



# THE WILDLIFE SOCIETY

## TENNESSEE CHAPTER

### **Position Statement on The Protection of Wildlife in Tennessee**

Wildlife is a public resource in Tennessee and should be treated as such by the Tennessee Court of Appeals (Western District) in Case No. W2022-00514-COA-R3-CV. Landowner property rights need to be protected, but courts in Tennessee and elsewhere have long held (since 1842) that wildlife is a public trust resource, owned by the citizens and managed in trust for them by the government. The transitory (mobile) nature of wildlife warrants it being managed and protected as a public resource.

Conserving wildlife (game and nongame) for future generations requires protecting the public resource from overharvest; hunting, trapping, and fishing occurring at times when reproduction and recruitment are negatively impacted; illegal take of nongame populations that cannot withstand it; poisoning; etc. Not providing these protections will result in the loss of wildlife populations which are an invaluable natural resource to the citizens of Tennessee and its visitors.

Ensuring sustainable wildlife populations requires that state wildlife officers be able to inspect, without a warrant or permission, persons participating in hunting, fishing, and trapping, as well as those engaged in activities outside of the confines of law that could result in the taking of wildlife or reducing it to personal possession, on both public and private lands. This applies to the enforcement of federal wildlife regulations as well since state officers also have the authority to enforce them, and federal wildlife officers regularly rely on state officers to serve as material witnesses in federal prosecutions. The breadth of the protection, conservation and management of wildlife populations reaches beyond the game and nongame species to their habitats as well. The illegal take of species, overharvesting and any other actions resulting in a negative impact on wildlife species also impacts the environment and ecosystems of Tennessee.

Wildlife officers enforcing regulations to conserve wildlife also provide another crucial service to the state- public safety- which is compromised by the officers' diminished authority. Wildlife officer inspections protect the citizens of the state and its visitors by helping ensure hunting, trapping, and fishing activities are done safely.

The decreased level of wildlife officer authority risks unsustainable wildlife populations; decreased public safety; a decline in public support for hunting, fishing, and trapping due to increased poaching; and a decreased quality of life for Tennesseans caused by the loss of valued wildlife populations. If the status quo continues in our state, officials in other states may follow Tennessee's lead resulting in national negative impacts to wildlife populations and the public good.

Vote: 52 For, 0 Against, 0 Abstentions (03/14/2023)

