

Appendix H. Closure Procedure

PUBLIC USE CLOSURES RELATED TO RESOURCE CONDITIONS

Revised July 8, 2003

Introduction

Title 36, Code of Federal Regulations, Part 1.5 authorizes the Park Superintendent to establish public use closures in the interest of maintaining public health and safety, protecting environmental and scenic values, and protecting natural and cultural resources. Within the context of natural and cultural resources preservation and natural hazards management this closure authority most often extends to the following situations:

- Wildland Fires
- Hydrogeologic Events such as floods, mud/rockslides or earthquakes
- Severe Storms
- Wildlife Activity such as den/nest sites, prey kill sites, or areas near potentially hazardous animals

It should be noted that this is not a complete list of circumstances that can determine the establishment of a closure or use limit.

Closures and use limits are generally categorized as permanent or non-permanent. The primary distinguishing feature between the two is the anticipated duration of the use limit. **This directive deals solely with non-permanent closures and is separated into sections dealing with EMERGENCY and TEMPORARY closures.**

EMERGENCY CLOSURES

Emergency situations are recognized to immediately threaten public health and safety and will not last longer than 30 days. These closures may not be extended.

Recommendations for emergency closures related to resource conditions are expected to originate from field rangers and field resource management staff.

Procedures:

1. Determine that a closure is necessary. **DO NOT** proceed to implement a closure on hearsay.
2. Field rangers should make a reasonable attempt to contact their Subdistrict Ranger and field resource management staff should make a reasonable attempt to contact the Wildlife Biologist or their supervisor. Supervisory individuals will make recommendations on how the closure will be designed, implemented and terminated. Supervisory individuals will then

contact the Superintendent or acting superintendent for approval (and signature). The Communication Center will maintain a schedule of who has acting Superintendent authority during the Superintendent's absence.

Normally these contacts would not be made between 10PM and 7AM. If, however, the circumstances are serious enough, contacts should be made at any hour at the discretion of the field staff.

3. If the Subdistrict Ranger and/or the Wildlife Biologist are not available, field employees will contact the Superintendent and or the Acting Superintendent and make the recommendation for emergency closure. The Superintendent or Acting Superintendent will make the determination that a closure is needed. **If no contacts can be made (Comm. Center closed or no radio contact) and field staff determines the closure is necessary for human safety, proceed with signing the closure. Field staff will make the appropriate closure at the earliest opportunity.**

4. Once the Superintendent or Acting Superintendent approves a closure, notify the Communication Center. Be prepared to provide the following information: requestor, place name for the closure (assigned by the field staff), purpose and justification, location, and description of the perimeter. A map will be prepared and provided to the Communication Center as soon as possible after the determination to implement a closure.

5. The Communication Center will be responsible for assigning a closure number, preparing a closure notice, and advising all parties identified on the Notification List below.

6. Proceed with the closure by posting the appropriate signs.

7. Prepare a written Case Incident Report Form (SF-344), and have the Superintendent or his designee sign it. Then process it with the Communication Center. Include a map or diagram of the closed area and source point (kill site, etc.). Case Incident Reports should follow the format provided below.

8. Immediately following receipt of the Case Incident Report, the Communication Center will forward it to the Superintendent and the Chief Ranger.

9. The Wildlife Biologist and/or the Field Ranger will coordinate the monitoring and subsequent opening of the closure. Determination of this responsibility will be made during Step 2 above.

10. Openings (See Opening Procedures below)

TEMPORARY CLOSURES (These closures are non-emergency in nature)

Non-emergency situations do not pose an immediate threat to public health or safety but focus on preservation of park resources or may be implemented to expedite park operations. These closures will not last longer than 12 months and may not be extended.

Recommendations for non-emergency closures related to resource conditions are generally expected to originate from District and Subdistrict Rangers, Maintenance Foremen, Division Chiefs, and employees within the Center for Resources, Science and Learning. On occasion, cooperating investigators may submit closure proposals.

