PREAMBLE
TO THE
SUPERINTENDENT'S COMPENDIUM
2014

DENALI NATIONAL PARK AND PRESERVE

The compendium is a list, updated annually, of designations, closures, permit requirements and other restrictions adopted under discretionary authority of the National Park Service (NPS) in the Code of Federal Regulations (CFR). It is the policy of the NPS in Alaska to consult with the State of Alaska and seek public input on proposed changes to the compendium. The proposed compendiums and a written explanation of changes were published on January 15 with a 30 day public comment period. This compendium documents the agency's decisions and responds to substantive public comments received on proposed changes.

The park received comments from the State of Alaska Citizens' Advisory Commission on Federal Areas (CACFA), the State of Alaska ANILCA Implementation Program (State AIP), the Safari Club, and two individuals.

Safari Club, CACFA, and the State AIP comment on the NPS decision to remove temporary wildlife harvest restrictions (for sport hunting and trapping) from the compendium in order to be more responsive to State Board of Game actions. The provisions included in the 2013 compendium restricted the use of artificial light to take black bear cubs and sows at den sites, brown bears over bait stations, and taking wolves and coyotes during the summer months. After the NPS approved the proposed compendiums and before they were posted, the state Board of Game declined to consider a request by the NPS to revisit these authorizations for taking black bear cubs and sows with artificial light at dens, brown bears over bait stations, and wolves and coyotes during the summer months. Accordingly, the NPS is moving forward with temporary restrictions. Information on these restrictions as well as opportunity to comment can be found at: http://www.nps.gov/akso/management/compendiums.cfm
(under "Quick Links" on the right side of the page, select "Wildlife Restrictions"). Because this procedural change was noted in the proposed 2014 compendium, the NPS will respond to comments on the change and new process

Safari Club commented that the NPS decision to address wildlife harvest matters "indicates a disregard for state authority." To the contrary, the NPS has repeatedly sought a state solution to these conflicts and has taken action only after the State has declined to do so and stated the NPS is responsible for ensuring preserves are managed consistent with federal law and policy. Safari Club also questioned whether the NPS has authority to take action. This authority is expressly provided in ANILCA section 1313 and implementing regulations at 36 CFR 13.40, 13.50. Safari Club states the NPS must provide "adequate and varied sustainable hunting opportunities resulting in properly managed predator/prey balance." While these are not terms used in the legal and policy framework for managing NPS units, the NPS agrees with this statement. The vast majority of state harvest regulations remain applicable in preserves. Only a few— use of

artificial light to take black bear cubs and sows at den sites, brown bears over bait stations, and taking wolves and coyotes during the summer months—have been preempted on NPS preserves.

CACFA and the State AIP both suggest the NPS better utilize the state Board of Game process to address NPS concerns. The NPS has and will continue to engage the Board of Game regarding potential state actions that impact preserves. However, should the Board of Game not address NPS concerns based on the framework by which NPS units are to be managed, the NPS is required to take action. The NPS is also committed to providing the state information regarding management of preserves to aid in state wildlife allocation decisions.

The State AIP and CACFA commented NPS temporary restrictions on taking wildlife are inconsistent with 36 CFR 13.50. As stated on previous occasions, the NPS does not agree with the state and CACFA's interpretation of NPS regulations. However, the NPS is considering rulemaking to address the issue permanently.

Both CACFA and the State AIP commented on procedures for adopting wildlife harvest restrictions on preserves which will be separate from this compendium. CACFA commented the NPS needs to ensure an appropriate number of public hearings are held for any temporary wildlife restrictions. The State AIP expressed concern about burdening the public with more meetings and the length of the comment period.

Federal law requires the NPS to consult with the state of Alaska prior to implementing restrictions on wildlife harvest in preserves, except in emergency situations. NPS regulations require notice and a hearing in the affected vicinity prior to implementing restrictions, other than in emergencies. The NPS will follow these legal requirements prior to implementing restrictions on the above mentioned hunting practices. The NPS has consulted with the state and will hold 10 public hearings around the state, near the affected preserves. In addition, the NPS has elected to take written comment by mail or email during the timeframe that the public hearings a re being held, provide a call-in number should individuals prefer to participate by telephone rather than travel to a hearing location, and the NPS will hold a social media chat. The NPS acknowledges the impact on the public and will seek to combine hearings with other scheduled events if possible to minimize that impact. The NPS strongly prefers to resolve these issues with the Board of Game rather than adopting temporary restrictions for NPS preserves. However, should the Board of Game take actions that would result in activities in preserves that are not consistent with federal law and policy, the NPS will follow the procedures for consultation and hearings provided in federal law and regulation.

Both CACFA and the State AIP expressed concern regarding the NPS use of social media for public outreach on the NPS proposed actions. The state commented that social media should not be used to solicit public comment, but individuals should be directed to the NPS compendium page. The NPS is committed to engaging Alaskans and the broader American public. One such method the NPS may use is social media. The NPS use of social media is intended to engage a segment of the public not otherwise reached as well as provide another venue for the public to be engaged with national parks. The NPS will continue to employ more traditional methods of communicating with the public; i.e., in person meetings, mailings, press releases. Regarding NPS treatment of social media comments, such comments are included in the administrative

record, but unlike other compendium comments, the NPS has not included these in the summary in the final compendium and responded to these comments. However, the NPS would not ignore a good suggestion or someone pointing out an error just because it came from social media. Individuals that want to make official comments are referred to the email link on the NPS compendium page or told they can mail/deliver written comments to the NPS. Last year the NPS received over 59,000 comments by mail and email. None of these comments came from the use of social media.

The State AIP also commented that the NPS requires individuals to provide their name and address when providing comments. This statement is not accurate. The National Park Service does not require this information for rulemaking, National Environmental Policy Act documents, or compendiums. Should an individual choose to share this information, such information may be subject to release.

2.1(b) Designated trails No restrictions on walking or hiking.

A comment from the public suggested "perhaps there should be a group limit size of 25 to protect the resource, especially considering the popularity of ranger led hikes on the Horseshoe Lake trail". The commenter referenced the 2.1 (b) compendium entry with this comment, however 2.1(b) relates to restricting use to a designated trail or walkway system. A group size limit of the Horseshoe Lake trail would either need to be described as a Public Use Limit under 1.5 or amending through rulemaking the13.905 regulation that addresses group size limits in Denali National Park and Preserve outside of the Frontcountry Developed Area. The park's Backcountry Management Plan describes group size limits outside of the Frontcountry Developed Area and highlights that they do not apply in areas such as the Horseshoe Lake trail. Current use on Horseshoe Lake trail falls within the prescribed use as described in the Entrance Area and Road Corridor Development Concept Plan. That said, managing use on the Horseshoe Lake trail is of particular interest to Denali National Park and Preserve, with group size being a factor. The Horseshoe Lake trail is being rehabilitated to better accommodate resource protection with the current visitor use. The park also has the ability to change how ranger led hikes are conducted, without amending any regulations. This has been discussed but to date no practical option has been developed. The park will continue to take this comment under consideration while seeking potential management actions.

2.52 Designated areas for sale and distribution of printed matter for First Amendment purposes

A comment from the public expressed concern that the language regarding designated areas for the sale and distribution of printed matter for First Amendment purposes was confusing and offered the suggestion of removing the bulleted section related to the Wilderness Access Center designated area. Instead that bullet related to the area around the Wilderness Access Center was reworded to better describe that within the Wilderness Access Center area as a whole, only the southwest corner of the deck is designated for First Amendment purposes. All other areas of the Park and Preserve outside of the Wilderness Access Center area are designated as well.

