

**Matrix of Regulatory Options for ADA-Muzzleloader
accommodation during the muzzleloader-only season**

OPTION NUMBER	REGULATORY OPTION	DEGREE OF ACCOMMODATION	PROS	CONS	STATES WITH THIS REGULATION /ADDITIONAL INFORMATION
1	No Action , await US Fish and Wildlife Service to force the issue.	Not in compliance with ADA	NA	Jeopardizes federal funding. Most likely just delays this process.	<u>None</u>
2	Special Permit allowing only those persons with a federally qualified visual disability (not correctible with glasses or contacts) to use a non-magnifying 1x scope.	In compliance with ADA	By limiting the scope to 1 power (1x) magnification or less or less, the effective range of muzzleloaders remains unchanged and no significant change in hunter success would occur.	Requires additional application process to implement and monitor for the Department.	Colorado –In 2009, has only approved 3 special permits, and rejected 3. Since 2001 has only approved 9, and only had 29 requests.
	Each application must be accompanied by a certification from the applicant's physician of the need for special accommodation because of their disability.		A 1x scope provides the visually disabled a way to adjust the focus on both the scope and the target object, providing visual relief and reasonable accommodation.		California – CAFG could not recall any requests or approved special permits since 2009.
	Also allows for the Director to grant variances from the regulations for reasonable accommodations.		Ability to grant variances would reduce piecemeal regulations, and save administrative costs.		Oregon, Utah
3	Special Permit allowing only those persons with a federally qualified visual disability (not correctible with glasses or contacts) to use a non-magnifying 1x scope only with a patched round ball.	Compliance unknown at this time (The requirement for a patched round ball may be contradictory, and therefore not in compliance with ADA.)	Provides visual relief to those with visual disability.	Enforcement more difficult, because of patched round ball requirement. Requires additional application process to implement and monitor for the Department.	<u>None</u> . Discussed at Lovelock, NV Commission meeting.
4	Special Permit allowing persons with visual disability (to use a non-magnifying scope, including a temporary permit for short-term disabilities.	In compliance with ADA, and provides more flexibility for disabled.	Provides visual relief to those with visual disability.	Requires additional application process to implement and monitor for the Department	Idaho – Implemented in 2009, approval statistics unknown at this time.
	Each application must be accompanied by certification from the applicant's physician that they need a special accommodation because of their disability. Non-residents must have signature notarized.		A 1x scope provides the visually disabled a way to adjust the focus on both the scope and the target object, providing visual relief and reasonable accommodation.	Requires non-residents to notarize their application, which may cause add'l review.	Minnesota – Implemented in 2009, approval statistics unknown at this time.

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OPTION NUMBER	REGULATORY OPTION	DEGREE OF ACCOMMODATION	PROS	CONS	STATES WITH THIS REGULATION /ADDITIONAL INFORMATION
5	Special Permit allow muzzleloaders with magnifying scopes for those who have limited or impaired vision (including presbyopia and those correctible by contats or glasses). As above, each application must be accompanied by certification from the applicant's physician.	In compliance with ADA, and provides acommodation for larger population who are visually impaired.	Provides visual relief to those with impaired vision and expanded range because of the magnified scope.	Because magnification is unlimited the range is expanded. Depending on level of increased huter success, may lead to tag quota reductions.	<u>Washington</u>
				Requires additional application process to implement and monitor for the Department	
6	Special Permit allow muzzleloaders with magnifying scopes for those with a temporary or permanent disability confirmed with a doctor's note.	In compliance with ADA, and provides more flexibility for disabled because of the magnified scope.	Provides visual relief to those with disabilities, and expanded range because of the magnified scope.	Because magnification is unlimited the range is expanded. Depending on level of increased huter success, may lead to tag quota reductions.	
				Requires additional application process to implement and monitor for the Department	<u>Wisconsin</u>
7	Without permit, allow 1x non-magnifying scopes for use by anyone during the muzzleloader-only season.	More than compliance with ADA, provides accommodation for all persons.	By limiting the scope to 1 power (1x) magnification or less or less, the effective range of muzzleloaders remains unchanged and no significant change in hunter success would occur (CA).		<u>Nebraska</u> – Implemented in 2009, approval statistics unknown at this time.
			Enforcement and implementation easy, since there is no special permit needed		
8	Without permit, allow scopes for use by anyone on muzzleloaders during the muzzleloader-only season.	More than compliance with ADA, provides additional accommodation for all persons.	Enforcement and implementation easy, since there is no special permit needed.		<u>Other states (with a muzzleloader-only season) not listed in the federal complaint.</u>