

ADF&G Habitat Permit Denials in Special Areas 2012 through 2018

1. May 2013 Denial

Clam Gulch Critical Habitat Area includes tidelands and submerged lands along the coast from Cape Kasilof to Happy Valley on the Kenai Peninsula. The Clam Gulch State Recreation Area (managed by DNR Parks) is on the adjacent uplands.

Project Proposal:

Small Scale Placer Mining using a suction dredge with a 36 hp motor with a 6inch nozzle to suction beach material to a depth of 24 inches, and then wash it through a sluice box and re-deposit it in tidal area, during a May through November work period.

Justification for Denial:

This CHA has been one of Alaska's most popular and most productive areas for the production and harvest of razor clams. Use of suction dredge would have removed clams from beds and damaged shells of clams due to strength of motor, resulting in direct loss of harvestable and breeding populations. (Clam gathering for research purposes is limited to below 8 hp motors to avoid clam mortalities. Harvest of clams for personal use with motorized suction dredges is prohibited.) Suspension of fine grained material in water column from dredging and sluicing could interfere with breeding and transport of larval clams. Re-depositing and settling of dredged material could bury/ smother clams in adjacent areas of beach. Peak use by clam diggers and other recreational use of the CHA occurs during the summer months.

2. February 2013 Denial

Susitna Flats State Game Refuge (extends west along Cook Inlet from Point Mackenzie area towards Beluga around the Little Susitna, Susitna River, and Beluga Rivers).

Project proposal:

Applicant requested to use a large 8 wheeled Argo (over 1,000 lbs.) to access recreational ice fishing spots in the refuge.

Plan/regulation:

The off-road use of small vehicle weighing less than 1,000 pounds (i.e. snow machines and ATVs) on all refuge lands in winter is permitted provided adequate snow and frozen ground persists.

Individual authorizations for vehicles over 1,000 lbs (off road use) are limited to instances where there is a demonstrable need with no feasible alternative.

Justification for Denial:

Feasible alternatives existed and there was no demonstrable need for that size vehicle for recreational use.

- The General Permit for the SGR already authorized access to the specific fishing locations with smaller vehicles, which the applicant had previously used.
- The General Permit for the SGR already authorized access with larger vehicles (under 10,000lbs) along the ENSTAR right of way and frozen river surfaces in the SGR.
- Alternative ice fishing locations exist outside the refuge.

3. 2010 Appeal

A visually impaired hunter requested post-project and continued use authorization for a permanent structure (tree stand) and trail clearing to support the assistance he needed to use his bear bait station. New, permanent structures for exclusive use in the refuge are not typically allowed under the Susitna Flats SGR management plan.

A denial was issued by staff and was appealed by the applicant. The denial was overturned by Commissioner and a permit was eventually issued for the requested activity. This occurred 7 years ago, so this was not included in our original statistics.