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ROADS AND PULLOUTS

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; this would be a new regulation for trap setbacks from roads listed below.

2: How would the new regulation read?

Add the Following Language to Trapping Regulations for Unit 7.

"Trap setback of 100-yards on both sides of roads and pullouts along the highway listed with the exception of: traps with an inside spread of 5 inches or less which are set at least 4 feet above the ground or snow level, size 3 leghold marten traps in boxes or smaller traps, and size 110 and 120 conibear traps in boxes."

Roads and Pullouts

- All federal land south of Quartz Creek Road between mile .3 to mile .6. This land lies between the road and Kenai Lake. It includes the last .1 mile of East Quartz Creek Rd.
- The NFS section of the Old Sterling Highway, which is not maintained, runs from Crescent Creek Trailhead to Tern Lake.
- All pullouts on federal land along the Sterling Hwy from its junction with the Seward Hwy (Tern Lake) to Cooper Landing."

3: Why should this regulation change be made?

- Trappers from the Kenai Peninsula agree that traps at highway pullouts were unethical and shouldn't be allowed.
- It aligns with USFS Mission for management of USFS lands to include the management for multiple uses using a balanced approach, also, their **"Our Values"** statement cites, managing for **"Safety. In every way: physical, psychological, and social"**
- Impacts would be negligible to subsistence trappers as they could continue to trap under State regulations in these regions. That said, it is hoped that federal subsistence users would comply with the new regulation. If the Federal Subsistence Program adopts the regulation, then hopefully a similar proposal submitted to the BOG in the future will eventually gain support for passage by recognizing:

1) the requests of non-consumptive users when evaluating trapping regulations in this small region of the state

2) the mission of the USFS to manage for balanced recreational uses and recognizing there can be a balanced approach to reduce conflict and

3) the willingness of the Federal Subsistence Program to make regulatory changes that do not significantly interfere with the subsistence opportunity to trap, and yet reduce long-term user conflicts occurring in a high-density multi-recreational use region of the State.

- Local residents are supportive of a more balanced approach to management of recreational uses as indicated by a local survey by Cooper Landing Community Safe Trails Committee.
- According to ADF&G data, 99.6% of Alaskans don't trap and only .4% do. Land use management should adjust to this current usage.

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

This change will have no effect on wildlife populations.

5: How will this change affect subsistence uses?

This change will likely have minimal or no effect on federal subsistence trapping harvest as it will restrict trapping on a tiny portion of USFS federal lands in Unit 7. Subsistence trappers will be required to set traps at least 100 yards from the specified locations mentioned in the regulation.

Traps set by federal subsistence users that are 100 yards from specified roads and pullouts 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 trails, and
- 3) reduced potential trapping of non-target species like dogs, etc. which has been the biggest concern of supporters of this proposal.

This restriction will be more restrictive than State regulations however, adoption of this proposal by the Federal Subsistence Board would be an initial step forward towards providing for more balanced recreational opportunities, and subsequently reducing user conflicts, within a small but significant region of the State that experiences higher density concentrated recreational uses.

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

It will effect a safer and more accessible usage of the land that is meant for all user groups. 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

This issue has a long history locally and is experiencing increased interest as the nature of our community changes. Cooper Landing is experiencing a shift to a younger general age population, which lends itself to more family winter outdoor adventures. Cooper Landing is also becoming a year-round destination for all-season activities, evidenced by the number of cars at the trailheads in the Summit Lake Area, new year-round businesses like the Brewery, the anticipated Three Bears store, and vacation rentals. The new bypass under construction will bring more visitors and residents to this area. Recreational and housing developments are in the planning, which will increase our population density.

There's a growing interest among the local community members to find a solution that is both compromising and positive for all users. A 2015 survey showed that 83% wanted setbacks, and a 2021 survey indicated *an increase to 90%*. This was sent by the Cooper Landing Safe Trails Committee to every landowner, post office box holder, and many businesses in Cooper Landing, with a total of 420 recipients, resulting in a 35% return rate. The results were overwhelmingly supportive of creating trap setbacks close to highly used public areas. An average of 90% with a standard deviation of +/-8, thought that it is necessary and appropriate to have areas where families can ski, skijor, hike, snowshoe, snowmachine, and enjoy winter recreation safely from the possibility of dogs or humans getting injured by a trap.

