

Note: The Americans with Disabilities Act requires the State of Alaska to make reasonable modifications when the modifications are necessary to avoid discrimination on the basis of disability, unless the modification would fundamentally alter the nature of the program or activity.

PROPOSAL 130

5 AAC 5 AAC 92.104. Authorization for methods and means disability exemptions.

5 AAC 92.540(3)(h). Controlled use areas.

Disallow the issuance of methods and means disability exemption permits for the Yanert Controlled Use Area in Unit 20A as follows:

Change the regulation to prohibit the issuance of methods and means exemption permits within the Yanert Controlled Use Area. If left unaddressed, this situation is sure to grow. There are many hunters who would take advantage of this opportunity at the expense of all the other hunters who value highly these special limited access hunts.

What is the issue you would like the board to address and why? Issue: Methods and means exemption permits in the Yanert Controlled Use Area. The State of Alaska has allowed motorized access into the Yanert Controlled Use Area which is a non-motorized hunt area.

I want to make my personal thoughts and experience concerning the methods and means exemptions permit given in the Yanert known to those who make the decisions concerning these matters in hopes of preventing this permit from ever being issued again. My family and I have been hunting in the Yanert for more than 20 years and I'm hoping to preserve this very special type of hunt that we have so enjoyed-for my children and grandchildren.

My son and I took a friend of ours horseback hunting in the Yanert in 2014 and 2015, he had been hurt a year earlier and was now handicapped. Because of his lifelong experience as a horseback hunter he proved that he was capable of handling himself in the saddle again as he always had!

At the end of our hunt last year 2018, my daughter two sons and I were riding out on the trail and were shocked as we came upon an ATV driven by someone, my handicap friend was in the passenger's seat, he also had another ATV in the parking lot where other members of his family were. A few weeks later I went to visit him, I wanted to express my thoughts about him using an ATV in the Yanert. As we spoke, I reminded him how precious this area was to my family and I and how we felt that it was a big deal to share it with him as well. I explained that by getting the special permit he was creating a situation that will change the way we hunt in the Yanert because there will be many to follow. He told me his reason for getting the permit was because he had gotten rid of his horses. This special access permit has been done to help disabled persons but is inconsistent with the purpose and intent of the access restriction in the first place. It has created a conflict in the field between those with special access permits and other hunters in the field who historically and currently choose these restricted areas where they can hunt without the presence of motorized vehicles and the factors they introduce. For many, the hunting season provides a very special time to escape the modern, mechanized world. Considerable effort and care is given to planning, preparation, and performance of backcountry hunts. The reward is both in finding oneself in an area free of noisy, smelly, trail ripping machinery and in the harvesting of game that is not being disturbed by these vehicles.

PROPOSED BY: Tom Malapanis

(EG-F19-126)