Procedures:

1. Contact the Wildlife Biologist prior to preparing a recommendation to avoid duplication of effort.
2. Recommendations for all non-emergency wildlife related closures are to be submitted to Wildlife Biologist in writing.

The written recommendation will be submitted on a Case Incident Report Form. Include a map or diagram of the closed area and source point if possible (fox den, etc.). Case Incident Reports should follow the format depicted below. Please be specific regarding the geographic locations and the justification for the action. The originator is responsible for assigning a place name to the closure recommendation and for receiving a Closure Number from the Communication Center.

3. Recommendations will be forwarded to the Director, Center for Resources, Science and Learning who will submit them to the Superintendent (copy to the Chief Ranger) for consideration and signature.
4. If the Superintendent concurs, the signed Case Incident Report will be forwarded to the Communication Center. This report will include maps and/or geographic descriptions of the area(s) to be closed. The Communication Center will forward a copy of this report to the Director, Center for Resources, Science, and Learning and the Wildlife Biologist.
5. The Communication Center will be responsible for advising all parties identified on the Notification List. The Wildlife Biologist will be responsible for updating the master map, and for making the map available to parties on the Notification List.
6. If the Superintendent rejects the recommendation, the Director, Center for Resources, Science and Learning will be promptly advised. The Wildlife Biologist and staff initiating the closure proposal will also be promptly notified.
7. The Ranger Activities Division and the Wildlife Biologist will coordinate posting the area with appropriate signs per maps received from the Communication Center's signed copy of the Case Incident Report. It is important to realize that maps associated with original recommendations may not reflect what the Superintendent eventually agrees to. Consult final determination documentation. A minimum requirement / tool analysis for any signs posted within the Wilderness is required.

8. The Wildlife Biologist and the Ranger Activities Division will coordinate the monitoring and subsequent opening of the closure, providing regular feedback throughout the process. The ultimate responsibility for monitoring will rest with the Wildlife Biologist.

9. Openings (See Opening Procedures below)

OPENINGS

Openings of Emergency Closures are made only after a site has been physically inspected.

If employees are entering a potentially hazardous closed area, they are to advise the Communication Center of their entry and exit.

If a kill site is involved, two employees armed with shotgun(s) will be involved in the inspection.

Procedures:

1. Before entering a closure, individuals should confer with the Wildlife Biologist. The purpose of this consultation is to determine the appropriateness of the opening and whether additional information is required from the closure area.
2. Before opening a closure (and removing closure signs), the Wildlife Biologist will make a reasonable attempt to obtain oral or written concurrence from the Superintendent or Acting Superintendent. The communication center can facilitate this contact. If this concurrence cannot be obtained in advance and field conditions warrant, proceed with the opening.
3. Notify the Communication Center of all openings. The Communication Center will be responsible for advising all parties identified on the Notification List.
4. Oral recommendations for lifting closures are to be followed-up, as soon as possible, with a written Case Incident Report Form and processed with the Communication Center. These reports should follow the format provided for a closure opening recommendation. The Communication Center will forward a copy of this report to the Wildlife Biologist.
5. The inspecting party will be primarily responsible for removal of all signing. Coordination should occur between the Center for Resources, Science and Learning and the Ranger Activities Division to assure efficiency in sign removal.

Status of Closures

The Communication Center will maintain a running log and complete file of all closures and openings. A Closure Update Report will be completed by the Communication Center and distributed to all parties on the Notification List when closures change.

Backcountry Unit Maps

A Backcountry Unit Map, indicating minimum closure areas, will be prepared by 15 April of each year. The map legend will note in bold letters that only those areas so outlined and shaded are closed. Closure boundaries will be printed in such a fashion that they will not be confused with other features on the map. This map will also serve as the Backcountry Unit Map and will include narrative pointers regarding closures and travel around them. This map will serve as a master copy and will be maintained as part of the geographic information system in the Center for Resources, Science and Learning. The master will be updated as closure boundaries change throughout the course of the season. Copies will be made of the master, as updates occur, and will be supplied to all backcountry users. The Wildlife Biologist is responsible for original map preparation and subsequent closure boundary updates. This map will be available to the Backcountry Desk at any time and will be distributed to all parties on the Closure Notification List when closures change.

