

**SUPERINTENDENT'S COMPENDIUM
2014**

KENAI FJORDS NATIONAL PARK

The 2014 Compendium has been updated with the following provision.

1.5 Closures and public use limits

(a)(1) Visiting hours, public use limits, closures

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Kenai Fjords National Park is prohibited except as approved in writing by the superintendent.

The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

In Park areas where use of model aircraft for hobbyist or recreational use has been previously authorized, such use may continue under a permit issued by the Superintendent.

This restriction does not affect the primary jurisdiction of the Federal Aviation Administration over the National Airspace System.

The reasons for this restriction are as follows:

- The use of unmanned aircraft is a relatively new activity in NPS areas across the country, including Alaska.
- As these devices have recently become more affordable, the use of these devices is increasing at a high rate, including in NPS areas.
- The Alaska Board of Game recently adopted a prohibition on using unmanned aircraft for taking wildlife.
- This restriction is based on maintenance of public health and safety, protection of environmental and scenic values, protection of natural and cultural resources, implementation of management responsibilities, and avoidance of conflict among visitor use activities.
- The Alaska National Interest Lands Conservation Act set aside federal conservation system units in Alaska (including NPS units) in part to protect natural landscapes, unaltered ecosystems in their natural state, wilderness resource values and related recreational opportunities, wildlife populations and habitat, and to maintain opportunities for scientific research and undisturbed ecosystems.
- The purpose of Kenai Fjords National Park is maintain unimpaired the scenic and environmental integrity of the Harding Icefield, its outflowing glaciers, and coastal fjords

and islands in their natural state; and to protect seals, sea lions, other marine mammals, and marine and other birds and to maintain their hauling and breeding areas in their natural state, free of human activity which is disruptive to their natural processes.

- The NPS must take a precautionary approach in terms of conserving resources and visitor enjoyment of those resources. New recreational activities are not allowed until the NPS has determined that such use is appropriate and will not cause unacceptable impacts.
- The NPS has adopted an interim policy, applicable nationwide, that prohibits launching, landing, or operating unmanned aircraft in areas administered by the NPS. This compendium provision is required to implement this interim national policy.

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

- This restriction is a necessary interim measure taken to ensure park resources and visitor enjoyment of those resources are protected consistent with NPS policies while the NPS considers how to address this new use on a long-term basis.
- This closure is required to implement this interim policy are necessary to maintain public health and safety in units of the National Park System and to protect park resources and values until the NPS can determine whether specific uses of unmanned aircraft on lands and waters administered by the NPS are appropriate and will not cause unacceptable impacts on park resources and values.

**KENAI FJORDS NATIONAL PARK
COMPENDIUM
2014**

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 where the Superintendent has exercised 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.

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 Kenai Fjords National Park, Seward, Alaska at (907)422-0500, for questions relating to information provided in this compendium.*

TITLE 36 CODE OF FEDERAL REGULATIONS

PART 1. GENERAL PROVISIONS

1.5 Closures and public use limits

(a)(1) Visiting hours, public use limits, closures

The riding or use of bicycles, unicycles, skateboards, roller skates, in-line skates, or similar devices is prohibited on the deck and sidewalks of the Kenai Fjords Visitor Center, the Exit Glacier Nature Center, the main trail to Exit Glacier, and the Nature Trail. A map showing these trails is available at the park visitor center and on the park web site.

This restriction is based on the determination that public safety is threatened by the use of these devices in these crowded pedestrian areas. A written determination of need per 36 CFR § 1.5(c) is on file at park headquarters.

Unmanned Aircraft

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Kenai Fjords National Park is prohibited except as approved in writing by the superintendent.

The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g.,

model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

In Park areas where use of model aircraft for hobbyist or recreational use has been previously authorized, such use may continue under a permit issued by the Superintendent.

This restriction does not affect the primary jurisdiction of the Federal Aviation Administration over the National Airspace System.

See 13.1324 regarding bicycle use in the Exit Glacier Developed Area and 13.1308(b) for the Harding Icefield Trail.

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

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

See specific sections in this document for additional information regarding designated areas and conditions for engaging in certain activities.

