

Appendix D. Federal and State Regulations

REGULATIONS FOR FOOD STORAGE AND REFUSE DISPOSAL

Code of Federal Regulations

36 CFR 2.10(d) states “The Superintendent may designate all or a portion of a park area where food, lawfully taken fish or wildlife, garbage, and equipment used to cook or store food must be kept sealed in a vehicle, or in a camping unit that is constructed of solid, non-pliable material, ... or shall be stored as otherwise designated. Violation of this restriction is prohibited. This does not apply to food that is being transported, consumed, or prepared for consumption.”

Superintendent’s Compendium

2.10 Camping and Food Storage:

(b) Food Storage: Food, garbage, and equipment used to cook or store food must be kept sealed in a vehicle, or in a camping unit that is constructed of solid, non-pliable material, or secured in food storage lockers provided in each campground. Bear resistant food containers, (BRFC’s), for backpackers are recommended for all backcountry zones, and are mandatory in most zones. This requirement may change according to management needs in line with the park’s Bear/Human Conflict Management Plan. Use of containers will be governed by standard information given to all persons obtaining a backcountry use permit. Bear resistant food containers may be inspected by park rangers at any time to determine if food is appropriately stored and the unit properly sealed. Bear resistant food containers must be returned within 48 hours of returning from a backcountry trip. Failure to return the bear resistant food container within 48 hours of returning from a trip may result in a citation being issued. In forested areas, (when containers are not mandatory), food shall be suspended at least 12 feet above the ground and four feet horizontally from a post, tree trunk, or other object, and at least 300 feet down-wind and visible from tent sites. In treeless areas, food shall be placed, double wrapped in plastic, at least 300 feet downstream/hill from campsite. Additional details and recommendations on food storage can be found in the “Denali Alpenglow”, the park’s seasonal informational newspaper. Backcountry parties that have special needs due to size of their party, length of stay, mountaineering logistics, etc., must obtain permission of the North or South District Rangers, the Chief Ranger, or the Chief of Research and Resource Preservation to travel without BRFC’s where otherwise required.

Alaska State Statutes

5 AAC 92.230 Feeding of Game.

No person may intentionally feed a moose (except under terms of a permit issued by the department), bear, wolf, fox, or wolverine, or intentionally leave human food or garbage

in a manner that attracts these animals. However, this prohibition does not apply to use of bait for trapping fur bearers or hunting black bears under 5 AAC 84 - 5 AAC 92.

History - Eff. 7/5/85, Register 95; am 8/20/89, Register 111; am 7/1/93, Register 126

5 AAC 92.410 Taking Game in Defense of Life or Property.

(a) Nothing in 5 AAC prohibits a person from taking game in defense of life or property if

- (1) the necessity for the taking is not brought about by harassment or provocation of the animal, or by an unreasonable invasion of the animal's habitat;
- (2) the necessity for the taking is not brought about by the improper disposal of garbage or a similar attractive nuisance; and
- (3) all other practicable means to protect life and property are exhausted before the game is taken.

(b) Game taken in defense of life or property is the property of the state. A person taking such game shall immediately salvage the meat or, in the case of a black bear, wolf, wolverine, or coyote, shall salvage the hide and shall immediately surrender the salvaged meat or hide to the department. In the case of a brown bear, the hide and skull must be immediately delivered to the department. A surrendered hide and skull of a bear must be completely removed from the carcass. A surrendered bear hide must include attached claws. A person taking game under this section shall notify the department of the taking immediately, and within 15 days after the taking shall submit to the department a completed questionnaire concerning the circumstances of the taking.

(c) As used in this section, "property" means

- (1) a dwelling, permanent or temporary;
- (2) an aircraft, boat, automobile, or other conveyance;
- (3) a domesticated animal;
- (4) other property of substantial value necessary for the livelihood or survival of the owner.

History - Eff. 7/5/85, Register 95; am 8/20/89, Register 111; am 8/12/90, Register 115; am 7/1/94, Register 130

18 AAC 60.230 Solid Waste Management, State of Alaska Department of Environmental Conservation, Disease Vector, Wildlife, and Domestic Animal Control. As amended through October 29, 1998.

(a) The owner or operator of a facility subject to the permit requirements of AS [46.03.100](#) and this chapter shall manage the facility so that

- (1) disease vectors do not endanger public health, safety, or welfare or create a nuisance;
- (2) wildlife and domestic animals do not endanger public health, safety, or welfare; become harmed by contact with the waste; or become a nuisance; the requirements of this paragraph do not apply to a Class III MSWLF.