

## National Park Service, Interior

## § 7.8

the Bowen Gulch Access Trail. These routes will be marked by signs, snow poles or other appropriate means.

(2) Detailed descriptions of designated routes and appropriate maps are available at Park Headquarters, the West Unit Office and the Grand Lake Entrance Station.

(3) The maximum speed limit is 35 m.p.h. unless changed by the posting of appropriate signs. On routes open to dual use of both motor vehicles and snowmobiles, the maximum snowmobile speed limit is 25 m.p.h. All posted speed limits are subject to further limitation as required under § 4.22 of this chapter. No person shall operate a snowmobile at a speed in excess of the maximum limits so posted.

(4) On roads designated for snowmobile use, only that portion of the road or parking area intended for other motor vehicle use may be used by snowmobiles. Such roadway is available for snowmobile use only when the designated road or parking area is closed to all other motor vehicle use by the public except on the dual use routes described in paragraph (f)(5).

(5) Routes open to dual use of both motor vehicles and snowmobiles: that portion of the Supply Creek Access Snowmobile Trail which extends along the plowed Trail Ridge Road from the Grand Lake Lodge Road junction to the Sun Valley Road junction, then along the plowed Sun Valley Road to the park boundary where it intersects with a plowed Grand County road; that portion of the plowed Trail Ridge Road between the West Unit Visitor Center and the Timber Lake Trailhead. On such dual use routes, the operation of snowmobiles is permitted only along the far right portion of the plowed roadway and in single-file manner. Dual use routes will be marked with appropriate signs and snow poles. The maximum snowmobile speed limit on such dual use routes is 25 m.p.h.

(6) The Superintendent shall determine the opening and closing dates for use of designated snowmobile routes each year, taking into consideration the location of wintering wildlife, road plowing schedules and other factors that may relate to public safety. The Superintendent shall notify the public of such dates through normal news

media channels. Temporary closure of dual-use routes for public safety reasons will be initiated through the posting of appropriate signs and/or barriers when road plowing operations are taking place. Routes will be open to snowmobile travel when they are considered to be safe for travel but not necessarily free of safety hazards. Snowmobilers may travel these routes with the permission of the Superintendent, but at their own risk.

[40 FR 14912, Apr. 3, 1975, as amended at 41 FR 49629, Nov. 10, 1976; 43 FR 14308, Apr. 5, 1978; 48 FR 30293, June 30, 1983; 49 FR 24893, June 18, 1984; 49 FR 25854, June 25, 1984; 52 FR 10685, Apr. 2, 1987; 52 FR 23304, June 19, 1987; 54 FR 4020, Jan. 27, 1989; 54 FR 43061, Oct. 20, 1989]

### § 7.8 Sequoia and Kings Canyon National Parks.

(a) *Dogs and cats.* Dogs and cats are prohibited on any park land or trail except within one-fourth mile of developed areas which are accessible by a designated public automobile road.

(b) *Fishing.* (1) Fishing restrictions, based on management objectives described in the parks' Resources Management Plan, are established annually by the Superintendent.

(2) The Superintendent may impose closures and establish conditions or restrictions, in accordance with the criteria and procedures of §§ 1.5 and 1.7 of this chapter, on any activity pertaining to fishing including, but not limited to, species of fish that may be taken, seasons and hours during which fishing may take place, methods of taking, size, location and elevation, and possession limits.

(3) Soda Springs Creek drainage is closed to fishing.

(4) Fishing in closed waters or in violation of a condition or restriction established by the Superintendent is prohibited.

(c) *Privately owned lands*—(1) *Water supply, sewage or disposal systems, and building construction or alterations.* The provisions of this paragraph apply to the privately owned lands within Sequoia and Kings Canyon National Parks.

## §7.9

## 36 CFR Ch. I (7-1-02 Edition)

(i) *Facilities.* (a) Subject to the provisions of paragraph (c)(1)(iii) of this section, no person shall occupy any building or structure, intended for human habitation or use, unless such building complies with standards, prescribed by State and county laws and regulations applicable in the county within whose exterior boundaries such building is located, as to construction, water supply and sewage disposal systems.

(b) No person shall construct, rebuild, or alter any building, water supply or sewage disposal system without the permission of the Superintendent. The Superintendent will give such permission only after receipt of written notification from the appropriate Federal, State, or county officer that the plans for such building or system comply with State or county standards. Any person aggrieved by an action of the Superintendent with respect to any such permit or permit application may appeal in writing to the Director, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

(ii) *Inspections.* (a) The appropriate State or county officer, the Superintendent, or their authorized representatives or an officer of the U.S. Public Health Service, may inspect any building, water supply, or sewage disposal system, from time to time, in order to determine whether the building, water supply, or sewage disposal system comply with the State and county standards: *Provided, however,* That inspection shall be made only upon consent of the occupant of the premises or pursuant to a warrant.

(b) Any building, water supply, or sewage disposal system may be inspected without the consent of the occupant of the premises or a warrant if there is probable cause to believe that such system presents an immediate and severe danger to the public health and safety.

(iii) *Defective systems.* (a) If upon inspection, any building, water supply or sewage disposal system is found by the inspecting officer not to be in conformance with applicable State and county standards, the Superintendent will send to the ostensible owner and/or the occupant of such property, by certified mail, a written notice specifying what steps must be taken to achieve compli-

ance. If after 1 year has elapsed from the mailing of such notice the deficiency has not been corrected, such deficiency shall constitute a violation of this regulation and shall be the basis for court action for the vacation of the premises.

(b) If upon inspection, any building, water supply or sewage disposal system is found by the inspecting officer not to be in conformance with established State and county standards and it is found further that there is immediate and severe danger to the public health and safety or the health and safety of the occupants or users, the Superintendent shall post appropriate notices at conspicuous places on such premises, and thereafter, no person shall occupy or use the premises on which the deficiency or hazard is located until the Superintendent is satisfied that remedial measures have been taken that will assure compliance with established State and county standards.

(d) *Stock Driveways.* (1) The present county road extending from the west boundary of Kings Canyon National Park near Redwood Gap to Quail Flat junction of the General's Highway and the old road beyond is designated for the movement of stock and vehicular traffic, without charge, to and from national forest lands on either side of the General Grant Grove section of the park. Stock must be prevented from straying from the right of way.

(e) *Snowmobiles.* (1) The use of snowmobiles is allowed on the unplowed roads of Wilsonia, the Wilsonia parking lot, and the Mineral King road.

(2) Snowmobile use will be limited to providing access to private property within the exterior boundaries of the park area, pursuant to the terms and conditions of a permit issued only to owners of such private property.

[34 FR 9387, June 14, 1969, as amended at 49 FR 18450, Apr. 30, 1984; 56 FR 41943, Aug. 26, 1991]

### §7.9 St. Croix National Scenic Rivers.

(a) *Snowmobiles.* After consideration of existing special situations, i.e., depth of snow or thickness of ice, and depending on local weather conditions, the superintendent may allow the use of snowmobiles on the frozen surface of