1.6(f) Compilation of activities requiring a permit

- Launching, landing, or operating unmanned aircraft, 1.5
- Scientific research, 1.5
- Collecting research specimens, 2.5
- Operating a power saw in developed areas, 2.12(a)(2)
- Operating a portable motor or engine in undeveloped areas, 2.12(a)(3)
- Operating a public address system, 2.12(a)(4)
- Air delivery, 2.17(a)(3)
- Noncommercial soliciting, 2.37
- Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials, 2.38(a)
- Using or possessing fireworks and firecrackers, 2.38(b)
- Special events, 2.50(a)
- 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, 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, hangglider, or other airborne device, 3.12(b)
- Removing sunken, grounded, or disabled vessels, 3.14(a)
- Operating a submersible, 3.19
- Commercial notices or advertisements, 5.1
- Commercial operations, 5.3

- Commercial photography or filming, 5.5
- Construction or repair of any building, structure, facility, road, trail, or airstrip on federal lands, 5.7
- Mining operations (9.9(a)) or an approved Plan of Operations (in lieu of permit)
- Cabins on federal lands, 13.136-13.149, 13.130
- 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(b) Designated trails

On the Harding Icefield trail, leaving the trail to shortcut between portions of the same trail is prohibited, except in areas that are covered with snow or unvegetated rock or scree. Hikers shall remain on the designated trail in all areas where the trail passes through alpine tundra vegetation.

Except as noted above and in §1.5(a)(1), all areas of the park are open to hiking and walking.

This restriction serves to protect plant and soil resources and public investment in trail development from damage. Hikers cutting switchbacks along the heavily used trail easily damage shallowly rooted vegetation on steep slopes. Heavy rain and snow then erodes these denuded areas, eliminating topsoil required by plants and destroying the trail, which must then be rebuilt to allow access to this popular hiking area. A written determination of need per 36 CFR § 1.5(c) is attached.

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

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

Registration is recommended, but not required, prior to any backcountry camping within Kenai Fjords National Park.

Superseded in part by 13.25, 13.1304, 13.1320.

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/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;
- Park provided metal food lockers at some coastal campsites; and
- Items or methods approved by the Superintendent.

(2) Food and beverages, food and beverage containers, garbage and harvested fish 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 suspending at least 10 feet above the ground and 4 feet horizontally from a post, tree trunk, or other object.
- The Superintendent may, upon request, waive or modify food storage requirements in circumstances where compliance with these requirements is not possible, overly burdensome, and is consistent with public safety and wildlife conservation interests.

(3) At the Exit Glacier Campground all food preparation, cooking and eating shall be done in the campground cooking shelter. No food items shall be taken to, consumed, or stored at the individual campsites.

(4) This provision does not apply--

- On the Harding Icefield when surrounded by snow or ice for at least 1 mile in all directions;
- To food that is being transported, consumed or prepared for consumption; and
- To clean dishes and cooking equipment free of food odors.

The intent of these designations is to prevent bears and other wildlife from obtaining and becoming conditioned to food and garbage, thus protecting wildlife and park visitors alike. We strongly recommend that dishes and cooking equipment be securely stored but clean and odor free items are not required to be stored in secure containers. Ice chests and coolers, tents, dry bags or stuff sacks, plastic packing boxes (Totes, Action Packers, etc.) and unmodified kayaks are not generally approved as BRC. BRCs are available for rent from commercial outfitters in Seward.

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

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

- Fires in the Exit Glacier Study Area¹ are allowed only in the designated steel fire rings

¹ The Exit Glacier Study Area is the study area of the Exit Glacier Visitor Experience and Resource Protection (VERP) Plan, also called the Exit Glacier Plan. See attached map.

that are provided at the campground cooking shelter and the picnic shelter and warming hut adjacent to the main parking lot.

- All trash (i.e., tin foil, burnt food, glass, and cans) must be removed from fire sites after use.

These requirements are intended to ensure that the visual and ecological impacts of campfires and cooking fires are limited in high use areas. Fire rings attract trash and food residue as campers attempt to burn trash before leaving the area. High temperature impact soils and impairs plant growth. Trampling and soil compaction occurs around fire rings as well. A written determination of need per 36 CFR § 1.5(c) is attached.

See also 13.1306(c)-(d).

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

Dumping of refuse brought into the park in the NPS trash receptacles is prohibited unless otherwise authorized by the Superintendent.

