

KENAI LAKE BEACHES

Organization: Cooper Landing Safe Trails Committee

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1: What Regulation do you wish to change?

There are no current federal subsistence regulations regarding trap placement in unit 7 on the Kenai Peninsula.

We are requesting establishing a 100-yard trapping and snaring setback from the mean high-water mark along specific beaches of Kenai Lake as described in the table provided, with the exception of: traps with an inside spread of 5 inches or less that are set at least 4 feet above the ground or snow level, size 3 leg-hold marten traps set in boxes, and size 110 and 120 conibear traps in boxes. We are requesting these changes to protect the safety of people and their pets utilizing the most popular multi-use beaches in the Cooper Landing area.

2: How would the new regulation read?

ADD Regulatory Language for Unit 7: “Trap and snare setback of 100-yards from mean high-water mark of Kenai Lake on the north side from the Kenai River Bridge to 1 mile past the end of Williams Road and on the south side from the Kenai River Bridge to ¼ mile past the powerline crossing (The powerline is at mile 2.8 Snug Harbor Road), also, Kenai Lake Beach (Locally known as Waikiki Beach) ¼ mile north to ¼ mile south of the lake access road at mile 5.8 Snug Harbor Road, with the exception of: traps with an inside spread of 5 inches or less, which are at least 5 feet above the ground or snow level, size 3 leg-hold marten traps in boxes, and size 110 and 120 conibear traps in boxes.”

- Cooper Landing, Kenai Lake Beaches- north side
- Cooper Landing, Kenai Lake Beach-west side (Waikiki Beach)

The precedent for establishing trapping and snaring buffers for public safety along multi-use trails in the State of Alaska has already been set, most recently, in the Mat-Su Valley, where 50yd. setbacks were established for 9 new trails that both recreational users and the ATA mutually agreed on. In Valdez, the Alaska Supreme Court upheld Valdez’s trapping ordinance, confirming the city’s authority to regulate trapping within city limits. In 2023, Cordova created a special use map that closed trapping in part of the municipality and created trap setbacks of 200 yds from publicly maintained roads for traps larger than a 120 conibear, and a 200yd. setback for a popular trail. The Municipality of Anchorage, parts of Chugach State Park, the City/Borough of Juneau, and along six other trails, and surrounding all schoolyards in the Matanuska-Susitna Borough all have existing trap setback laws. While these municipalities and boroughs have approved trapping regulations on lands they manage, they have not issued regulations for state-managed trails in deference to the regulatory powers of the Board of Game. We are asking that the FSMB consider creating this regulation.

3: Why should this regulation change be made?

The community of Cooper Landing has made it clear that trap and snare setbacks are desired to offer a safe, trap-free zone in and around areas utilized for winter recreation.

We are requesting these changes to protect the safety of people and their pets utilizing the most popular multi-use beaches in the Cooper Landing area.

| Unit | Beach Area | Description | Winter Uses |
|------|--|--|---|
| 7 | <u>Cooper Landing- Kenai Lake Beaches- north side</u> | Kenai Lake Beaches: on the North side from the Kenai River Bridge to 1 mile past the end of Williams Road and on the south side from the Kenai River Bridge to ¼ mile past the powerline crossing (powerline is at mile 2.8 Snug Harbor Road). <i>Area from the mean high-water mark to 100yds back.</i> | Cross-country skiing, snowshoeing, hiking, fat tire biking, skijoring, snow machining |
| 7 | <u>Cooper Landing- Kenai Lake Beach- west side (Waikiki Beach)</u> | Kenai Lake Beach (Locally known as Waikiki Beach) ¼ mile north to ¼ mile south of the lake access road at mile 5.8 Snug Harbor Road. <i>Area from the mean high-water mark to 100yds back.</i> | Cross-country skiing, snowshoeing, hiking, fat tire biking, skijoring, snow machining |

WHY:

Year-round outdoor recreation is a significant and growing segment of the Cooper Landing area's economy. The community of Cooper Landing is located on the Sterling Highway at the headwaters of the Kenai River. Easily accessible by road, Cooper Landing is located only 100 miles south of Anchorage, the largest city in the state. Cooper Landing's primary economy is based on summer recreation and tourism, however, as winter recreation in the area increases, Cooper Landing businesses desire to extend their seasonal offerings. With the anticipated bypass completion and the addition of Three Bears grocery store in the future, year-round recreational activity is expected to increase. To encourage the increasing number of family-friendly, active, outdoor recreational pursuits (e.g., winter biking, cross-country skiing, backcountry skiing, snowshoeing, trail running, ice fishing, bird hunting, and backcountry cabin rentals) it benefits business owners to be able to market Cooper Landing as a fun, safe, and uniquely beautiful area, for visitors to enjoy with their family and pets.

