

FINDINGSALASKA BOARD OF GAME

Re: Proposals Nos. 40 and 47 (March--April 1985 board meeting)
regarding waterfowl hunting in and near Palmer Hayflats
State Game Refuge

On April 1 and 3, 1985, the board modified 5 AAC 81.115(a)(4) and 5 AAC 81.115(g) to provide that no motorized vehicles may be used for taking waterfowl and for associated transportation of waterfowl, waterfowl hunters, or waterfowl hunting gear, in the Palmer Hayflats State Game Refuge (except in the Matanuska River and Rabbit Slough). The board also discussed, and recommends that the Commissioner adopt, under a delegation of authority under AS 16.05.270, a similar restriction for Jim Creek (Unit 14(A)) upstream from the tributary draining from Swan Lake. The board was unable to take the latter action at the meeting due to possibly insufficient legal notice.

These changes would expand the restrictions on waterfowl hunting methods in the Palmer Hayflats State Game Refuge and other parts of game management unit 14(A) encompassing the Jim Swan Lake area, adopted by the board in April, 1984. The previous restrictions applied only to airboats.

In adopting this regulation, the board considered oral public testimony both from proponents and opponents of the concept, written comments, including the written justifications for Proposals 40 and 47, testimony of the Department of Fish and Game, and comments from local advisory committees.

Based on the testimony, and the board members' own personal experience and expertise, the board finds that:

1. The wetlands in and adjacent to the Palmer Hayflats Refuge are an important resting, nesting, feeding, and staging area for waterfowl. In particular, the refuge provides important staging and nesting habitat for geese and ducks, and the Jim Swan Lake area, (outside the refuge) is an important duck nesting and resting area.

2. With respect to the Coffee Point area within the refuge, significantly fewer geese have used this habitat for resting and feeding; this decrease in use correlates with increased use of motorized vehicles, despite a stable or increasing overall goose population and abundant food and resting cover. It is very difficult to quantify the physiological effects of waterfowl disturbances; however, these disruptions do occur, and motorized vehicles are a principle cause. We are not persuaded by testimony from some people that airboats and other motorized vehicles do not disturb or harass waterfowl.

3. Human use of the Palmer Hayflats and Jim Swan Lake areas, including use of motorized vehicles, has increased significantly in recent years, and it is likely to continue to increase as the population grows in the Anchorage, Mat-Su Valley areas. The department has received many complaints from waterfowl hunters objecting to the use of off-road vehicles, airboats, and aircraft on the refuge and Jim Swan Lake area.

4. Because of increased human use of the essential waterfowl habitat near Palmer, there is a growing incompatibility between different user groups (i.e. by those using motorized vehicles and those who do not.) Motorized transportation causes more noise disturbances, provides quicker, easier access, in some cases is more detrimental to habitat than non-motorized transportation, and can disrupt hunting by those using non-motorized transportation. By restricting motorized vehicle use, we will provide a higher quality hunting experience for all waterfowl hunters.

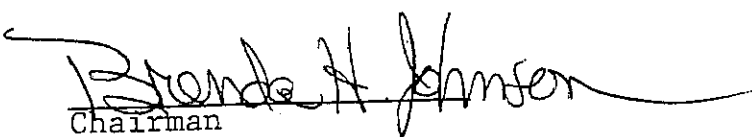
5. Therefore, because waterfowl disturbance may have long range detrimental effects on waterfowl populations, such as limiting the birds' ability to acquire sufficient fat reserves, and because of the need to address already high and increasing human use of these wetlands areas, the board finds it necessary to restrict the use of motorized vehicles associated with waterfowl hunting in the Palmer Hayflats Refuge and in the upper portion of the access stream (Jim Creek) that leads to the waterfowl habitat area in the Jim Swan Lake vicinity. However, motorized vehicles in the Matanuska River and in Rabbit Slough will be allowed, to provide access, and because there are less likely to be disturbances in these larger waterbodies. Uses by mechanical vehicles not involved in waterfowl hunting during the waterfowl hunting season are minimal.

6. The board delegates to the commissioner, under AS 16.05.270, authority to act in its behalf to adopt a regulation addressing the board's concerns regarding use of motorized vehicles (airboats and other craft) in the upper part of Jim Creek, after notice and opportunity for additional public comments under AS 44.62.

APPROVED BY THE BOARD

Date:

4/03/85


Chairman
Board of Game