This requirement is intended to ensure the refuse handled by the park is generated by activities occurring within the park. A written determination of need per 36 CFR § 1.5(c) is on file at park headquarters.

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

The pit toilets at the Exit Glacier Campground are designated for the disposal of wastewater from dishwashing and bathing activities. Bathing is not permitted in the restrooms adjacent to the main parking area at Exit Glacier.

2.14(a)(9), (b) Sanitation: disposal, carrying out of human waste

- Coastal Public Use cabins and beaches – Restop II, PETT Wag Bags, or similar containers must be used and carried out for disposal in a landfill.
- Exit Glacier Developed Area – When the ground is frozen and NPS facilities are not available, human waste will be disposed of in Restop II, PETT Wag Bag, or similar containers and carried out for disposal in a landfill.
- Exit Glacier – Restop II, PETT Wag Bags, or similar containers must be used and carried out for disposal in a landfill.
- All other glaciated areas of the park – Human waste must be deposited in a deep crevasse or carried out in a Restop II, PETT Wag Bag, or similar container and disposed of in a landfill.

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

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

No areas prohibited.

2.18(c) Snowmobiles-designated areas for use

No areas are designated for snow machine use.

Superceded in part by 43 CFR 36.11(c) Special access and 13.1326.

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 listed in §2.19(a).

2.21 Smoking

Smoking is prohibited in all park facilities, in all public use cabins, and in any other park structure. Smoking is prohibited in any NPS owned or leased vehicle, and on any park vessel. Smoking is prohibited within 100 feet of the park fuel and aviation gas storage facilities.

These restrictions are intended to protect public health from the effects of smoking and minimize the risk of fire and explosions around fuel storage and dispensing facilities. A written determination of need per 36 CFR § 1.5(c) is on file at park headquarters.

2.51 First Amendment Demonstrations

The following areas are designated as open to public demonstrations that involve 25 or fewer persons without a permit. Demonstrations involving 26 or more individuals must have a permit issued by the Superintendent.

- Exit Glacier parking lot, the small plaza bounded by the recreational vehicle parking lot on the northeast, the car parking lot on the northwest, and the bus traffic lane and handicapped parking area on the south. See attached map.
- Kenai Fjords National Park Visitor Center in Seward - The graveled area behind the building, bounded by the following perimeter: a line running east from the rear public entrance to the northern-most interpretive kiosk, then north to the fire hydrant on the south side of the paved fire lane, then west to the northeast corner of the Visitor Center building. See attached map.

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

The following areas are designated as open to sale or distribution of printed matter by groups involving 25 or fewer persons without a permit. 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. Distribution involving 26 or more individuals must have a permit issued by the Superintendent.

- Exit Glacier – An area bounded by the western edge of the parking lot entry road on the east, an east-west line between the northern most disabled parking space and the large boulder in the plaza on the north, a north-south line between the large erratic boulder in the plaza and the southern edge of the paved plaza to the west, and the edge of the paved plaza on the south. See attached map.
- Kenai Fjords National Park Visitor Center in Seward – The graveled area behind the building, bounded by the following perimeter: a line running east from the rear public entrance to the northern-most interpretive kiosk, then north to the fire

hydrant on the south side of the paved fire lane, then west to the northeast corner of the Visitor Center building.

2.60(a)(3) Designated areas for grazing

Grazing of pack or saddle animals by private parties, not to exceed 14 days, is authorized without a permit within the Park. Any feed brought in must conform to the Alaska Weed Free Forage Certification Program. For more information on this certification, contact your local Soil & Water Conservation District in Homer at 907-235-8177.

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

3.14(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.

3.20(a) Water skiing: designated waters

No waters are designated as open.

3.21(a)(1) Swimming and bathing: areas designated as closed

All areas are open to swimming. No designated bathing locations.

PART 4. VEHICLES AND TRAFFIC SAFETY

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

The speed limit on Exit Glacier Road from the park boundary to the Exit Glacier Parking Lot is 35 mph.

4.31 Hitchhiking: designated areas

All areas are open to hitchhiking.

PART 13. ALASKA REGULATIONS

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

No more than six persons and/or two tents may occupy a single campsite in the Exit Glacier Campground. Tents are allowed only on designated tent pads as marked by rock borders, gravel pads, signs, or similar devices.