13.934(b) Denali Park Road permits

A comment from the public noted that the dates related to the annual apportionment had not been refreshed for the current year. This was an oversight in the draft. This was corrected so the final compendium shows the dates to be accurate for 2014.

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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 Denali National Park and Preserve, Denali Park, Alaska at (907) 683-2294, 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

<u>McKinley Park and Kantishna Airstrips</u>

The maintained aircraft landing surfaces of the McKinley Park and Kantishna airstrips are closed to pedestrian use unless otherwise directed by an authorized person directing aircraft, vehicle, or pedestrian traffic.

Pedestrian travel on or pedestrian use of the aircraft landing surfaces at the McKinley Park and Kantishna airstrips constitutes a clear and present hazard to public safety, endangering both people and aircraft. FAA charts even warn pilots to watch out for pedestrians on the McKinley Park strip. The park has posted signs at conspicuous locations restricting airstrip access to authorized users only, but lacks an appropriate regulation to enforce the restriction.

See specific sections in this document for additional information regarding closures, visiting hours, and public use limits. Information on temporary and emergency closures is available at the park visitor center, Backcountry Information Center, and Park Dispatch Office.

(a)(2) Designated areas for specific use or activity or conditions

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, 36 CFR 1.5
- Collecting research specimens, 36 CFR 2.5
- Camping, 36 CFR 2.10(a), 13.904, 13.972, 13.974
- Operating a power saw in developed areas, 36 CFR 2.12(a)(2)
- Operating a portable motor or engine in undeveloped areas, 36 CFR 2.12(a)(3)
- Operating a public address system, 36 CFR 2.12(a)(4)
- Air delivery, 36 CFR 2.17(a)(3)
- Noncommercial soliciting, 36 CFR 2.37
- Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials, 36 CFR 2.38(a)
- Using or possessing fireworks and firecrackers, 36 CFR 2.38(b)
- Special events, 36 CFR 2.50(a)
- Demonstrations involving 26 or more persons, 2.51
- Sale and distribution of printed matter for First Amendment purposes by groups of 26 or more persons, 2.52
- Grazing, 36 CFR 2.60(a)(1)-(3)
- Residing on federal lands, 36 CFR 2.61(a)
- Installing a monument or other commemorative installation, 36 CFR 2.62(a)
- Towing a person using a parasail, hang glider, or other airborne device, 36 CFR 3.12(b)
- Removing sunken, grounded, or disabled vessels, 36 CFR 3.14(a)
- Operating a submersible, 36 CFR 3.19
- Commercial notices or advertisements, 36 CFR 5.1
- Commercial operations, 36 CFR 5.3
- Commercial photography or filming, 36 CFR 5.5
- Construction or repair of any building, structure, facility, road, trail, or airstrip on federal lands, 36 CFR 5.7
- Mining operations (9.9(a)) or an approved Plan of Operations (in lieu of permit))
- Cabins on federal lands, 36 CFR 13.100-13.188
- Subsistence use in the Park by person who does not live within the Park boundary or a resident zone community, 36 CFR 13.440(a)
- Using aircraft access for subsistence activities in the Park, 36 CFR 13.450(a), 13.450(b)(1)
- Cutting of live standing timber greater than 3 inches in diameter for non-commercial subsistence uses, 36 CFR 13.485(a)(1)
- Travel on the Denali Park road beyond Mile 14.8, 36 CFR 13.930
- Climbing Mt. McKinley or Mt. Foraker, 36 CFR 13.910
- 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)
- Long term aircraft parking, McKinley Airstrip, PL 101-512 and Policy Circular A-25

PART 2. RESOURCE PROTECTION, PUBLIC USE AND RECREATION

2.1(a)(4) Designated areas for collection of dead wood on the ground for firewood

Within the Frontcountry Developed Area, visitors may gather dead and down wood only in the immediate area, (within a short walking distance), of the campground where they are staying. Firewood may not be gathered within view of existing roads. Gathering wood for campfires in all other areas of the park (the area outside the Frontcountry Developed Area) is not allowed between April 15 and September 30. See also, section 2.13. These restrictions apply only in the former Mt. McKinley National Park.

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

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

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

This designation serves to provide the broadest use and enjoyment of the park in the least restrictive manner so long as there is no adverse effect to park wildlife, the reproductive potential of a plant species or otherwise adverse effect of park resources.

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

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

All legally taken game from Kantishna transported on the park road by motor vehicle must be transported out of the Park without unnecessary delay. Meat and other animal parts must be secured and out of public view.

This requirement is intended to allow transport of legally taken game across Park lands that avoids undesirable encounters with bears or other scavengers, protects public safety,

and avoids unwarranted public accusations that an illegal hunt may have taken place in the Park.

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

Individuals are authorized to possess firearms in NPS areas in accordance with applicable state and federal law. With the exception of public use cabins, possession of firearms is prohibited in Federally-owned or leased buildings. The laws regarding discharge of firearms remain unchanged.

2.10(a) Camping: conditions and permits

Between April 15 and September 30, generators may be operated in the Riley Creek, Savage River, and Teklanika River Campgrounds between the hours of 8am and 10am and from 4pm to 8pm. Operation of a generator or idling of a parked vehicle for the purpose of electricity generation outside of these hours is prohibited.

Given the proximity of campsites to each other, noise from generators and idling vehicles can be clearly heard in adjacent campsites and beyond. Many users object to the noise associated with generators and idling vehicles, especially if used for protracted periods of time. This generator use/idling vehicle restriction is intended to enhance the camping experience for all visitors and protect the natural quiet of the campgrounds while preserving the opportunity for users with recreational vehicles to charge vehicle batteries and have ready access to power during key times of the day.

Superseded in part by 13.25(a), 13.904, 13.972-13.974.

2.10(d) Food storage: designated areas and methods

1. **Definitions:**

   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/container.html

- Additional items listed by the State of Alaska, Department of Fish and Game, Division of Wildlife Conservation: http://www.adfg.alaska.gov/index.cfm?adfg=livingwithbears.bearcontainers, with the concurrence of the Superintendent;
- Items or methods approved by the Superintendent.

2. Frontcountry Developed Area (FDA)

Food and beverages, food and beverage containers, garbage, harvested fish, and all other scented items must be stored in a bear resistant container (BRC) or secured—

- Within an NPS provided food storage locker
- Within a hard sided building;
- Within a 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.

3. All areas outside the FDA (backcountry)

a. Food and beverages, food and beverage containers, garbage, harvested fish, and all other scented items must be stored in a bear resistant container (BRC) at least 100 feet from camp in the following backcountry units from April 15 through September 30. BRCs are recommended for all other dates and backcountry units not listed below.

Unit No.	Name
1	Triple Lakes
2	Riley Creek
3	Jenny Creek
4	Upper Savage
5	Upper Sanctuary
6	Upper Teklanika
7	Upper East Fork
8	Polychrome Glaciers
9	East Branch Upper Toklat
10	West Branch Upper Toklat
11	Stony Dome
12	Sunset /Sunrise Glaciers
13	Mount Eielson
14	McKinley Bar East
15	McKinley Bar West
16	Windy Creek
17	Foggy and Easy Pass
18	Upper Glacier Creek
19	Pirate Creek
20	McGonagall Pass
21	Muddy River
23	West Fork Glacier
24	Mount Healy
25	Healy Ridge

26	Primrose Ridge
27	Mount Wright
28	Sushana River
29	Igloo Mountain
30	Tributary Creek
31	Polychrome Mountain
32	Middle Toklat
33	Stony Hill
34	Mount Galen
35	Moose Creek
36	Jumbo Creek
37	Lower East Fork
38	Lower Toklat
39	Stony Creek
40	Clearwater Fork
41	Spruce Peak
42	Eureka Creek
43	Eldorado Creek

b. In treeless areas where BRCs are not required, at a minimum food shall be stored in double wrapped plastic at least 100 feet downwind from campsite.
c. In forested areas where BRC's are not required, at a minimum food shall be suspended at least 10 feet above the ground and four feet horizontally from a post, tree trunk, or other object, and at least 100 feet down-wind from tent sites.
d. Backcountry parties that have special needs due to size of their party, length of stay, mountaineering logistics, etc., must obtain permission of the Chief Ranger or his/her designee to travel without BRC's where otherwise required.
e. BRCs are available for loan from the Backcountry Information Center free of charge. BRCs borrowed from the NPS must be returned within 48 hours of returning from a backcountry trip.