USGS Topographic Maps

When documentation for emergency closures or justifications for other temporary closures is prepared it should include a map (1:63,360) depicting closure boundaries. Once final closure determinations are made they should include similar maps (1:63,360) with approved closure perimeters. Copies of these maps will be maintained in the Communication Center, Center for Resources, Science, and Learning Files, and the Backcountry Desk for reference purposes.

A master set of these maps will be maintained in the Center for Resources, Science and Learning, which depict details of the boundary lines of each closure area. These masters will be updated as closure boundaries change throughout the course of the season and will be distributed to all parties on the Closure Notification List as closures change. Backcountry staff will be encouraged to have backcountry users consult the maps for familiarity with closure boundaries. These maps will also form the basis for field deployment of closure signs. The Wildlife Biologist is responsible for original map preparation and subsequent closure boundary updates.

Delegations of Authority

In the absence of Subdistrict Rangers, District Rangers, the Chief Ranger, the Wildlife Biologist, the Wildlife Biologist, the Director Center for Resources, Science, and Learning, the Assistant Superintendent, or the Superintendent, those individuals who have delegated authority to act on their behalf will make decisions regarding closures and will take actions accordingly.

I concur with the above recommendations on implementing temporary and emergency closures for wildlife related resource conditions:

Superintendent

Date

Notification list

Persons and places to notify when a closure is put into effect

Upon notification the communication center will distribute the closure information to the following:

Public Information Officer
Backcountry Desk at Visitor Center
Half sheet notice is posted in headquarters at mailboxes
Superintendent's Secretary
Wildlife Biologist
East District L.E. Rangers
West District L.E. Rangers
Interpretation staff conducting programs in or near affected areas
Morning report (via radio at 10am, reports are also distributed)
Shuttle bus dispatcher
ARAMARK transportation (tundra wildlife tours)
Kantishna businesses (if appropriate)

A closure update sheet will be distributed as closures change. This sheet should be posted and accessible to all employees.

CASE INCIDENT REPORT SF-344
FORMAT FOR CLOSURE & OPENING RECOMMENDATION

FORM NO. 10-344
 (Rev. 3-73)

U.S. DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
 SUPPLEMENTARY CASE/INCIDENT RECORD

ORGANIZATION (PARK) NAME Denali National Park and Preserve		CASE/INCIDENT NUMBER 030019
LOCATION OF INCIDENT Highway Pass		DATE OF INCIDENT 6/12/03
NATURE OF INCIDENT Jaeger Nest		
COMPLAINANT'S NAME	COMPLAINANTS ADDRESS	

RESULTS OF INVESTIGATION

EFFECTIVE DATE: 6/12/03

EFFECTIVE TIME: 08:30 HRS

CLOSURE NAME: Long-tailed Jaeger Nest

CLOSURE NUMBER: 012

JUSTIFICATION: This area includes an active Long-tailed Jaeger nest in a high visitor-use area. The nest is visible from the road and highly accessible. A Long-tailed Jaeger nest is more conspicuous than other nests such as Ptarmigan due to their active behavior around the nest. Ptarmigan and other species conceal their nests whereas Long-tailed Jaegers nest out in the open. Long-tailed Jaegers are a high profile species that photographers search out. Long-tailed Jaegers are relatively uncommon in Denali and unlike Ptarmigan are very sensitive to human disturbance. There is evidence to suggest that the more Long-tailed Jaegers and other ground nesting birds are disturbed the more likely they are to abandon their nests. Multiple visits to this nesting site leading to abandonment of the nest could cause exposure of the eggs to the elements and increased likelihood of predation (pers. comm. Carol McIntyre). The nest is on a south facing slope and long term exposure to the sun could be detrimental. There was an incident in the past with Professional Photographers in this same area when the NPS won a court case over intentional disturbance to wildlife (Long-tailed Jaeger chicks). This area will be closed to public use temporarily until the Long-tailed Jaeger young fledge from the nest or earlier if the nest fails. Closing this area does not significantly alter public use patterns of the Park or have a significant negative impact on visitor use and experience. Less restrictive measures to protect this nest will not suffice due to lack of constant observation and contact by Park staff to visitors and professional photographers in this area. Signing the area will be the most effective way to protect the nest.