13.170 Designated cabins or other structures for general public use

The following cabins are designated for public use:

Holgate Arm Cabin

Aialik Bay Cabin

Willow Cabin (October 15 – April 15)

All other cabins, not otherwise under NPS permit, are open for short-term public use (less than 14 days/year).

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

A Special Use Permit is required for occupancy of any designated public use cabin.

13.1326 Snowmachines, designated route through the Exit Glacier Campground to Exit Creek.

A map showing the designated route is available at the park visitor center and park web site.

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

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

The Superintendent will notify the public when snow cover is adequate for the Park to allow snowmachine use each winter season. The public will also be notified of any changes in conditions (inadequate snow cover) resulting in any temporary closures or restrictions on snowmachine use and or re-openings following such temporary closures or restrictions.

The use of snowmachines for other activities is prohibited pursuant to 36 CFR 2.18(c).

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.

This compendium is approved and rescinds all previous compendiums issued for Kenai Fjords National Park.



Superintendent (FOR BEKKI LASEL) **Date** 7-28-14



Concurrence by Regional Director **Date** 7/30/14

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

Subject: Cutting switchbacks on the Harding Icefield Trail

Pursuant to Title 36 of the Code of Federal Regulations, § 1.5 (c) and 2.1(b), the Superintendent of Kenai Fjords National Park has determined that in order to prevent adverse impacts to park resources, hikers using the Harding Icefield Trail are prohibited from leaving the trail to shortcut between portions of the same trail (i.e. ,“cut switchbacks”).

The reasons for this restriction are as follows:

1. The Harding Icefield Trail is located on a steep mountain ridge, and ascends over 3000 vertical feet in approximately 3.5 miles.
2. This area receives heavy rain and snowfall annually, resulting in large quantities of water washing down the slope and across the trail on a regular basis.
3. Roots of vegetation naturally occurring on the slopes protects soil from erosion and slows water to limit trail damage. This vegetation is not resilient and is easily damaged or killed by limited numbers of hikers stepping on it.
4. The trail is designed with switchbacks, waterbars, and similar features to prevent this running water from damaging the trail and causing undue erosion to surrounding soils.
5. Hikers leaving the trail damage or kill adjacent vegetation and leave bare soil. Where this occurs on steep slopes, such as between switchbacks, it provides a natural watercourse. Fast moving water, not slowed by vegetation, removes soil and thus hampers natural revegetation.
6. This waterflow also damages lower sections of trail, requiring repair and replacement of tread material, switchbacks, and other features. This repair work is time and labor intensive due to its remote location and thus is very expensive.
7. Prohibiting off trail hiking between switchbacks limits resource damage, management expense, and improves hiker safety.

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

1. Hiker education has been undertaken since the trail was constructed and will continue with this prohibition in place. While education alone has undoubtedly limited this activity, it has not stopped it entirely.

2. Signs, bulletin boards, park maps and handouts, and personal contact have been and continue to be used to educate and warn hikers of this problem.
3. When employees encounter hikers cutting switchbacks, they find that the hikers generally knew of the educational efforts but chose not to follow the recommendations, generally because they were running or jumping down the slope and decided that fun or speed was more important than preventing vegetation damage, soil erosion, and trail damage.
4. In these cases, when written and verbal education and warnings have been ineffective at changing behavior which causes adverse impacts to the resource, additional enforcement authority may be required to gain compliance. This designation gives that authority to park personnel.

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 Kenai Fjords National Park 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, 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.
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.
10. Steep terrain and ice limit habitable areas for wildlife and camping areas for humans. These areas frequently overlap, and increase the potential for negative human / wildlife encounters.

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

1. Educational efforts regarding proper storage and disposal of food and garbage have been undertaken by local, 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 environment and recreational activity require multiple food storage options, park managers have undertaken the following to assist visitors and make these conditions less onerous:
 - Professionally built metal food lockers have been installed at most commonly used camping beaches in the coastal backcountry.
 - Cables with hanging lines and pulleys have been installed on lesser used beaches.
 - Park supplied bear resistant containers (BRCs) are available for free loan at park headquarters and through one or more water taxi companies in Seward annually.
 - A common walk-in food storage locker was built in the Exit Glacier Campground for free use of all campers.
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: 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 Kenai Fjords National Park 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.