4. This provision does not apply to:

- Clean dishes and cooking equipment that are free of food odors.
- Food that is being transported, consumed or prepared for consumption.
- Bait which is being lawfully used for trapping or hunting in accordance with applicable state or federal is not considered food subject to the provisions in this section.

The intent of these designations is to prevent bears and other wildlife from obtaining and habituating 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 generally approved as BRC. The park offers bear resistant containers for temporary use to the public.

2.11 Picnicking: designated areas

Superseded by 13.26.

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

Campfires are prohibited in the former Mount McKinley National Park except 1) as provided in 13.976 in the Frontcountry Developed Area, 2) in areas outside the Frontcountry Developed Area from October 1 through April 14, 3) in emergency situations.

Campfires are authorized in the 1980 Park and Preserve Additions, except at the Kantishna Airstrip from April 15 through September 30. Any rocks used for fire-pits must be replaced in their original location after the fire is extinguished.

All trash (tinfoil, burnt food, glass, cans, etc) must be removed from the fire site after use.

These requirements are intended to ensure that wood sources are not depleted, visual and ecological impacts of campfires and cooking fires are limited in high use areas, and the risk of human caused wildfire is minimized. Fire rings attract trash and food residue as campers attempt to burn trash before leaving the area. High temperature impacts soils and impairs plant growth. Trampling and soil compaction occurs around fires rings as well. A written determination of need per 36 CFR 1.5(c) is attached.

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

1. Persons engaged in any travel (such as skiing, snowshoeing, aircraft landings) or activities (such as mountaineering, climbing, flight seeing, camping) in a glacier environment such as Mt. McKinley and other peaks and glaciers within the Park & Preserve are required to properly dispose of solid human waste as follows:

- Pit latrines must be used where provided by the National Park Service, such as the one typically located at the 14,200 foot camp on the West Buttress route of Mt. McKinley.
- Below 15,000 feet on the West Buttress route of Mt. McKinley – Solid human waste must be collected in a personal receptacle or bagged and deposited in a deep crevasse.
- Above 15,000 feet on the West Buttress of Mt. McKinley – Solid human waste must be collected in a Clean Mountain Can.
- Solid human waste must be collected in a personal receptacle when within one-half mile of glacial landing sites used by aircraft.
- On technical climbing routes within the park and preserve, not including the West Buttress, solid human waste must be tossed or shoveled away from the route.
- In all other glaciated areas of the park covered by snow and ice, solid human waste must be bagged and carried out in a personal receptacle or deposited in a deep crevasse.
- Personal receptacles containing solid human waste must be removed from the backcountry and deposited at designated locations.

This requirement is intended to ensure that proper disposal of human waste occurs in the backcountry to protect water quality and visitor safety. A written determination of need is attached per 36 CFR 1.5(c).

2. When the ground is not frozen, human feces must be either packed out or deposited in a "cathole" dug 6-8 inches deep in soil at least 100 feet from any water source, shoreline, campsite or trail. When the ground is frozen, human feces must be disposed over at least 100 feet from any water source and covered with snow or packed out.

   Tissue paper and sanitary items should be packed out or burned when fire hazard is low.

3. In non-glacier environments, toilet paper must be burned or removed as trash.

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

For the Frontcountry Developed Area, see 13.978. From April 15 through September 30, pets are prohibited in all other areas of the park. This prohibition does not apply to—

- dogs used for legal hunting in the park and preserve additions;
- emergency search and rescue missions; or
- qualified service animals accompanying persons with disabilities per the ADA.

This restriction serves to protect wildlife, park visitors, and NPS sled dogs from conflicts. A written determination of need per 36 CFR 1.5 is available in the office of the Superintendent and attached.

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

- Leaving pets unattended and tied to an object is prohibited.
- Pets will not be left unattended in areas or in circumstances that they will create a nuisance to other visitors or cause a conflict with wildlife.
- Pets will not be left in areas where food, water, shade, ventilation and other basic needs are inadequate.

This requirement is intended to ensure pets do not harass wildlife or disturb park visitors and also to ensure pets are properly cared for in the park.

2.15(a)(5) Pet excrement disposal conditions

Pet feces must be removed from areas around buildings, parking areas, campgrounds, and the train depot.

This requirement is intended to keep commonly visited areas sanitary.

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

No conditions at present.

2.15(e) Pets of park residents

Permanent park residents may keep pets in accordance with the Denali National Park Housing Management Plan.

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 the Park for subsistence purposes is prohibited under 36 CFR 13.450.

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.

The former Mt. McKinley National Park (old park) is closed to all snowmachine use under 36 CFR section 13.952.

Only new Park and Preserve additions are superseded in part by 43 CFR 36.11(c) Special access. As authorized under 36 CFR 13.960, the Superintendent will determine when adequate snowcover exists and notify the public at such time.

The use of snowmachines for subsistence uses in the new Park and Preserve additions ONLY, under 36 CFR 13.460(a) supersedes this section.

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

No special designations. Winter activities as listed in this section remain prohibited on all park roads and parking areas open to motor vehicle traffic.

Winter sports activities are not allowed on open roads and parking areas in order to separate such uses from motor vehicle traffic for reasons of public safety.

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 or routes.

2.20 Skating and skateboards

Superseded by 43 CFR 36.11(e).
See also 13.916.

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, aviation gas storage facilities, and propane tanks.

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

2.22 Property: leaving property unattended for longer than 24 hours

Superseded by 13.45, 13.906.

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

Consuming or possessing opened alcoholic beverages on shuttle or concession tour buses is prohibited. See also 4.14(b).

This requirement is intended to ensure park visitors have a quality experience and also protect visitor safety.

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

No areas designated for use of fireworks.

2.51First Amendment Demonstrations

All areas are designated as open to public demonstrations that involve 25 or fewer persons without a permit. Demonstrations involving twenty-six or more individuals must have a permit issued by the superintendent.

2.52 Designated areas for sale and distribution of printed matter for First Amendment purposes

The following areas are designated as open to the sale or distribution of printed matter. Printed matter is limited to message-bearing textual printed material such as books, pamphlets, magazines, and leaflets, provided that it is not solely commercial advertising.

- Within the Wilderness Access Center area, which includes the Wilderness Access Center building, deck, sidewalks, and parking lot, only the southwest corner of the Wilderness Access Center deck is designated for this use.
- All other areas of the park or preserve outside of the Wilderness Access Center area are designated

Groups of 26 or more must have a permit from the superintendent.

2.62(b) Areas designated for the scattering of human ashes and established conditions

All areas are open to scattering of ashes without a permit with the exception of developed areas, campgrounds, and park facilities. The excepted areas require a permit.

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 waters within NPS administered areas except when the operator is able to remove or repair the vessel on site safely and without potential for damage to resources.

This requirement allows the Superintendent to establish terms and conditions for salvage operations as necessary to protect resources and provide for public safety.

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 routes or areas designated for non-subsistence users.
See also 43 CFR 36.11(g) and 36 CFR 13.903.