There were many comments on the survey that indicated a half mile or mile setback would be better; we thought that excessive and are more interested in protecting core areas near trails that have a more concentrated public use. The Cooper Landing Community Safe Trails Committee is a reflection of what the residents are asking for and a representation of their desires.

With respect to the subsistence trappers, our goal was to limit our request to only areas highly used by the public realizing there is still a vast backcountry for trappers to use. Several responses from local trappers indicated support for this regulation change. It was a trapper who suggested the 100-yard setback for traps on the Homer trails.

A difficult to measure yet extremely important aspect of the current situation is the emotional stress and fear associated with the threat of traps close to trails/beaches/roads. As indicated via local meetings and the survey, people simply do not go to their favorite places with their dogs for fear of a trap encounter. Another group affected are the bird hunters with bird dogs; these dogs are typically well behaved and under strict voice command yet there was a fatality

on a highway pullout up north where an irresponsible trapper placed a trap 50 feet from the road.

User groups and land uses are expanding and changing, and the need to change these regulations is overdue. The disproportionate number of recreational users to trappers is 99.6% vs. 4%, yet our public lands are almost 100% in favor of the subsistence users. A balance of uses on public lands is required by USFS and by ANILCA when it does not significantly impact subsistence users. As it stands, the regulated use favors trappers in accessibility and allocation. Excluding a minor amount of federal lands in Game Unit 7 for use by subsistence trappers would have a minimal effect on the subsistence trapping opportunities, yet would resolve ongoing conflicts with the other user groups.

The roads listed were considered by the amount of winter usage they received and if they are federally managed. Usage was documented by the amount of ski, bike, snowmachine tracks, foot tracks, postings on the Cooper Landing Facebook pages and community input.

It's understood that private property owners have the right to allow or disallow trapping activity on their own property.

A compromise between the user groups appears to be gaining support and we believe a respectful resolution is possible. Signs asking trappers to voluntarily set traps 400 yards (1,200 feet) were put up by the Cooper Landing Safe Trails Committee in 2019 -2023 in the areas listed in this request. While one local trapper believes this may have had a positive impact, recreationalists believe adherence is not enough; there needs to be well-understood boundaries that are enforceable. It is only through adopted regulations that recreationists may have peace of mind and certainty about trap locations. New signs have been designed and placed at sensitive areas by the Cooper Landing Safe Trails Committee, suggesting a voluntary 100-yard setback of traps instead of a 400-yard setback as of Feb. 2025.

Trapping of nuisance animals, ie, beavers, is understandable and needs to be dealt with. In these cases, notifying surrounding neighbors and identifying the trap as an active trap is necessary. Other than a situation such as this, traps near residences were highly opposed in the survey results

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.

This regulation is not affecting subsistence use significantly; the areas designated are a tiny percentage of the wilderness area to trap in in Unit 7.

