

SITKA NATIONAL HISTORICAL PARK COMPENDIUM

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 54 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 Sitka National Historical Park, Sitka, Alaska at (907) 747-6281 for questions relating to information provided in this compendium.*

TITLE 36 CODE OF FEDERAL REGULATIONS

PART 1. GENERAL PROVISIONS

1.6(f) Compilation of activities requiring a permit

- 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
- Scientific research, 13.50
- Launching, landing, or operating unmanned aircraft, 13.50
- Salvaging, removing, possessing aircraft, 43 CFR 36.11 (f)(3)(ii)
- Helicopter use, 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(c)(1)-(3) Designated fruits, nuts, berries, and unoccupied seashells to harvest by hand for personal use and collection restrictions

All edible fruits, berries and/or nuts may be gathered by hand for personal use or consumption in reasonable amounts not to exceed two quarts per person per day.

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

State or local fire burn bans are automatically adopted under this section unless the superintendent determines the ban is not necessary in park areas.

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

Pets may be left unattended on park grounds for a brief period of time, not to exceed fifteen minutes. Unattended pets must be restrained. Pets may be briefly leashed to a sign post or porch post, provided they do not disturb other park visitors, restrict access or obstruct roads or walkways. Unattended pets may remain in personal vehicles in a park parking lot a maximum of four hours, provided the vehicle has adequate ventilation and the pet does not make an unreasonable amount of noise.

2.15(a)(5) Pet excrement disposal conditions

Pet owners must properly dispose of pet excrement deposited in the park. All excrement must be removed from park trails and grounds. Owners may dispose of excrement in covered waste cans provided throughout the park.

This requirement is intended to keep commonly visited areas sanitary.

2.18(c) Snowmobiles: designated areas for use

No areas designated for snowmachine use.

See also, 43 CFR 36.11(c) regarding snowmachine use for traditional activities.

2.21 Smoking

All park offices and visitor facilities are closed to smoking.

Smoking is also prohibited within 100 feet of these office and facilities including the park fuel storage facility.

These restrictions are intended to protect public safety from fire or explosion around fuel storage and dispensing facilities. Electronic cigarettes, or e-cigs, are included in the above restrictions.

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

The consumption of an alcoholic beverage and/or the possession of an open bottle, can or other receptacle containing an alcoholic beverage in the park is prohibited.

Consumption of an alcoholic beverage and/or the possession of an open container of an alcoholic beverage is inappropriate considering other uses of the location and the purposes for which the park is maintained and established.

2.51 First Amendment Demonstrations

Sitka National Historical Park has designated a location at the top of the serpentine walkway and next to the upper parking lot as an area for First Amendment demonstrations, distribution, or selling of printed matter. Groups of 25 people or smaller are not required to obtain a permit for these First Amendment activities but are required to remain within the designated demonstration area.

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

Sitka National Historical Park has designated a location at the top of the serpentine walkway and next to the upper parking lot as an area for First Amendment demonstrations, distribution, or selling 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.

Groups of 25 people or smaller are not required to obtain a permit for these First Amendment activities but are required to remain within the designated demonstration area.

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

Areas will be designated pursuant to a permit from the Superintendent.

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.

3.16 Swimming and wading: areas designated as closed

No areas designated as closed to swimming. All areas of the park are closed to bathing.

PART 4. VEHICLES AND TRAFFIC SAFETY

4.31 Hitchhiking: designated areas

All areas are open to hitchhiking.

PART 13. ALASKA REGULATIONS

13.50 Closures and restrictions

Visiting hours. The Park is a “day use area.” Park grounds are open the following hours:

Summer months (May 15 to September 30)

6:00 a.m. to 10:00 p.m.

Winter months (October 1 to May 14)

7:00 a.m. to 8:00 p.m.

Violating a schedule of visiting hours is prohibited.

Pedestrian through-traffic is allowed on the section of trail between Sawmill Creek Road, over the Indian River footbridge and to or from the upper Visitor Center parking lot after park grounds are closed - provided that pedestrians do not loiter. All other portions of the trail system and grounds are closed before and after grounds hours.

Parking lots.

- Designated spaces of the upper Visitor Center parking lot are reserved for tour buses and oversized vehicles between 7:00 a.m. and 5:30 p.m. from May 1 to September 30. Both upper and lower Visitor Center parking lots are closed to all use after park grounds are closed. No overnight parking is allowed within park boundaries.

Consuming food and beverages in park buildings.

- Eating, drinking will only be allowed in the Visitor Center Theater, Demonstration Studios, Conference Room, kitchen and park staff offices. Consuming food and beverages is not allowed in other park buildings.

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 Sitka National Historical 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.

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

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.