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

Vehicles over 22 feet long, 12 feet high, or 8 feet wide that use the restricted section of the Denali Park Road west of the Teklanika Bridge are subject to restricted hours of travel unless specifically authorized by the superintendent.

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

Except where other speed limits are posted by sign, the speed limit along the Denali Park road will not exceed 35 miles per hour.

The speed limit along Alaska Highway 3 will be established and posted by the Alaska Department of Transportation and Public Facilities according to Alaska Statute and Alaska Department of Transportation and Public Facilities Policy and Resources. The superintendent is hereby designating speed limits as posted by the State pursuant to 4.21(b) for Alaska Highway 3 where it passes through the park.

4.30(a) Routes designated as open to bicycles

Superseded by 43 CFR 36.11(e).
See also 13.914.

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

Superseded by 43 CFR 36.11(e).
See also 13.914.

4.31 Hitchhiking: designated areas

Hitchhiking is allowed along Alaska Highway 3 as defined by State Law.

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

See also 2.10, 13.904, 13.972, 13.974.

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 13.972, 13.974.

- Camping is permitted in the following designated campgrounds pursuant to a permit: Riley Creek, Savage River, Sanctuary River, Teklanika River, Igloo, and Wonder Lake. Igloo, Sanctuary River and Wonder Lake Campgrounds, and the Savage River Group campsites are designated for tent camping only. Igloo, Sanctuary and Wonder Lake are accessible via shuttle bus only. Teklanika, Savage River and Riley Creek Campgrounds are designated for use by tents, trailers and/or other camper units.
- Except as outlined below, occupancy of one campsite at all designated campgrounds except Wonder Lake is limited to a maximum of eight people. Wonder Lake Campground is limited to four persons per campsite. A maximum of three tents are allowed per site.
- There are three campsites available for groups of nine or more in the Savage River campground. These sites are available for tents only on an advanced reservation basis under procedures established by the Superintendent.
- Campers wishing to drive a private motor vehicle to Teklanika River Campground must register for a minimum of three nights. The three night minimum does not apply to Teklanika campers without vehicles.
- Teklanika River Campground permits allow for one private motor vehicle trip to the campground, but not beyond, and return. Additional motorized travel must be by shuttle bus. Additional use of the private motor vehicle under the terms of the camping permit is not authorized.
- Vehicles and trailers may only be parked on designated paved or gravel surfaces.
- Campers driving a motor vehicle to Teklanika River Campground may not bring any towed motor vehicle, trailer, or other apparatus past the Savage River check station unless essential to the camping experience (i.e., tent trailers). Such vehicles and trailers must be left at the Riley Creek Long Term Parking Area.
- Generators or engines are not permitted to operate in Wonder Lake, Igloo, or Sanctuary River Campgrounds.
- Following the last night of paid occupancy, campers must vacate designated campgrounds by 11:00 am.
- Obtaining a campground permit for the purpose of avoiding the road restrictions is prohibited.
- There is a mandatory nightly fee for all campsites when a permit is required.

13.26 Picnicking-areas where prohibited or otherwise restricted

No restrictions at present.

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

No designated areas. For the former Mt. McKinley National Park, see 2.1(a)(4).

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

No restrictions at present. For the former Mt. McKinley National Park, see 2.1(c)(1)-(3).

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

No restrictions at present. For the former Mt. McKinley National Park, see 2.1(c)(1)-(3).

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

Frontcountry Developed Area: Personal property may not be left unattended for longer than 24 hours or may not be left unattended for any time period in such a manner as to interfere with visitor safety, orderly management of the park area, or present a threat to park resources. The following exceptions apply:

- Campers and backpackers are authorized to leave motor vehicles unattended in the Riley Creek auxiliary parking area for the period authorized on their camping or backcountry permit.
- Personal property may be left unattended at a campsite in developed campgrounds only by permission of the Superintendent, or his representative, and only if camping fees have been paid in advance for the period during which the site will be unattended.
    - Campers and backpackers are authorized to store food and related items in established food storage lockers for the duration of their stay / backcountry trip. Items must be labeled with name and expected date of retrieval.
- Bicycles may be parked at established bike racks along the park road for up to 24 hours or throughout the duration of an overnight backcountry trip conducted under the terms and conditions of a camping permit. Bicycles may also be left in non-developed areas along the park road under the same conditions. Bicycles left in non-developed areas must be cached a minimum of 25 yards from the road edge and must not be visible from the road. See also 13.906.

13.50(h) Facility closures 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

DENA 20 Castle Rocks Lake
DENA 76 Slippery Creek
DENA 95 Birch Creek
DENA 074 12 Mile Slough (Slippery Creek)

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

No cabins or structures designated for public use.

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

Not applicable.

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

See also 36 CFR 2.16, 2.17, 2.18, 3.6, 4.10, 4.30, 13.903, 13.950-13.962; 43 CFR 36.11(c)-(e).

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

The superintendent may allow noncommercial 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 and protect against overharvest.

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

Stumps shall be flush cut as close to ground level as possible.

The above restriction is intended to make cut stumps visually blend in with the surroundings and minimize safety hazards to wildlife and people.

DENALI NATIONAL PARK AND PRESERVE SPECIAL REGULATIONS

13.902 Subsistence Resident Zones

- The Cantwell Residence Zone is described by the area encompassed by a circle of which the center is at the location of the Cantwell Post Office as of December 2,

1980, and whose radius is the distance from that location to the nearest boundary of Denali National Park and Preserve. That linear distance is approximately three miles.

- The Minchumina Resident Zone is described by the area encompassed within one mile perpendicular from the Lake Minchumina shoreline as shown on the D-5 Mt. McKinley 1:63,360 topographical map, 1953 edition.

13.903(b) – Subsistence Use of Off-Road Vehicles

No trail(s) or areas designated at present in the Bull River drainage.

13.904 Backcountry camping

a. The term "backcountry" means all areas of the Park and Preserve outside the boundaries of the Backcountry Day Use Zone shown on the management subzone maps of the 1996 Final Entrance Area and Road Corridor Development Concept Plan and the Frontcountry Developed Area as defined at 13.970. Between October 1 and April 14, the closed portion of the Denali Park road is considered backcountry (see 13.974). Closed portions of the Park Road are incorporated into the adjacent backcountry units for permit administration purposes.
b. A backcountry permit is required for all backcountry camping in units 1-48, 86, and 87. Maps describing the units are available at the park visitor center and the Backcountry Information Center. Permits are available at the Backcountry Information Center during the summer months and at the winter visitor center during the remainder of the year.
c. Backcountry camping is prohibited within one-half mile of, and within sight of the open portions of the Park Road.
d. Camping in designated backcountry units is limited to 30 days total between April 15 and September 30, with no more than 7 days in one unit per trip.

13.905 Group Size

East side of the park: Group sizes may not exceed 12 individuals including guides in backcountry units 1-21, 23-47, 61-64, 70-79, 81, 86, 87.

West side of the park: Group sizes may not exceed 6 individuals including guides in backcountry units 22, 48, 65-69, 80, 82-85.

A map showing the backcountry units is available at the Backcountry Information Center and on the park website.

The superintendent may authorize larger groups on a case-by-case basis.

13.910(a) – Mountain Climbing on Mt. McKinley and Mt. Foraker

1. A climbing permit application provided by the Superintendent must be completed by each private expedition member and received by the park at least sixty (60) days prior to the start date of the climb. A non-refundable and non-transferable fee must be included with the application.
2. Persons who have physically climbed on Mt. McKinley or Mt. Foraker since 1995 may apply for a climbing permit up to seven (7) days prior to the start of a planned climb. To qualify, the name of the climber(s) must be documented in the Talkeetna Ranger Station Climber Database. All expedition members must meet this requirement in order to qualify for the 7-day exception.

