

COAST PILOT 8 (Continued)

squirrel, or red squirrel that have not been domestically raised.

^(1399.02) Furbearer means a beaver, coyote, arctic fox, red fox, lynx, marten, mink, least weasel, short-tailed weasel, muskrat, land otter, red squirrel, flying squirrel, ground squirrel, Alaskan marmot, hoary marmot, woodchuck, wolf and wolverine.

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Chapter 2—Paragraph 1419.01; read:

^(1419.01) Trapping means taking furbearers under a trapping license.

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Chapter 2—Paragraph 1476; read:

⁽¹⁴⁷⁶⁾ **§13.40 Taking of fish.**

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Chapter 2—Paragraphs 1485 to 1490.15; read:

⁽¹⁴⁸⁵⁾ (d) Use of native species as bait. Use of species native to Alaska as bait for fishing is allowed in accordance with non-conflicting State law and regulations.

⁽¹⁴⁸⁶⁾ (e) Closures and restrictions. The Superintendent may prohibit or restrict the non-subsistence taking of fish in accordance with the provisions of §13.50.

⁽¹⁴⁸⁷⁾ <Deleted Paragraph>

⁽¹⁴⁸⁸⁾ <Deleted Paragraph>

⁽¹⁴⁸⁹⁾ <Deleted Paragraph>

⁽¹⁴⁹⁰⁾ <Deleted Paragraph>

^(1490.01) **§13.42 Taking of wildlife in national preserves.**

^(1490.02) (a) Hunting and trapping are allowed in national preserves in accordance with applicable Federal and non-conflicting State law and regulation.

^(1490.03) (b) Violating a provision of either Federal or non-conflicting State law or regulation is prohibited.

^(1490.04) (c) Engaging in trapping activities as the employee of another person is prohibited.

^(1490.05) (d) It shall be unlawful for a person having been airborne to use a firearm or any other weapon to take or assist in taking any species of bear, caribou, Sitka black-tailed deer, elk, coyote, arctic and red fox, mountain goat, moose, Dall sheep, lynx, bison, musk ox, wolf and wolverine until after 3 a.m. on the day following the day in which the flying occurred. This prohibition does not apply to flights on regularly scheduled commercial airlines between regularly maintained public airports.

^(1490.06) (e) Persons transporting wildlife through park areas must identify themselves and the location where the wildlife was taken when requested by NPS law enforcement personnel.

^(1490.07) (f) State of Alaska management actions or laws or regulations that authorize taking of wildlife are not adopted in park areas if they are related to predator reduction efforts. Predator reduction efforts are those with the intent or potential to alter or manipulate natural predator-prey dynamics and associated natural ecological processes, in order to increase harvest of ungulates by humans.

^(1490.08) (1) The Regional Director will compile a list updated at least annually of State laws and regulations not adopted under this paragraph (f).

^(1490.09) (2) Taking of wildlife, hunting or trapping activities, or management actions identified in this paragraph (f) are prohibited. Notice of activities prohibited under this paragraph (f)(2) will be provided in accordance with §13.50(f).

^(1490.10) (g) This paragraph applies to the taking of wildlife in park areas administered as national preserves except for subsistence uses by local rural residents pursuant to applicable Federal law and regulation. As of January 1, 2016, the following are prohibited: (See Prohibited Acts table.)

^(1490.11) **Insert new table from back of this subsection.**

^(1490.12) (h) The Superintendent may prohibit or restrict the non-subsistence taking of wildlife in accordance with the provisions of §13.50.

^(1490.13) (i) A person may not intentionally obstruct or hinder another person's lawful hunting or trapping by:

^(1490.14) (1) Placing oneself in a location in which human presence may alter the behavior of the game that another person is attempting to take or the imminent feasibility of taking game by another person; or

^(1490.15) (2) Creating a visual, aural, olfactory, or physical stimulus in order to alter the behavior of the game that another person is attempting to take.

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Chapter 2—Paragraphs 1504 to 1516; read:

⁽¹⁵⁰⁴⁾ **§13.50 Closure and restriction procedures.**

⁽¹⁵⁰⁵⁾ (a) Applicability and authority. The Superintendent will follow the provisions of this section to close an area or restrict an activity, or terminate or relax a closure or restriction, in NPS areas in Alaska.

