited in the core Hallo Bay Meadows as shown in Appendix C from April 1st through October 31st.

The reasons for this restriction are as follows:

- This restriction is intended to prevent conflicts with bears and visitors at prime feeding sites that attract bears and bear viewers while providing for overnight camping in the area.
- Primary use of this area is by day-use visitors.
- Annual changes in vegetation growth times and food availability can effect when bears rely on the meadow area.
- Maintaining a regular area of overnight/extended human occupancy provides consistency to bears using the area and limits the spread of camping impact on vital meadow resources.

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

- Less restrictive dates do not account for changes in resource conditions or use by bear populations for critical food availability.
- Day use continues to make up the majority of visitation past mid-July when bears are still utilizing meadow resources. Camping outside of the meadow area continues to enhance viewing opportunities and limit injury to meadow habitat.

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Picnicking-areas where prohibited or otherwise restricted

Pursuant to Title 36 of the Code of Federal Regulations 13.26 the Superintendent of Katmai National Park and Preserve has determined:

No restrictions at present. See 13.1238 for restrictions in Brooks Camp Developed Area.

Picnicking is defined as the consumption or preparation of any food items (other than water). Food items include any substance intended for human consumption.

The reasons for this clarification are as follows:

- Current regulations are written using the term “picnicking” which has varying definitions.
- Variations in definition do not allow for consistent understanding of the regulation by visitors and leads to inconsistent enforcement over time.
- Clarifying the term “picnicking” provides clarity to the regulation for all visitors, users and employees of the park.

Superintendent: _____



Ralph Moore

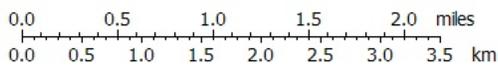
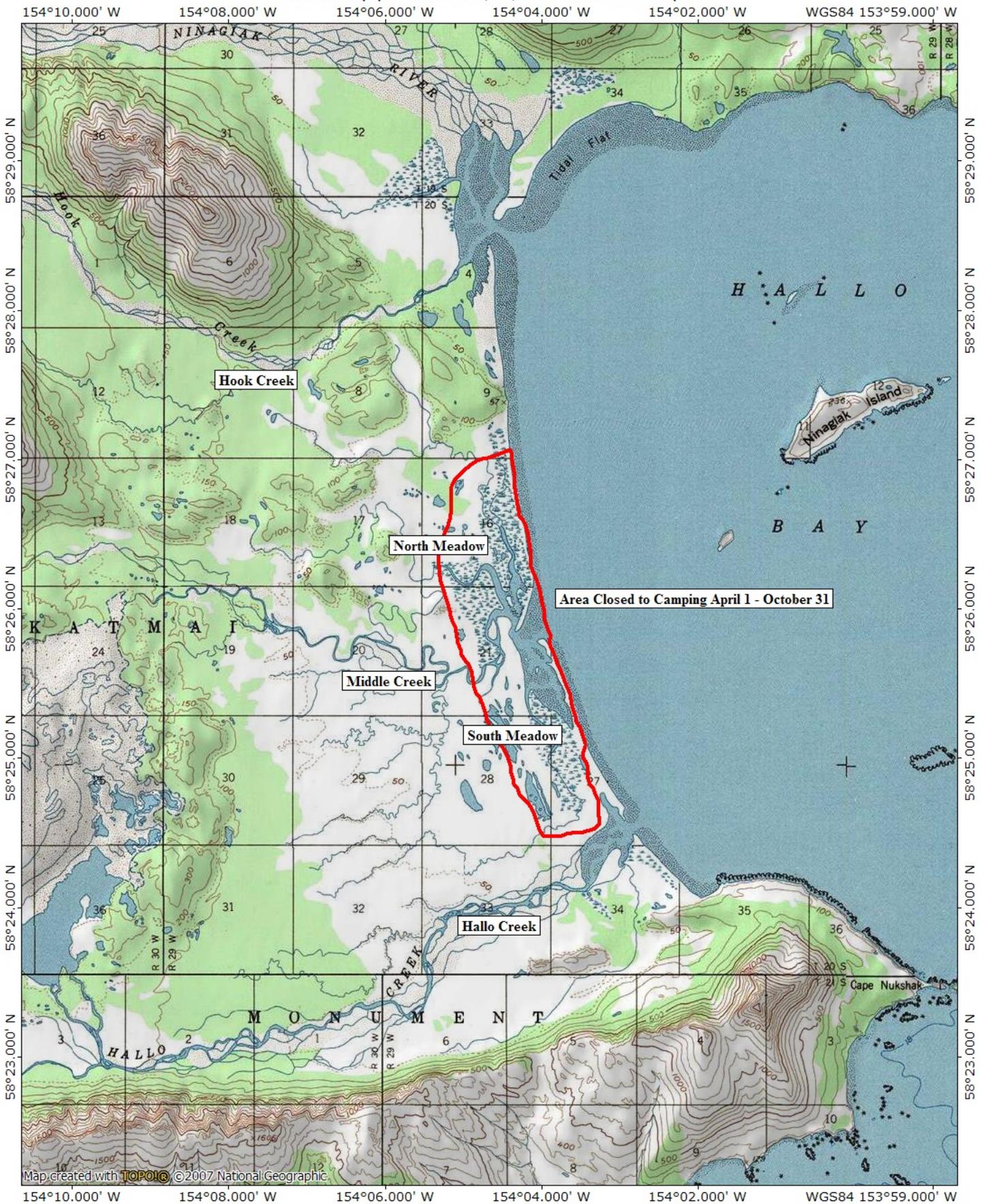
3-16-2009

Date:

Brooks Camp Developed Area
Katmai National Park and Preserve Compendium



TOPO! map printed on 12/17/08 from "Untitled.tpo"



TN / MN
17°
12/17/08