3. Expedition leaders may add one person to their team prior to the start of the climb if the required permit application and fee is received at least thirty (30) days prior to the start of the climb.
4. In addition to the permit application, solo climbers must complete and submit the Supplemental Solo Form provided by the Superintendent.
5. All members of an expedition must check in together at the Talkeetna Ranger Station and attend a mandatory safety and resource protection orientation. Appointments for the orientation are required.
6. Expeditions are required to check back in at the Talkeetna Ranger Station at the conclusion of the climb.

These requirements were first adopted in 1995 when a new regulation requiring 60 day advance registration for climbs of Mt. McKinley and Mt. Foraker was promulgated. The intent of these requirements is to reduce the incidence of death and serious injury on the mountains and to protect park resources and the climbing experience through public education. A written determination of need is attached per 36 CFR 1.5(c).

13.914(b) Trails and areas designated for bicycle use in the FDA

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

13.916(b) Trails and areas designated for the use of roller skates, skateboards, roller skis, in-line skates, and similar devices

No designated trails or areas.

13.934(b) Denali Park Road permits

The annual date for evaluating motor vehicle permits for the restricted portion of the Denali Park road is March 1. The annual apportionment of permits for 2013 is listed below. The apportionment for 2014 is not expected to change substantively from 2013 and will follow the provisions of 36 CFR 13.55.

Denali Backcountry Lodge: 315
Kantishna Roadhouse: 420
Northface Lodge/Camp Denali: 315
Kantishna Air Taxi 10
Jeff Barney: 15
Gene Desjarlais: 15
Virginia Wood: 8
Romany Wood: 2
Greg LaHaie: 35
Stephen & Lisa Neff: 9
Michael Conlin: 35
Rusty Lachelt: 2
Ray Krieg: 8
Paul Shearer: 4
Rainey Creek LLC: 9

13.952 Snowmachine operation in Denali designated wilderness (the former Mt. McKinley National Park)

Snowmachine use is not allowed in the former Mt. McKinley National Park. The Old Park remains closed to snowmachine use in accordance with this section and 36 CFR 2.18.

13.972(a) Frontcountry Developed Area (FDA): permit conditions for camping in the FDA from April 15 through September 30

See also 13.25(c).

13.974 Frontcountry Developed Area: camping in the FDA from October 1 through April 14

- Camping is prohibited in the FDA except in the open loop(s) of the Riley Creek Campground and that area west of where the park road is closed to motor vehicle use in winter (typically Mile 3 of the park road).

These requirements serve to ensure equitable use of NPS designated campgrounds and manage traffic on the Denali Park road in accordance with limits established by special regulation 36 CFR section 13.932-13.934.

13.976(a) Designated campgrounds for lighting or maintaining fires

The following campgrounds are designated for the lighting or maintaining of fires in established receptacles: Riley Creek, Savage River, and Teklanika River Campgrounds.

13.976(c) FDA conditions for lighting or maintaining fires

- NPS employees may build an open fire at the designated site located within the C-Camp Housing Area**.**
- NPS employees may build an open fire at the designated site located adjacent to the playground in the Headquarters Housing Area.

13.980 FDA closures and restrictions

No additional closures or 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, 13.950-13.962.

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, 13.914-13.916.

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

No designated trails. See also 4.10.

This compendium is approved and rescinds all previous compendiums issued for Denali National Park and Preserve.

3/11/14

Superintendent **Date**

3/12/14

Concurrence by Regional Director **Date**

Attachments: 2.10 Food Storage Determination
2.13 Fires Determination
2.15 Pet Determination
2.14 Sanitation
13.914 Use of Bicycles
2.10(a) Idling vehicles at Riley Creek, Savage River, and Teklanika River Campgrounds
3.14(a) Conditions for removing sunken, grounded, or disabled vessels
13.45(c) Areas where personal property may be left unattended longer than 24 hours
13.160 Designated cabins for subsistence use
13.972(a) Secondary vehicles or trails past the Savage River check station
2.21 Smoking
13.25(c) Designated campgrounds: restrictions, terms, and conditions
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

13.905(b) Group Size
13.910(a) Mountain Climbing on Mt. McKinley and Mt. Foraker
First Amendment designated areas

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 Denali 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, harvested fish, and equipment used to cook or store food throughout the park.

The reasons for this restriction are as follows:

1. The intent of the regulations is to prevent wildlife from obtaining food from humans or associating humans with food.
2. Wildlife in a natural ecosystem are adapted to subsist on natural foods. Because natural processes are expected within NPS areas, wildlife should not obtain food from people.
3. A public safety and resource conservation concern exists when wildlife obtain food from people or associate humans with any form of nutritional reward. Obtaining human food may adversely affect behavior of individuals and the health of wildlife populations.
4. Both black and brown bears are common throughout 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.
5. 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.
6. 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.
7. Due to the transfer of knowledge from sows to cubs and the long life span of individual bears, young bears exposed to human foods may display unnatural and unacceptable behavior for decades.
8. Bears which become conditioned to human food are likely to be killed by humans in defense of life or property inside the parklands or on adjacent lands.
9. 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 undoubtedly reduced food conditioning and wildlife/ human conflicts.
2. Recognizing that variations in the environment and recreational activities require multiple food storage options, NPS managers have undertaken the following to assist visitors and make these conditions less onerous by making bear resistant containers (BRCs) available at NPS headquarters and field locations.

3. Despite these efforts, NPS managers repeatedly encounter situations in which food or garbage is improperly stored throughout the parklands.
4. The food storage conditions under this section allow for a wide variety of storage options, including free loans of portable BRC units, to make compliance less onerous.
5. Because the NPS also recognizes that other storage practices may be appropriate and/or deviations from this policy may be warranted in certain circumstances, the Superintendent may make exceptions on a case by case basis if compliance would be overly burdensome or impossible and would not pose an undue risk of wildlife obtaining food from humans.
6. We have considered the use of the State of Alaska regulations which prohibit intentionally or negligently feeding wildlife or leaving human food, pet food, or garbage in a manner that attracts wildlife. While NPS officers cannot enforce this state regulation directly, the NPS considered this language for the compendium. Given the NPS mandate to protect wildlife, the NPS prefers a proactive approach designed to prevent wildlife from obtaining food from humans, intentionally or unintentionally.
7. 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: Fires

Pursuant to Title 36 of the Code of Federal Regulations, § 1.5(c) and 2.13(a)(1) the Superintendent of Denali National Park and Preserve has determined that in order to prevent adverse impacts to park resources:

> Campfires are prohibited in the former Mount McKinley National Park except 1) as provided in 13.976 in the Frontcountry Developed Area, 2) in areas outside the Frontcountry Developed Area from October 1 through April 14, 3) in emergency situations.
>
> Campfires are authorized in the 1980 Park and Preserve Additions, except at the Kantishna Airstrip from April 15 through September 30. Any rocks used for fire-pits must be replaced in their original location after the fire is extinguished.
>
> All trash (tinfoil, burnt food, glass, cans, etc) must be removed from the fire site after use.

The reasons for this restriction are as follows:

1. High temperatures impact soils and impair plant growth and create a visible scar that is long lasting.
2. Trampling and soil compaction occur around fire rings as part of their use, which in turn further impacts soils and their ability to support vegetation.
3. Wood gathering activities leave visible signs of human use.
4. A primary objective of backcountry management in the area of the former Mt. McKinley National Park is to disperse use so that signs of repeated human use typically associated with regularly used campsites do not develop. The prohibition on fires in the wilderness area of the park has been in place for 30 years and has been effective at preventing campsite formation and the associated resource impacts. The use of light, portable stoves is a common and well-accepted minimum impact hiking practice.
5. This restriction still allows fires throughout the majority of Denali National Park and Preserve, and only limits them in the area of the former Mt. McKinley National Park during the period of time when special resource protection objectives and visitation issues exist.
6. Fire rings tend to attract burnt trash and food residue as campers attempt to dispose of waste. Small amounts of plastic, glass, aluminum foil, and food scraps are frequently left behind because not everything burns completely. This restriction ensures that where fires are permitted, users are responsible for removing these materials from the area upon departure.
7. Established fire rings at the campground and picnic area provide places for cooking or warming fires that will limit soil impacts to these discrete sites and reduce fire hazards as well.

