

# Council okays trapping cabin permit despite prohibition in coastal plan

by *Tundra Times* staff

Residents of Koyuk and nearby villages have suffered a defeat in their efforts to make the state comply with the local coastal management plan. The Bering Straits Coastal Resource Service Area, a regional planning body formed to establish resource management guidelines in northwest Alaska, said its state-approved plan does not allow trapping cabins in critical local subsistence hunting and trapping areas, but the Dept. of Natural Resources (DNR) has issued a permit for such a structure to a Fairbanks man, and the Alaska Coastal Policy Council has upheld the action.

## Plan prohibits structures

According to Chuck Degnan, staff to the local planning group, the plan prohibits permanent or semi-permanent structures because of fear that such developments will attract more users to the area than the resources can sustain. He said they are not trying to exclude the trapper and his wife, who is originally from the Bering Straits region. Degnan says even local people are prohibited from cabin-building.

## Cabins attract heavy use

"We're worried about the

implementation and interpretation of our plan," said Degnan. "The permit would put a permanent structure into the area. That permanent structure will attract people from all over. It will be used as a base by somebody. It is state land, but the state is supposed to be following our interpretation"

drainage. It's an important use area for subsistence."

According to Degnan, the actions by DNR and the coastal policy council are also contradict the state's own Northwest Area Plan for state lands.

**Not excluding the man,  
only the cabin**

Under the permit issued by

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***Local people were also amazed at the logic of a state biologist who has testified that rather than depleting subsistence resources, subsistence species would actually increase because they would be drawn by the mice that would certainly take up residence in the cabin.***

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Degnan said the state coastal policy council has misinterpreted the local plan as well as the planning ground rules that govern coastal plans. For example, the state council maintains that the Koyuk River drainage lies outside the coastal zone and is thus not subject to the plan. Degnan disagrees, noting that local planning groups are permitted to designate areas of particular sensitivity. "The important use area is the entire

DNR, the trapper, Keith Koontz, a former Alaska Dept. of Fish and Game employee and also a hunting guide, would only be allowed to use the site for trapping. Degnan says local people take him at his word that he would notice the site for guiding operations. The problem, he says, is the other human traffic that inevitably follows a first arrival.

"We're not trying to deprive

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him of anything. We're just saying don't build a cabin on that land," Degnan said.

Degnan suggests that Koontz could build a house in a nearby community and take a tent to the disputed area, as local people do. He said when the Department of Natural Resources suggested a tent permit as a compromise, the Bering Straits CRSA was willing to go along, but Koontz elevated it to the office of the resources commissioner, who decided against the Bering Straits CRSA. That decision prompted the CRSA to petition the coastal policy council for a finding that the DNR permit was inconsistent with the local plan and thus not permissible.

## **State council overrides local plan**

The state coastal policy council upheld the decision of an administrative hearing officer who took four days of testimony in Fairbanks last May and rendered her opinion on the issue on October 6. The vote of the council was 7-1 to uphold the hearing officer's decision that DNR could move forward and issue a permit.

## **Strange logic**

Paul Rookok, chair of the CRSA board, said the great irony is that the hearing officer first said the proposed tent site was outside the coastal zone, then went on to find the permit consistent with the plan. He shook his head in resignation at the contradiction to which the coastal policy council gave its blessing.

He said local people were also amazed at the logic of state biologist who has testified that rather than depleting subsistence resources, subsistence species would actually increase because they would be drawn by the mice that would certainly take up residence in the cabin.

"We all know mice are all over the place. It's kind of an odd story," Rookok said.

## **Stakes high for locals and state**

Degnan said the stakes for the state in this issue are high, but he said the CRSA is still considering

its options in light of the coastal policy council decision.

"DNR did put a lot of stipulations in the permit, but as a practical matter, there's no way to enforce it," said Degnan. "We don't mind if he uses the area for subsistence as is permitted under state

law. We just want him to follow the traditions and practices of the local area, using local interpretations of the land use rules. DNR really wants to win this one because its on state lands. They just need to follow through on their promise to allow local control."