As winter recreation has increased over the past 20 years, so has the number of dangerous encounters between user groups and traps set in recreational areas statewide. Trap placements near (or on) multi-use beaches pose a significant danger to all users, particularly young children and pets. As of late February 2022, seven dogs have been caught in traps throughout Southcentral Alaska, and two dogs were killed, as reported via the Alaska Press. Since land managers and law enforcement do not track trap safety incidents, and there is no one place where they are put together; all reports are collected and tabulated unofficially and are considered incomplete.

The Precautionary Principle is widely recognized in international law and policy, especially in environmental and public health contexts. It suggests that if an action or policy has the potential to cause harm to the public or the environment, precautionary measures should be taken even if some cause-and-effect relationships are not fully established scientifically. We are seeking trapping regulations that will be preventative and will ensure the safety of all area user groups to reduce the risk of accidental encounters.

These proposed setbacks would also align with the Forest Service's Our Values Statement, which includes the intention of managing for "Safety. In every way: physical, psychological, and social."

A former Cooper Landing trapper and trappers from other nearby Units have endorsed a 100-yard setback as reasonable and logical.

Establishing trap setbacks in the Cooper Landing area has strong community support, which has increased over the years. A 2015 survey indicated that 83% of the respondents supported trap setbacks, but in 2021, when a similar survey was conducted of property owners and residents of Cooper Landing, results showed an increase to **90%** who felt that trap

setbacks were necessary. The safety concern is changing as the demographics of Cooper Landing are becoming a younger, more outdoor enthusiast-oriented population.

Our proposal targets 2 beaches, with the remaining beach land primarily fronting private property. Popular winter beach uses in our area include cross-country skiing, snowshoeing, hiking, fat tire biking, **skijoring**, snow machining, **and** search-and-rescue dog training.

As of the 2024 census, there are 741,147 residents of the state of Alaska; based on sealing records, license sales and the annual "Trapper Questionnaire," the Alaska Department of Fish and Game estimates 2,500 to 3,500 trappers in the state meaning only .4% of the Alaskan population traps. By adopting this trapping regulation in Unit 7, the Board of Game would better represent the majority of its constituents and the current area's recreational uses.

4: What impact will this change have on wildlife populations?

This change will not affect wildlife populations.

5: How will this change affect subsistence uses?

A 100 yd trapping and snaring setback is not significant enough to limit a trapper's opportunity to trap near beaches and does not present an undue burden. The average backpacking speed is 1 to 2 miles per hour. Assuming trappers walk between one and two miles per hour, the requested setback distances would require an additional two to three minutes of walking to place and check traps. Since many trappers use snow machines, the 100-yard setback could be crossed in under 1 minute. Proposing setbacks for *only the most popular and heavily used beaches* leaves all other areas unrestricted. Trappers who follow the Trapper's Code of Ethics' third tenant, to "promote trapping methods that will reduce the possibility of catching non-target animals," most likely already set traps back from heavily used beaches.

Traps set by federal subsistence users that are 100 yards from specified beaches may result in 1) reduced risk of traps being physically disturbed by other recreational users, 2) possible increased harvest due to less disturbance (noise, scents, movements) by recreationist activities, given they are further from beaches, and 3) reduced potential trapping of non-target species like dogs, etc.

6: How will this change affect other uses, such as sport/recreational and commercial?

This will allow all stakeholders to safely utilize the land without fear of encountering an active trap. It would be negligent to disregard the emotional toll it creates for pet owners during trapping season. This would create a buffer between user groups that will benefit all.

The goal of submitting this proposal is to find a solution to a growing conflict between recreation users and subsistence trappers in a manner that minimizes disruption to subsistence

trapping. In accordance with its mission statement, The US Forest Service (USFS) is required to manage its lands; to balance the short and long term needs of people and nature by:

- Working in collaboration with the communities and our partners;
- Providing access to resources and experiences that promote economic, ecological, and social vitality;
- and
- Connecting people to the land and one another

An ANILCA section 810 analysis was completed as part of the FEIS process on the Federal Subsistence Management Program. The intent of all Federal subsistence regulations is to accord subsistence uses of fish and wildlife on public lands a priority over the taking of fish and wildlife on such lands for other purposes, unless restriction is necessary to conserve healthy fish and wildlife populations. The final section 810 analysis determination appeared in the April 6, 1992, ROD and concluded that the Federal Subsistence Management Program, under Alternative IV with an annual process for setting subsistence regulations, may have some local impacts on subsistence uses, but will not likely restrict subsistence uses significantly.

We're not affecting subsistence use significantly; the areas we've designated are a very small percentage of the wilderness area to trap in in Unit 7.



Kenai Peninsula Winter Recreation Map - Cooper Landing Area

Chugach National Forest

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0 1 2 Miles