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

1. The allowance of fires in more areas of the backcountry would fail to achieve management objectives.
2. Insulating the soils through a buildup of material and / or a fire pan would reduce some of the direct soil and vegetation impact, but not the damage associated with trampling around the fire site or wood gathering. Campsite impacts would still be greater than those associated with the current restriction and unacceptable.

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

Subject: Prohibition of Pets – 36 CFR 2.15

Pursuant to Title 36 of the Code of Federal Regulations, § 1.5(c), the Superintendent of Denali National Park and Preserve has determined that in order to provide for the protection of resources and public safety it is necessary restrict pets as follows:

For the Frontcountry Developed Area, see 13.978. This regulation does not apply to dogs used for transportation during the winter months.

From May 1 through September 30, pets are prohibited in all other areas of the park. This prohibition does not apply to:

1. dogs used for legal hunting in the park and preserve additions
2. emergency search and rescue missions
3. qualified service dogs accompanying persons with disabilities per the ADA

The reasons for this restriction are as follows:

1. While traveling or hiking with pets may be a positive experience for the owner, pets frequently have negative impacts on park resources, notably wildlife, and on the experience of other visitors. These impacts include, but are not limited to, noise, pursuit, harassment, defecation, and scent marking of wildlife habitat. Even leashed pets bark, defecate, and urinate, and disturb other visitors.
2. Potentially dangerous wildlife such a moose and bears may engage pets – either chasing and attacking, or being chased. Pets chasing wildlife is unacceptable harassment, while pets chased by wildlife will frequently return to their owner, creating a risk to human safety and an unnecessary expenditure of caloric energy on the part of the wildlife.
3. The use of pets is not required in order to have a positive recreational experience. It is optional. In those cases where a pet facilitates access (e.g. Service animals and winter activities such as mushing) the use of such pets is allowed.
4. Wildlife activity is frequently concentrated along travel corridors such as gravel river bars or game trails through thick vegetation. The crosscountry travel typical required in Denali's backcountry means that hikers also regularly use these natural travel corridors and wildlife areas as well, increasing the likelihood of conflict with wildlife.
5. Nesting shorebirds lay eggs directly on the ground along gravel bar travel routes and in the tundra. Pets, leashed or unleashed, may disturb eggs and / or frighten adult birds from the nest.
6. Denali National Park and Preserve's enabling legislations and the intent of Congress speak directly to the protection of wildlife and an unaltered ecosystem as well as the establishment of a large sanctuary "where fish and wildlife may roam freely, developing their social structures and evolving over long periods of time as nearly as possible without the changes that extensive human activities would cause".
7. The park is surrounded by other public lands where pets are allowed in keeping with the respective missions and legal mandates of those agencies. Rangers routinely direct pet

users to those alternate sites to accommodate their recreational activities while fulfilling the strict wildlife protection mandate of the National Park Service.

8. The restriction prevents disturbance and reduces the potential of exposure to disease from pets to the park sled dogs.
9. The restriction will allow the National Park Service to fulfill this mandate and protect visitors and the unique opportunities offered at Denali while still allowing access when conditions permit.

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

1. Any pet in a park area, even where allowed, must be on a leash or under direct physical control at all times. While this measure may prevent pursuit and harassment of wildlife and other visitors, it does not prevent barking, defecation, or scent marking through urination, all of which may disturb wildlife of all types.
2. Backcountry travel at Denali is virtually all crosscountry, frequently through thick brush, on steep slopes, or across rivers. It is not practical or reasonable to suggest or expect that visitors would travel with a leashed dog under these conditions.
3. Further, Rangers issue regular warnings and respond to complaints for pets off leash and / or in closed areas despite signing and published educational material in the park newspaper, brochures, and on bulletin boards. When contacted, many visitors state that they were unaware of the rules, while others state that they knew the rules regarding leashes but chose not to comply unless confronted by authority.
4. These factors indicate that leash laws in backcountry areas would be generally ignored.
5. Leashed pets on trails could minimize some wildlife impacts, but it would increase conflicts with other visitors because of the higher contact rates created by more concentrated use and frequent encounters.
6. It would be better to maintain a standard policy that pets are generally inappropriate in National Park Service settings away from developed sites such as campground, road shoulders, parking lots, or pullouts, and that these areas are adequate within the context of a national park.

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

Subject: Sanitation: conditions concerning disposal, carrying out of solid human waste

Pursuant to Title 36 of the Code of Federal Regulations, § 1.5(c) and 2.14(b) the Superintendent of Denali National Park and Preserve has determined that in order to protect public health and safety and to prevent adverse impacts to park resources:

Persons engaged in any travel (such as skiing, snowshoeing, aircraft landings) or activities (such as mountaineering, climbing, flight seeing, camping) in a glacier environment such as Mt. McKinley and other peaks and glaciers within the Park & Preserve are required to properly dispose of solid human waste as follows:

1. Pit latrines must be used where provided by the National Park Service, such as those typically located at the 7,200 and 14,200 foot camps on the West Buttress route of Mt. McKinley.
2. Below 15,000 feet on the West Buttress route of Mt. McKinley – Solid human waste must be collected in a personal receptacle or bagged and deposited in a deep crevasse.
3. Above 15,000 feet on the West Buttress of Mt. McKinley – Solid human waste must be collected in a personal receptacle.
4. Solid human waste must be collected in a personal receptacle when within one-half mile of glacial landing sites used by aircraft.
5. On technical climbing routes within the park and preserve, not including the West Buttress, solid human waste must be tossed or shoveled away from the route.
6. In all other glaciated areas of the park covered by snow and ice, solid human waste must be bagged and carried out in a personal receptacle or deposited in a deep crevasse.
7. Personal receptacles containing solid human waste must be removed from the backcountry and deposited at designated locations.

In non-glacier environments, toilet paper must be burned or removed as trash.

Failure to properly dispose of human waste as required is prohibited.

The reasons for these restrictions are as follows:

- Solid human waste does not break down or decompose in a cold glacial environment. It remains preserved within layers of ice and snow in the glaciers. Presence of such waste on or near the glacier surface is a public health, environmental, and aesthetic problem.
- Water required by climbers and other multi-day visitors to glaciated areas of the park can only be obtained by collecting and melting snow along travel routes or at camping areas. These are the same areas where visitors urinate and defecate. Pit toilets at the 7 and 14 foot camps on the West Buttress route of Mt. McKinley are the only established toilet facilities in glaciated areas of the park.
- Fecal contamination of the snow pack presents a public health risk wherever human use is significant or concentrated, even at the 17,200 foot high camp on McKinley. In 2005, approximately 1300 climbers spent an average of approximately 16 nights on McKinley. This represents approximately 20,800 user nights. In the same year, approximately 473 other overnight users spent approximately 7 nights each on average in other glacier –

covered areas of the park, representing an additional 3000 plus user nights. Scenic tour passengers (day users) added an additional 11,562 user days in 2005 in areas including the Ruth Amphitheatre and Little Switzerland.