ANILCA

Alaska National Interest Lands Conservation Act

Section 804

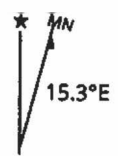
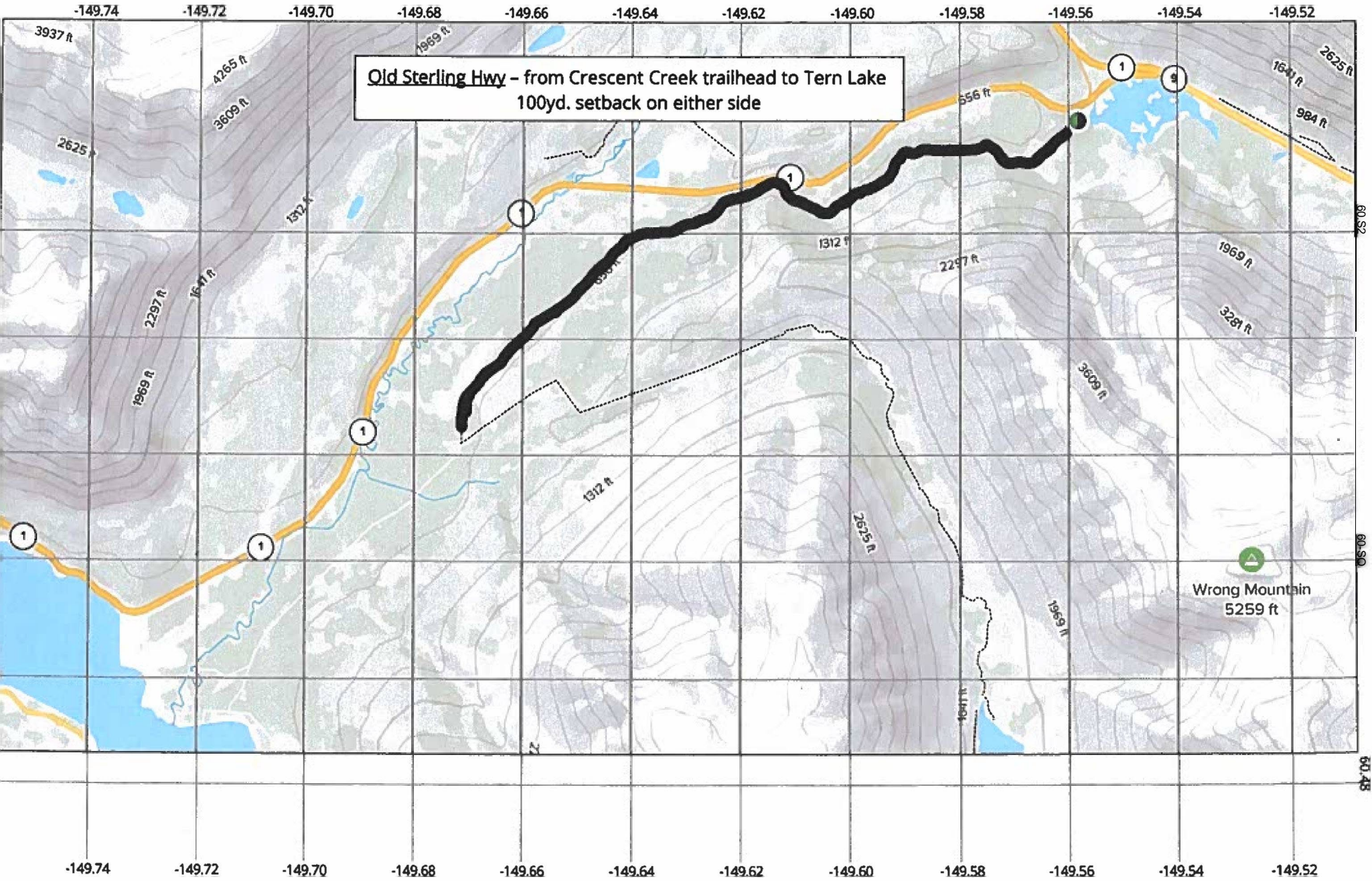
Except as otherwise provided in this Act and other Federal laws, the taking of fish and wildlife on public lands for non-wasteful subsistence uses shall be accorded priority over the taking of such fish and wildlife on these lands for other purposes. Whenever it is necessary to restrict the taking of populations of fish and wildlife on such lands for subsistence uses in order to protect the continued viability of such populations, or to continue such uses, such priority shall be implemented through appropriate limitations based on the application of the following criteria:

1. customary and direct dependence upon the populations as the mainstay of livelihood;
2. local residency; and
3. the availability of alternative resources.

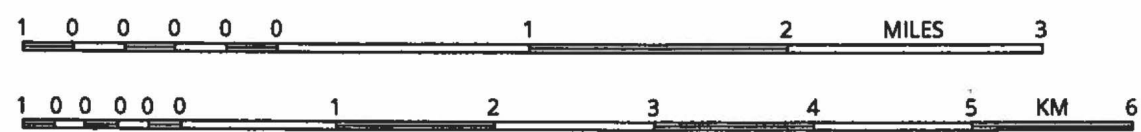
Trapping in the areas designated in this proposal:

- *does not constitute a "mainstay of livelihood"*
- *it negatively affects local residency and*
- *there are plentiful alternative resources.*

...therefore, appropriate limitation can and should be legally applied.



4/24/2022



Scale 1:103394 Datum WGS84

Gain: 1246.72 ft Loss: 1236.88 ft

0.0 m2! .0 mi 4.0 mi 6.0 mi 8.0 mi 1