

purposes of a wilderness may be permitted. Temporary installations and structures which existed for these subsistence purposes under valid special use permit or easement when the wilderness was established may be continued if their use is necessary to administer the refuge for the purposes for which it was established and for wilderness purposes. The number, nature, and extent of such temporary structures and services will be controlled through regulations and special use permits issued by the Refuge Manager so as to provide maximum protection of wilderness resources and values.

(f) Hunting and fishing in a refuge wilderness will be in accordance with Federal and State regulations including special regulations for the specific wildlife refuge. Hunting or fishing which requires motorized equipment will not be permitted except as provided in §35.5(a) and (b).

**§35.7 Control of wildfires, insects, pest plants, and disease.**

To the extent necessary, the Director shall prescribe measures to control wildfires, insects, pest plants, and disease to prevent unacceptable loss of wilderness resources and values, loss of life, and damage to property.

**§35.8 Forest management.**

Forest management activities in a wilderness unit will be directed toward allowing natural ecological processes to operate freely. Commercial harvesting of timber shall not be permitted except where necessary to control attacks of insects or disease as prescribed in §35.7.

**§35.9 Livestock grazing.**

(a) The grazing of livestock, where established prior to the date of legislation which designates a wilderness unit, may be permitted to continue subject to part 29 of this subchapter and in accordance with special provisions which may be prescribed for individual units. Numbers of permitted livestock will not be more liberal than those utilizing a wilderness prior to establishment and may be more restrictive.

(b) The Director may permit, subject to such conditions as he deems nec-

essary, the maintenance, reconstruction or relocation of only those livestock management improvements and structures which existed within a wilderness unit when it was incorporated into the National Wilderness Preservation System.

**§35.10 Controlled burning.**

Controlled burning will be permitted on wilderness units when such burning will contribute to the maintenance of the wilderness resource and values in the unit; however, any fire in a wilderness area that poses a threat to resources or facilities outside the unit will be controlled and extinguished.

[36 FR 25426, Dec. 31, 1971, as amended at 37 FR 12067, June 17, 1972]

**§35.11 Scientific uses.**

Recognizing the scientific value of wilderness, research data gathering and similar scientific uses will be encouraged providing that wilderness values are not impaired. The person or agency involved in scientific investigation must be willing to accept reasonable limitations on activities and location and size of the area to be used for research purposes. A special use permit authorizing scientific uses shall be required.

**§35.12 Water rights.**

Nothing in the regulations in this part constitutes an expressed or implied claim or denial on the part of the Department of the Interior as to exemption from State water laws.

**§35.13 Access to State and private lands.**

Rights of States or persons and their successors in interest, whose land is surrounded by a wilderness unit, will be recognized to assure adequate access to that land. Adequate access is defined as the combination of modes and routes of travel which will best preserve the wilderness character of the landscape. Mode of travel designated shall be reasonable and consistent with accepted, conventional, contemporary modes of travel in said vicinity. Use will be consistent with reasonable purposes for which such land is held. The Director will issue such permits as are necessary for access, designating the

means and route of travel for ingress and egress so as to preserve the wilderness character of the area.

[36 FR 25426, Dec. 31, 1971; 37 FR 1049, Jan. 22, 1972]

**§35.14 Special regulations.**

(a) Special regulations will be issued by the Director for individual wilderness units within the National Wildlife Refuge System as established by Public Law. These special regulations will supplement the provisions of this part.

(b) Special regulations may contain administrative and public uses as recognized in the:

(1) Legislative Record of the establishing Act.

(2) Committee Reports of the Congress.

(3) Departmental and Executive Reports to the Congress.

(4) Other provisions.

(c) Such special regulations shall be published in subpart B of this part after a wilderness has been established by Public Law and shall become effective upon publication in the FEDERAL REGISTER (12-31-71).

**Subpart B—Special Regulations for Specific National Wildlife Refuge Wilderness [Reserved]**

**PART 36—ALASKA NATIONAL WILDLIFE REFUGES**

**Subpart A—Introduction and General Provisions**

- Sec.
- 36.1 Applicability and scope.
- 36.2 Definitions.
- 36.3 Information collection.

**Subpart B—Subsistence Uses**

- 36.11 Purpose and policy.
- 36.12 Use of snowmobiles, motorboats, dog teams and other means of surface transportation traditionally employed by local rural residents engaged in subsistence uses.
- 36.13 Subsistence fishing.
- 36.14 Subsistence hunting and trapping.
- 36.15 Subsistence uses of timber and plant material.
- 36.16 Closure to subsistence uses of fish and wildlife.

**Subpart C [Reserved]**

**Subpart D—Other Refuge Uses**

- 36.31 Recreational activities.
- 36.32 Taking of fish and wildlife.
- 36.33 Cabins and other related structures.
- 36.34 Firearms.
- 36.35 Unattended property.
- 36.36 Sled dogs and household pets.
- 36.37 Revenue producing visitor services.

**Subpart E—Refuge Specific Regulations**

- 36.39 Public use.

**Subpart F—Permits and Public Participation and Closure Procedures**

- 36.41 Permits.
- 36.42 Public participation and closure procedures.

TABLE I—SUMMARY LISTING THE NATIONAL WILDLIFE REFUGES IN ALASKA AS ESTABLISHED BY THE ALASKA LANDS ACT, PUBL. L. 96-487, DECEMBER 2, 1980

AUTHORITY: 16 U.S.C. 460(k) et seq., 668dd et seq., 742(a) et seq., 3101 et seq., and 44 U.S.C. 3501 et seq.

SOURCE: 46 FR 31827, June 17, 1981, unless otherwise noted.

**Subpart A—Introduction and General Provisions**

**§36.1 Applicability and scope.**

(a) The regulations contained in this part are prescribed for the proper use and management of all Alaska National Wildlife Refuges and supplement the general National Wildlife Refuge System regulations found in title 50 CFR chapter I, subchapter C. The general National Wildlife Refuge System regulations are automatically applicable in their entirety to the Alaska National Wildlife Refuges except as supplemented or modified by these regulations or amended by ANILCA.

(b) The regulations contained in this part are applicable only on federally owned lands within the boundaries of any Alaska National Wildlife Refuge. For purposes of this part “federally owned lands” means land interests held or retained by the United States, but does not include those land interests: (1) Tentatively approved, legislatively conveyed, or patented to the State of