- Dr. Joe McLaughlin, Medical Epidemiologist for the Alaska Department of Health and Social Services, studied an outbreak of diarrheal illness on Mt. McKinley in June 2002. The introduction in Dr. McLaughlin's study notes: "North America's tallest peak, Denali (also known as Mt. McKinley), is considered by many mountaineers to be one of the most polluted mountains in the United States Park system. Over 1100 climbers ascend the popular West Buttress route per year, and climbers spend an average of two to three weeks on the mountain, often depositing human waste outside of latrines in or next to camps. High winds and blowing snow, which may be later consumed by unsuspecting climbers who often fail to boil or purify water collected for drinking and food preparation. Prevention of diarrheal illness is important because resulting dehydration and metabolic stress may contribute to fatigue that results in numerous fatal and non-fatal climbing accidents". One of Dr. McLaughlin's recommendations is for the NPS to continue efforts to remove fecal material from the mountain.
- The firn line on the Kahiltna glacier has risen from approximately 6,000 feet to approximately 7,300 feet due to warmer annual temperatures. Solid human waste from previous climbing seasons, which used to remain buried under accumulations of new snow, now melts out and is visible during following seasons.
- There is only one crevasse above 15,000 feet on the West Buttress route of Mt. McKinley, the most heavily traveled route in the range. This crevasse is not large or accessible enough to be successfully used as a depository for solid human waste.

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

- The single crevasse above 15,000 feet on the West Buttress is located approx. ¼ mile north of the high camp at 17,200 feet and is several hundred vertical feet below where climbers camp. 10 years of observations by NPS climbing rangers reveal that few climbers at high camp are willing or able to take their solid waste to this crevasse. Most human waste is observed in camp, dropped in piles leading toward the crevasse, or tossed off the side of the heavily used climbing route. Climbers cite numerous reasons for not using this crevasse, including exhaustion at altitude. Further, this crevasse is not large or deep enough to permanently dispose of solid waste.
- It is not practical or financially feasible for the NPS to install and maintain toilets or remove solid human waste in the glaciated areas.
- Solid human waste does not break down or decompose in a cold glacial environment.
- Crevasses are typically located too far away from glacier landing strips to be used successfully for solid human waste disposal. Air taxi operators do not want to spend the extra time on the ground while their clients make the trip to a crevasse and back. Or, the clients do not have the equipment and skills necessary to safely travel on glaciers.
- The long-term environmental and public health risks associated with continuing to dispose of large quantities of solid human waste in crevasses is unknown.

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

Subject: Use of Bicycles

Pursuant to Title 36 of the Code of Federal Regulations, 1.5(c) and 13.914 the Superintendent of Denali National Park and Preserve has constructed a multi-purpose trail between the Denali Visitor Center and the Nenana River Canyon Bridge and authorized the use of bicycles on that trail.

The reason for this designation is:

- 13.914 limits the use of bicycles within the Frontcountry Developed Area (FDA) to park roads, road shoulders, public parking areas, or trails designated for bicycle use by the Superintendent. No trails within the FDA are currently designated for bicycle use. The multi-purpose trail connecting the visitor center and the Nenana River Canyon Bridge was specifically designed and constructed to accommodate bicycle use. Opening this trail to bicycle use will enhance visitor safety by separating bicycles from motor vehicles in this busy section of the park. Bicycle use on this trail will be consistent with the protection of the park's natural, scenic, and aesthetic values, safety considerations, management objectives and will not disturb wildlife or park resources.

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

Subject: Idling vehicles at Riley Creek, Savage River, and Teklanika River Campgrounds

Pursuant to Title 36 of the Code of Federal Regulations, 1.5(c) and 2.10(a), the Superintendent of Denali National Park and Preserve has prohibited idling parked vehicles during summer quiet hours at Riley Creek, Savage River, and Teklanika River Campgrounds.

The reasons for this restriction are as follows:

- Given the proximity of campsites to each other, noise from idling vehicles, in addition to generators, can be clearly heard in adjacent campsites and beyond. Many users object to the noise associated with generators and idling vehicles, especially if used for protracted periods of time. Fumes from idling vehicles also impact campers in adjacent sites. This generator/idling vehicle use restriction is intended to enhance the camping experience for all visitors and protect the natural quiet of the campgrounds while preserving the opportunity for users with recreational vehicles to charge vehicle batteries and have ready access to power during key times of the day.

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 of Denali National Park and Preserve is requiring a permit before sunken, grounded, or disabled vessels may be removed except when the operator is able to remove or repair the vessel on site safely and without potential for damage to resources.

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 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 NPS and the boater maximum flexibility to address the specific circumstances at hand when removing disabled, grounded or sunken vessels.

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

Subject: Areas where personal property may left unattended longer than 24 hours

Pursuant to Title 36 of the Code of Federal Regulations, 1.5(c) and 13.45(c), the Superintendent of Denali National Park and Preserve has identified two additional areas where personal property can be left unattended longer than 24 hours.

The reasons for this allowance are as follows:

- In order to protect public safety and prevent adverse impacts to wildlife, visitors are provided food storage lockers in which to leave items that may be an attractant to wildlife. Visitors routinely stay multiple nights in campgrounds and in the backcountry. This allowance eases trip planning, provides for better compliance with food storage regulation, and enables people to cache food and supplies during long trips.
- People wishing to bike the park road have few options for frontcountry camping, leading them to frequently stay in the backcountry. Allowing them to leave bicycles in bicycles racks longer than 24 hours provides a potentially secure location in which to leave their bikes, easing logistics and trip planning, and allowing them to conduct longer trips into the backcountry.

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

Subject: Cabins designated for subsistence use

Pursuant to Title 36 of the Code of Federal Regulations, 1.5(c) and 13.160, the Superintendent of Denali National Park and Preserve has removed two cabins identified for shared use for subsistence and add one.

The reasons for this allowance are as follows:

- DENA 92 Muddy River deleted. The cabin is not owned by the NPS.
- DENA 167 Fish Lake deleted. This cabin was evaluated on-site in July 2007 and found to be uninhabitable.
- DENA 074 12 Mile Slough (Slippery Creek) added. This cabin has been identified as a shared use cabin.

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

Subject: Secondary vehicles or trails past the Savage River check station

Pursuant to Title 36 of the Code of Federal Regulations, 1.5(c) and 13.972(a), the Superintendent of Denali National Park and Preserve has prohibited bringing any towed motor vehicle or trailer past the Savage River check station unless essential to the camping experience (i.e., tent trailers). These must be left at the Riley Creek Long Term Parking Area.

The reasons for this restriction are as follows:

- Campsites at the Teklanika Campground are too small to accommodate a utility trailer or second vehicle.

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

- Campsites at the Teklanika Campground are too small to accommodate utility trailers or second vehicles. No other reasonable parking alternatives exist."

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

Subject: Smoking

Pursuant to Title 36 of the Code of Federal Regulations, and 2.2, the Superintendent of Denali National Park and Preserve has prohibited smoking within 100 feet of the propane tanks.

This restriction is intended to protect public health and public safety from fire or explosion around fuel storage facilities.

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

Subject: Designated campgrounds: restrictions, terms, and conditions

Pursuant to Title 36 of the Code of Federal Regulations, 13.25(c), the Superintendent of Denali National Park and Preserve has determined that regarding vehicles and trailers in designated campgrounds. Vehicles and trailers may only be parked on designated paved or gravel surfaces.

The reasons for this restriction are as follows:

- In the past, the NPS has limited the numbers of vehicles at designated campsites due to limited space. The NPS believes this previous approach may have been unnecessarily restrictive. As long as vehicles and trailers are parked on paved or gravel surfaces and not impacted surrounding vegetation, secondary vehicles and trailers can be accommodated.

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

- This provision is less restrictive than previous efforts to ensure vegetation is not impacted from secondary vehicles and trailers.

