

**PROPOSAL 91**

**5 AAC 92.080. Unlawful methods of taking game; exceptions.**

Prohibit the discharge of certain weapons used for hunting and trapping within 1/2 mile of any residence in Unit 15C as follows:

The discharge of firearms, crossbows, or bows and arrows for the purpose of hunting or trapping is prohibited within 1/2 mile of a residence and its outbuildings in Unit 15C South of Anchor Point and North of Kachemak Bay and the Fox River Drainage without the specific, advanced written permission of the landowner.

(This proposal suggests an optimal solution, but should the Board of Game (board) decide this too sweeping a measure, the distance might be amended to 1/4 mile and/or be restricted to a person's residence rather than encompassing its outbuildings.)

**What is the issue you would like the board to address and why? The negligent discharge of firearms and other weaponry near homes.** In recent years, with the population growth on the Kenai Peninsula, particularly in the Homer and Anchor Point areas, people's interactions with wildlife near residences is increasing. Along with this, the negative interaction between hunters and property owners is increasing also, with documented incidents involving hunters shooting wildlife without permission, often in an unsafe manner. There are also incidents whereby hunters with permission from one landowner shoot dangerously close to neighbors' residences. Current laws and regulations, such as those pertaining to the negligent discharge of firearms and the posting of private property, have not satisfactorily addressed this issue.

In order to minimize safety concerns and decrease hunter/landowner conflicts, this proposal asks the board to adopt a regulation that sets a minimum shooting distance from a residence and its outbuildings. Many states have established a basic "safety zone," whereby no person, except the owner or occupant, or someone with specific, advanced written permission thereof, shall discharge a firearm, crossbow or bow and arrow within (XXX) yards of an occupied dwelling, or any barn, stable or other building used in connection therewith, while hunting or trapping wild birds or wild animals of any kind. Should a landowner's property overlap the "safety zone" of a neighbor's property, the overlap will still constitute the neighbor's "safety zone." This makes it incumbent upon the hunter to ensure he or she is not unwittingly discharging a firearm in an unsafe manner, causing nuisance or gaining an unfair advantage over wildlife habituated to human proximity.

Precedence for such a regulation already exists in Alaska: Alaska State Parks has a regulation that prohibits the discharge of firearms within 1/2 mile of developed areas including trailheads. Also, the city of Homer has an ordinance prohibiting the discharge of firearms within city limits. However, the actual city limit boundary of Homer encompasses a very small area and does not include the majority of the populace, nor does it include the large tracts of land inhabited by targeted wildlife.

**PROPOSED BY:** Victoria Wilson Winne

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