fish and wildlife or parts or products thereof, plants or parts or products thereof, live or dead wood, fungi, seashells, rocks, and minerals.

(c) Gathering or collecting, by hand and for personal use only, of the following renewable resources is permitted—

(1) Natural plant food items, including fruits, berries and mushrooms, but not including threatened or endangered species;
(2) Driftwood and uninhabited seashells;
(3) Such plant materials and minerals as are essential to the conduct of traditional ceremonies by Native Americans; and
(4) Dead wood on the ground for use as fuel for campfires within the park area.

d) The Superintendent may authorize, with or without conditions, the collection of dead standing wood in all or a portion of a park area. Collecting dead or downed wood in violation of terms and conditions is prohibited.

e) Surface collection, by hand (including hand-held gold pans) and for personal recreational use only, of rocks and minerals is permitted, with the following exceptions:

(1) Collection of silver, platinum, gemstones and fossils is prohibited; and
(2) Collection methods that may result in disturbance of the ground surface, such as the use of shovels, pickaxes, sluice boxes, and dredges, are prohibited.

f) The Superintendent may limit the size and quantity of the natural products that may be gathered or possessed.

(1) Under conditions where it is found that significant adverse impact on park resources, wildlife populations, subsistence uses, or visitor enjoyment of resources will result, the Superintendent will prohibit the gathering or otherwise restrict the collecting of natural products.

(2) The Superintendent will notify the public of portions of a park area in which closures or restrictions apply by:

(i) Publishing a notice in at least one newspaper of general circulation in the State and providing a map available for public inspection in the office of the Superintendent; or

(ii) Posting appropriate signs.

g) Subsistence. Nothing in this section shall apply to local rural residents authorized to take renewable resources.

§ 13.40 Taking of fish and wildlife.

(a) [Reserved]

(b) Fishing. Fishing is permitted in all park areas in accordance with applicable State and Federal law, and such laws are hereby adopted and made a part of these regulations to the extent they are not inconsistent with §2.3 of this chapter.

(c) Commercial fishing. The exercise of valid commercial fishing rights or privileges obtained prior to December 2, 1980, pursuant to existing law in Cape Krusenstern National Monument, the Malaspina Glacier Forelands area of the Wrangell–St. Elias National Preserve, and the Dry Bay area of Glacier Bay National Preserve, including the use of these park areas for existing campsites, cabins and other structures, motorized vehicles, and aircraft landings on existing airstrips, may continue provided that all such use is directly incident to the exercise of those rights or privileges.

(1) Restrictions. The Superintendent may restrict or revoke the exercise of a valid commercial fishing right or privilege based upon specific findings, following public notice and an opportunity for response, that continuation of such use of a park area constitutes a direct threat to or significant impairment of the values and purposes for which the park area was established.

(2) Expansion of uses. (i) A person holding a valid commercial fishing right or privilege may expand his or her level of use of a park area beyond the level of such use in 1979 only pursuant to the terms of a permit issued by the Superintendent.

(ii) The Superintendent may deny a permit or otherwise restrict the expanded use of a park area directly incident to the exercise of such rights or privileges, if the Superintendent determines, after conducting a public hearing in the affected locality, that the expanded use constitutes either:

(A) A significant expansion of the use of a park area beyond the level of such
use during 1979 (taking into consider-
atation the relative levels of use in the
general vicinity, as well as the appli-
cant’s levels of use); or
(B) A direct threat to, or significant
impairment of, the values and purposes
for which the park area was estab-
lished.
(d) Hunting and trapping. (1) Hunting
and trapping are allowed in national
preserves in accordance with applicable
Federal and non-conflicting State law
and regulations.
(2) Violating a provision of either
Federal or non-conflicting State law or
regulation is prohibited.
(3) Engaging in trapping activities as
the employee of another person is pro-
hibited.
(4) 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 prohi-
bition does not apply to flights on reg-
ularly scheduled commercial airlines
between regularly maintained public
airports.
(5) Persons transporting wildlife
through park areas must identify
themselves and the location where the
wildlife was taken when requested by
an NPS employee or other authorized
person.
(e) Closures and restrictions. The Su-
perintendent may prohibit or restrict
the non-subsistence taking of fish or
wildlife in accordance with the provi-
sions of §13.50 of this chapter. Except
in emergency conditions, such restric-
tions shall take effect only after the
Superintendent has consulted with the
appropriate State agency having re-
sponsibility over fishing, hunting, or
trapping and representatives of af-
acted users.
§ 13.45 Unattended or abandoned
property.
(a) This section applies to all park
areas in Alaska except Klondike Gold
Rush National Historical Park and
Sitka National Historical Park, or as
further restricted for specific park
areas in subparts H through V of this
part.
(b) Personal property. (1) Leaving per-
sonal property longer than 4 months is
prohibited. The Superintendent may
authorize property to be left in place
for more than 4 months.
(2) Identification information is re-
quired for all personal property left in
park areas. Identification information
consists of the owner’s name, home ad-
dress, telephone number, date that the
property was left, and the type of fuel
if the property contains fuel. This in-
formation must be—
(i) Labeled on the property; or
(ii) Provided to the Superintendent.
(3) All property must be stored in
such a manner that wildlife is unable
to access the contents. Storing prop-
erty in a manner that wildlife can ac-
cess contents is prohibited.
(4) Leaving fuel in more than one lo-
cation in a park area or leaving more
than 30 gallons of fuel is prohibited un-
less authorized by the Superintendent.
(5) Storing fuel within 100 feet of a
water source, high water mark of a
body of water, or mean high tide is pro-
hibited unless stored in a spill proof
overpack container or authorized by
the Superintendent. Fuel must be con-
tained in an undamaged and closed fuel
container designed for fuel storage.
Fueling from containers must occur in
such a manner that any spillage would
be prevented from coming into contact
with water, soil, or vegetation. Failure
to properly contain or prevent spillage
is prohibited.
(6) Leaving property unattended for
longer than 24 hours on facilities is
prohibited unless authorized by the Su-
perintendent.
(7) Property left in violation of this
section is prohibited and subject to im-
poundment and, if abandoned, disposal
or forfeiture.
(c) The Superintendent may des-
ignate areas where personal property
may not be left unattended for any
time period, establish limits on the
amount and type of personal property
that may be left unattended, prescribe
the manner in which personal property
may be left unattended, or establish
limits on the length of time personal
property may be left unattended. Such
designations and restrictions shall be