⁽¹⁵⁰⁶⁾ (b) Factors. In determining whether to close an area or restrict an activity, or whether to terminate or relax a closure or restriction, the Superintendent must ensure that the activity or area is managed in a manner compatible with the purposes for which the park area was established. The Superintendent's decision under this paragraph must therefore be guided by factors such as public health and safety, resource protection, protection of cultural or scientific values, subsistence uses, conservation of

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endangered or threatened species, and other management considerations.

⁽¹⁵⁰⁷⁾(c) Rulemaking requirements. This paragraph applies only to a closure or restriction, or the termination or relaxation of such, which is of a nature, magnitude and duration that will result in a significant alteration in the public use pattern of the area; adversely affect the area's natural, aesthetic, scenic, or cultural values; or require a long-term modification in the resource management objectives of the area. Except in emergency situations, the closure or restriction, or the termination or relaxation of such, must be published as a rulemaking in the Federal Register.

⁽¹⁵⁰⁸⁾(d) Written determination. Except in emergency situations, prior to implementing or terminating a closure or restriction, the superintendent shall prepare a written determination justifying the action. That determination shall set forth the reasons the closure or restriction authorized by paragraph (a) of this section has been established. This determination will be posted on the NPS Web site at www.nps.gov.

⁽¹⁵⁰⁹⁾(e) Restrictions on taking fish or wildlife. (1) Except in emergencies, the NPS will consult with the State agency having responsibility over fishing, hunting, or trapping and provide an opportunity for public comment, including one or more public meetings near the affected NPS unit, prior to implementing a closure or restriction on taking fish or wildlife.

⁽¹⁵¹⁰⁾(2) Emergency closures or restrictions may not exceed a period of 60 days and may not be extended without following the nonemergency procedures of this section.

⁽¹⁵¹¹⁾(f) Notice. A list of closures and restrictions will be compiled in writing and updated annually. The list will be posted on the NPS Web site at www.nps.gov and made available at park headquarters. Additional means of notice reasonably likely to inform residents in the affected vicinity will also be provided where available, such as:

⁽¹⁵¹²⁾(1) Publication in a newspaper of general circulation in the State or in local newspapers;

⁽¹⁵¹³⁾(2) Use of electronic media, such as the internet and email lists;

⁽¹⁵¹⁴⁾(3) Radio broadcast; or

⁽¹⁵¹⁵⁾(4) Posting of signs in the local vicinity.

⁽¹⁵¹⁶⁾(g) Violating a closure or restriction is prohibited.

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Chapter 2

Prohibited Acts	Any Exceptions?
(1) Shooting from, on, or across a park road or highway.	None
(2) Using any poison or other substance that kills or temporarily incapacitates wildlife.	None
(3) Taking wildlife from an aircraft, off-road vehicle, motorboat, motor vehicle, or snowmachine.	If the motor has been completely shut off and progress from the motor's power has ceased.
(4) Using an aircraft, snowmachine, off-road vehicle, motorboat, or other motor vehicle to harass wildlife, including chasing, driving, herding, molesting, or otherwise disturbing wildlife.	None
(5) Taking big game while the animal is swimming	None
(6) Using a machine gun, a set gun, or a shotgun larger than 10 gauge.	None
(7) Using the aid of a pit, fire, artificial salt lick, explosive, expanding gas arrow, bomb, smoke, chemical, or a conventional steel trap with an inside jaw spread over nine inches.	Killer style traps with an inside jaw spread less than 13 inches may be used for trapping, except to take any species of bear or ungulate.
(8) Using any electronic device to take, harass, chase, drive, herd, or molest wildlife, including but not limited to: artificial light; laser sights; electronically enhanced night vision scope; any device that has been airborne, controlled remotely, and used to spot or locate game with the use of a camera, video, or other sensing device; radio or satellite communication; cellular or satellite telephone; or motion detector.	(i) Rangefinders may be used. (ii) Electronic calls may be used for game animals except moose. (iii) Artificial light may be used for the purpose of taking furbearers under a trapping license during an open season from Nov. 1 through March 31 where authorized by the State. (iv) Artificial light may be used by a tracking dog handler with one leashed dog to aid in tracking and dispatching a wounded big game animal. (v) Electronic devices approved in writing by the Regional Director.
(9) Using snares, nets, or traps to take any species of bear or ungulate.	None
(10) Using bait.	Using bait to trap furbearers.
(11) Taking big game with the aid or use of a dog.	Leashed dog for tracking wounded big game.
(12) Taking wolves and coyotes from May 1 through August 1.	None
(13) Taking cub bears or female bears with cubs.	None
(14) Taking a fur animal or furbearer by disturbing or destroying a den.	Muskrat pushups or feeding houses.

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