LOCATION: Mile 58.7 approximately 150 meters from the road on the North side.
 N 63.47800° W150.14503°

Closing a minimum of 300 feet radius is designed to match the terrain and accessibility of the area.

POST SIGNS: Wildlife Management Technicians

NOTIFY COMM. CENTER: Wildlife Management Technicians

OTHER COMMENTS: Authority for temporary closures is found in Title 36, Code of Federal Regulations, Section 1.5. The area is posted with appropriate signs as prescribed in Title 36, CFR, Section 1.5.

SUBMITTED BY (SIGNATURE AND DATE)	APPROVED BY (SIGNATURE AND DATE)
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FORM NO. 10-344
(Rev. 3-73)

U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
SUPPLEMENTARY CASE/INCIDENT RECORD

ORGANIZATION (PARK) NAME Denali National Park and Preserve	CASE/INCIDENT NUMBER 030019
LOCATION OF INCIDENT South of Highway Pass, Unit 11	DATE OF INCIDENT 7/03/03

NATURE OF INCIDENT
Temporary (Emergency) Wildlife Closure OPENING

COMPLAINANT'S NAME	COMPLAINANTS ADDRESS
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RESULTS OF INVESTIGATION

EFFECTIVE DATE: 7/07/03

EFFECTIVE TIME: 0800

CLOSURE NAME: Highway Pass bear kill

CLOSURE NUMBER: 011

JUSTIFICATION: The area was observed by Wildlife Management Technicians and it was determined that it was safe for visitors. The kill site mound was gone and the large dark colored bear that was on kill on 7/02/03 was observed approximately 1500 meters south of site grazing and resting.

REMOVE SIGNS: Wildlife Management Technicians

NOTIFY COMM. CENTER: Wildlife Management Technicians

OTHER COMMENTS: Authority for temporary closures is found in Title 36, Code of Federal Regulations, Section 1.5. The area is posted with appropriate signs as prescribed in Title 36, CFR, Section 1.5.

SUBMITTED BY (SIGNATURE AND DATE)	APPROVED BY (SIGNATURE AND DATE)
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Wildlife Closure Spreadsheet

Closure Number	Date Closed	Closed By	Unit #	Reason Closed	Location Description	Date Opened	Opened By
1	6/7/2003	Dave Schirokauer		Historic Wolf denning area	Jenny Creek		
2	5/1/2003	Dave Schirokauer		Historic Wolf denning area	Teklanika River		
3	5/7/2003	Dave Schirokauer	4,5,7,32	Historic wolf denning areas	Savage Hogbacks, Sanctuary Ridge, East Fork, Toklat	5/22/2003	Dave Schirokauer
4	5/23/2003	Dave Schirokauer	8	gryfalcon nest	marmot rock		
5	5/23/2003	Dave Schirokauer	34	GOLDEN EAGLE NEST	Eilson bluffs N of park rd. mil 67.6 to 67.8		
6	5/23/2003	Dave Schirokauer	29	bear kill	unit 29 - 1.5 mile nw of Teklanika campground	5/25/2003	Eric Bindseil
7	5/27/2003	Dave Schirokauer	39	Wolf Den	Toklat Island		
8	6/8/2003	Eric Bindseil	15	Nesting loons	east end of wonder lake near boat launch		
9	6/7/2003	Dave Schirokauer	34	Gryfalcon Nest	Eielson bluffs		
10	6/7/2003	Dave Schirokauer	15	nesting terns	Southern end of Wonder Lake		