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

Subject: 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

Pursuant to Title 36 of the Code of Federal Regulations, and 13.45(c), the Superintendent of Denali National Park and Preserve has determined that Bicycles may be parked at established bike racks along the park road for up to 24 hours or throughout the duration of an overnight backcountry trip conducted under the terms and conditions of a camping permit. Bicycles may also be left in non-developed areas along the park road under the same conditions. Bicycles left in non-developed areas must be cached a minimum of 25 yards from the road edge and cannot be visible from the road.

The reasons for this allowance are as follows:

- The NPS is relaxing the provisions on unattended property to allow bicyclists to leave their bicycles at certain locations along the park road while on a backcountry camping trip.

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

Subject: Group Size

Pursuant to Title 36 of the Code of Federal Regulations, and 13.905(b), the Superintendent of Denali National Park and Preserve has determined:

East side of the park: Group sizes may not exceed 12 individuals including guides in backcountry units 1-21, 23-47, 61-64, 70-79, 81, 86, 87.

West side of the park: Group sizes may not exceed 6 individuals including guides in backcountry units 22, 48, 65-69, 80, 82-85.

A map showing the backcountry units is available at the Backcountry Information Center and on the park website.

The superintendent may authorize larger groups on a case-by-case basis.

The reasons for this restriction are as follows:

- The change implements a final rule published in the Federal Register on November 14, 2008 that establishes group size limits.

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

Subject: Mountain Climbing on Mt. McKinley and Mt. Foraker

Pursuant to Title 36 of the Code of Federal Regulations, and 13.910(a), the Superintendent of Denali National Park and Preserve has determined:

1. A climbing permit application provided by the Superintendent must be completed by each private expedition member and received by the park at least sixty (60) days prior to the start date of the climb. A non-refundable and non-transferable fee must be included with the application.
2. Persons who have physically climbed on Mt. McKinley or Mt. Foraker since 1995 may apply for a climbing permit up to seven (7) days prior to the start of a planned climb. To qualify, the name of the climber(s) must be documented in the Talkeetna Ranger Station Climber Database. All expedition members must meet this requirement in order to qualify for the 7-day exception.
3. Expedition leaders may add one person to their team prior to the start of the climb if the required permit application and fee is received at least thirty (30) days prior to the start of the climb.
4. In addition to the permit application, solo climbers must complete and submit the Supplemental Solo Form provided by the Superintendent.
5. All members of an expedition must check in together at the Talkeetna Ranger Station and attend a mandatory safety and resource protection orientation. Appointments for the orientation are required.
6. Expeditions are required to check back in at the Talkeetna Ranger Station at the conclusion of the climb.

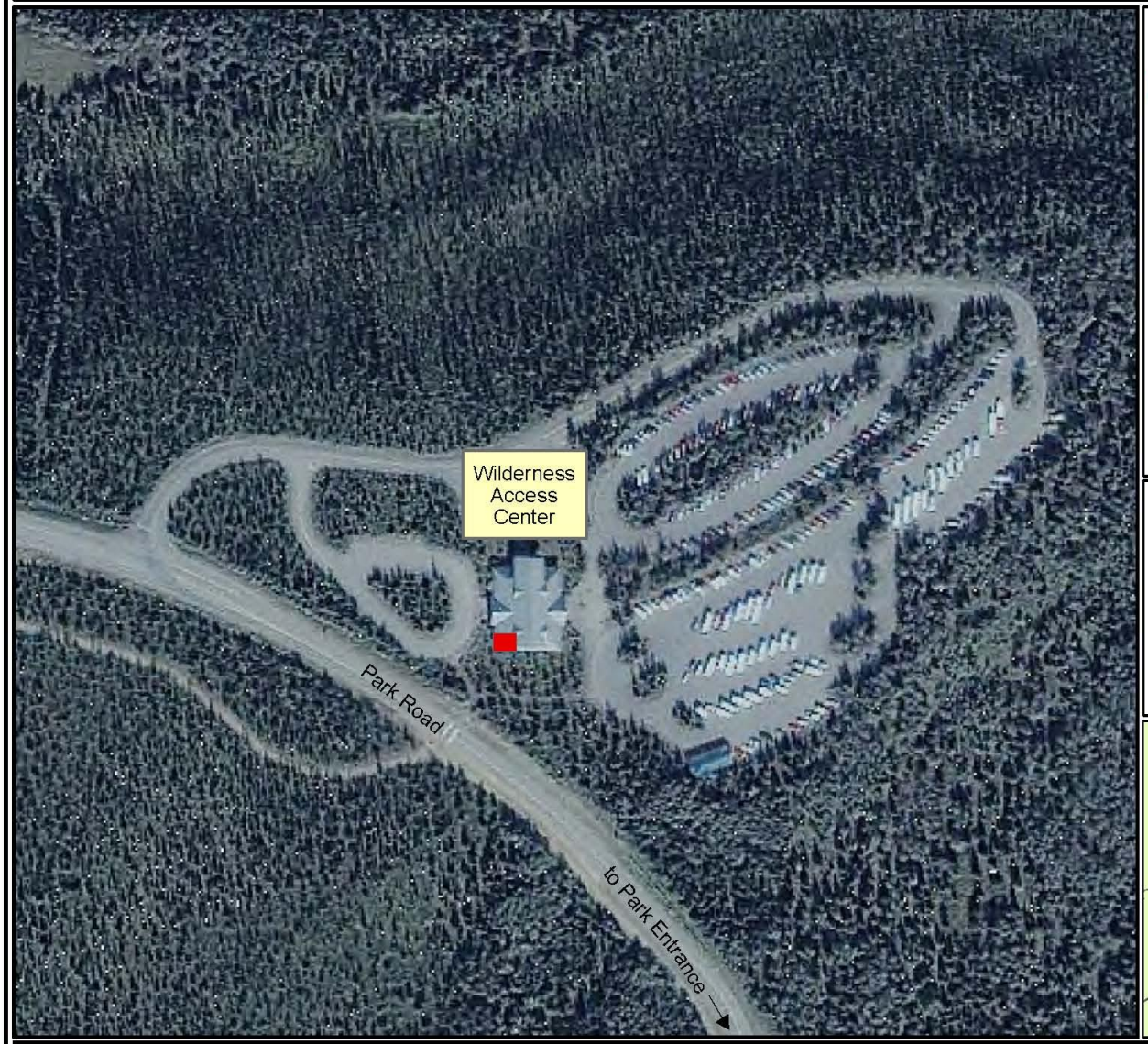
The reasons for this restriction are as follows:

- The change implements a final rule published in the Federal Register on November 14, 2008 that directs the superintendent to establish permit application procedures for climbing Mt. McKinley and Mt. Foraker.
- These requirements were first adopted in 1995 when a new regulation requiring 60 day advance registration for climbs of Mt. McKinley and Mt. Foraker was promulgated.
- The intent of these requirements is to reduce the incidence of death and serious injury on the mountains and to protect park resources and the climbing experience through public education.

Designated Area for First Amendment Activities - Wilderness Access Center

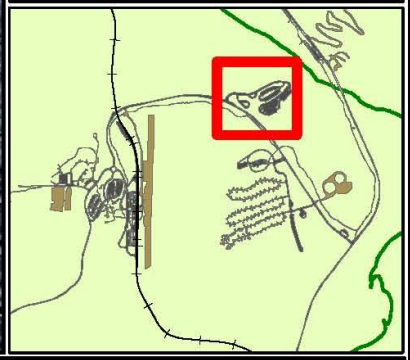
Denali National Park and Preserve

Alaska Region
National Park Service
U. S. Department of the Interior



Legend

First Amendment Protest Area

National Park Service
Denali National Park and Preserve

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