

## Justification for Regulations Directing Proper Retrieval and Utilization of Wildlife

**Definition:** “Wanton Waste” is the taking of wildlife [includes wildlife and fish] for a purpose that is not legitimate—to *squander* or *waste* wildlife that are hunted, fished or trapped (here-in-after referred to as the proper retrieval and utilization of wildlife).

**Purpose:** Ensure the proper utilization of wildlife through regulations that provide Department law enforcement officers with tools to deal with the most egregious cases relating to the failure to exercise proper retrieval and utilization requirements of fish and wildlife.

**Background:** Many common wildlife species were extirpated within 200 years of European settlement in the United States. As a result of the precipitous decline in what was once abundant populations of animals including: deer, moose, beaver, bison, turkey, otter, passenger pigeon, fisher, black bear, wolf, Atlantic salmon, etc., a conservation movement solidified in the United States and Canada in the late 1800’s that was committed to the sustainable use of wildlife, wildlife as a public resource held in trust by the government for the benefit of all citizens, and fair chase (Organ and Mahoney 2007). This social and political movement, founded and supported primarily by hunters and trappers, coalesced into what is referred to as the North American Model of Wildlife Conservation and is the basis for all modern fish and wildlife conservation and management programs. Most of the successful restoration/conservation efforts in North America, as well as, the sustainable use of fish and wildlife by citizens, is based on this Model. The North American Model provides the structural underpinnings for fish and wildlife management and conservation programs in the United States and Canada today and its roots began over 100 years ago.

The Vermont Fish and Wildlife Department, in an effort to underscore the tenants of the North American Model, included the following strategy in its 2001 strategic plan: “*develop and enforce regulations to encourage responsible and ethical harvest techniques and discourage waste of Vermont’s fish and wildlife resources*”. This plan went through an extensive public review process, and was supported by a wide variety of constituents.

Today many social, economic, and political factors have the potential to undermine this incredibly successful Model, threatening the future of wildlife conservation and sustainable use. Therefore, it is important for sportsmen and women and Fish and Wildlife Departments around the country to understand and support the underlying principles of the Model as well as, the threats and challenges.

### **Justification:**

Sportsmen and women as far back as the late 1800's recognized the need for promoting the legitimate use of fish and wildlife (killing for food and fur, self-defense, and property protection). President Theodore Roosevelt acknowledged in 1916 that: "***Our duty to the whole, including the unborn generations, bids us restrain an unprincipled present-day minority from wasting the heritage of these unborn generations. The movement for the conservation of wild life and the larger movement for the conservation of all our natural resources are essentially democratic in spirit, purpose, and method.***" (A Book-Lover's Holidays in the Open, 1916)

Because of the strong convictions of these early sportsmen and women the North American Model has 7 underlying principles one of which espouses the legitimate use of wildlife. Since those early years, sportsmen have taken the lead in promoting the legitimate use of wildlife in part through the sportsmen's code: "*I will make full use of any game I bag. I will prevent its waste*". This tenet has been taught in hunter and trapper education classes since their inception.

Unfortunately, educational efforts can only accomplish so much, and there continues to be a relatively small percentage of people who do not retrieve and/or utilize wildlife once harvested, undermining this important principle and jeopardizing the reputation and credibility of all hunters, anglers, and trappers. Regardless of your feelings or point of view on the issue, our collective actions determine the level of support for hunting by members of the non-hunting public. According to Mark Duda (1998), a wildlife researcher: "It is clear that the future of hunting and traditional wildlife management in the United States depends directly upon appropriate hunter behavior while in the field...*fostering positive hunter behavior in the field is probably the single most important activity for ensuring the perpetuation of hunting as a legitimate outdoor recreation activity and as a critical wildlife management tool*" (pg.589). In other words, a few "rotten apples" can spoil it for the majority. Research has shown that, in general, the public that does not hunt, supports the activity of hunting as long as the animals are respectfully and legitimately utilized. Support for the hunting tradition drops drastically if the perception is that the animals are being wasted. "*It isn't the anti hunters or anyone else who may be most responsible for taking*

*away a hunter's right to hunt. It is the actions of "slob" hunters. However, the cumulative impacts of "ethical hunters" behaving "unethically" on occasion may outweigh the impact of the so-called "few slob hunters". (Duda 1998 pg 593)* This should not present a conflict for sportsmen or women because retrieval and utilization of harvested fish and wildlife is for most, the highest priority.

However, based on recent polling of law enforcement personnel in Vermont, it is clear that efforts at retrieval and utilization are not consistently applied across the state by hunters and fishermen. Ten wardens responded (out of ~36) to a query regarding the level of "wanton waste" activity in their district. Because there is no regulation currently in place, wardens have no reason to formally document the illegitimate use of wildlife. Even so, the responses suggested a significant level of waste in some districts and ranged from: "potential for 12 +/- convictions/season if a law was implemented (including deer, moose, bear, coyote, turkey, small game) to 5 to 10 deer shot /year and left to rot, muskrats shot and left, fish including perch, pike, pickerel left on ice in winter, whole buckets of brown bullhead dumped and wasted, bear, spike horn, goose". Although difficult to quantify numerically (because activities varied from district to district and from year to year) a conservative figure, based on the reports received, ranges from 60 to 120 events/year. Unfortunately, these violations of the retrieval and utilization tenant are too often blatant and visible to the non-hunting public and therefore undermine the integrity of the rest of the sporting community.

It is, therefore, important to regulate the retrieval and utilization of fish and wildlife for the following reasons:

- The 'illegitimate' use of wildlife does occur in Vermont at a level of approximately 60 to 120 events/year [how do these figures relate to the # of poaching events].
- "Wanton Waste" reflects negatively on the remainder of the sportsmen and women who make reasonable efforts to retrieve and utilize their fish and game and therefore, undermines the future of hunting, fishing, and trapping.
- Sportsmen and women have an obligation to provide a leadership role in promoting the wise use of fish and wildlife resources. Laws that improve the behavior of sportsmen and women, elevate the stature of hunting, angling and trapping in the eyes of the general public.
- Regulation can effectively facilitate education and promote proper conduct when other methods, in and of themselves, fail.
- At the present time, law enforcement personnel have no tools for dealing with the illegitimate use of wildlife.

- Laws relating to the retrieval and utilization of wildlife are not unique. Many other states and provinces have some kind of retrieval and/or utilization regulations.
- It is in the best interests of sportsmen and women to deal with the proper retrieval and utilization of wildlife now, rather than fail to act and have the general public dictate the solution.
- There are many other Vermont regulations that are based on social and/or ethical considerations including: the federal waterfowl regulation requiring mandatory retrieval (accountability), shooting from the road (fair chase), hunting over bait (fair chase), antler point restrictions (larger antlers) etc.

### **Literature Cited**

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