



OFFICIAL POSITION ON THE NAVIGABLE WATERS ISSUE IN GEORGIA

INTRODUCTION

The State of Georgia was founded January 2, 1788, some 236 years ago. From the early settlers to today's outdoorsmen- Georgians have trapped the flowing waters of our rivers, creeks, and streams. However, today we are debating the legality of who has the right to use these waters. Regardless of how many times this issue is revisited, reworded, divided, and defined, the consequences of this legal battle will undoubtedly have negative impacts on the use of Georgia's navigable waterways and trapping. The following information is presented to help understand how important trapping is to Georgia and its wildlife.

THE CONCERN OF THE GEORGIA TRAPPERS ASSOCIATION

The concern of the Georgia Trappers Association is, under current Georgia Law, trappers **CAN NOT** trap public waters. Trapping is only allowed on private property and this specifically includes private waterways. Once a waterway is deemed "navigable" it becomes state property and as such is off limits to trappers. Increasing the amount of navigable waterways would significantly reduce the opportunities to manage key wildlife species that inhabit these waterways.

ANY LEGISLATION that changes Georgia's long standing "navigable waters" definition and does not include **SPECIFIC LANGUAGE** addressing the constitutional rights of individuals to "take wildlife" (trapping) **WILL HAVE** consequential economic impacts on property owners, business owners, local governments, as well as the State of Georgia as a whole.

ECONOMIC IMPACTS

There are three main economic consequences associated with this issue.

First, beavers cause many millions of dollars a year in damage. Flooding marketable timber, sewer and stormwater systems, roadways, right of ways, railways, farmland, and even neighborhoods. Beavers are herbivores that cause costly irreparable damage by chewing, cutting, and eating marketable timber, farmers crops, and homeowner's irreplaceable trees and landscaping. The wildlife that inhabits these waterways often build their dens in the banks of the rivers, creeks, and streams. Over time this can destabilize the banks, which can lead to wash and erosion that can add to further financial loss and need for expensive remediation.

Second, trapping is a time-honored profession. Trappers are professional business men and women who own both commercial and private wildlife removal companies. The taking and removal of nuisance wildlife is a multi-million-dollar industry in Georgia. That is taxable revenue for the state and a huge portion of that involves trapping wildlife from Georgia's waterways. Furthermore, these animals are considered furbearers, and their populations are healthy and in abundance throughout our state. They are among the more marketable and valued of our state's renewable resources.

*A recent UGA study put the financial revenue impact of the pest and wildlife industry at over \$1.7 BILLION dollars in Georgia, and over 13,000 jobs in these related fields. Any legislation that infringes or limits the taking of wildlife utilizing all legal means; prevents these men and women from doing their job and will have significant financial consequences on their personal income; thus, creating hardships for many Georgians.

Third, all the above can affect the State of Georgia through the loss of revenue on taxable goods, taxable income, reclaiming flooded areas, repairing roads, and right of ways. Every local government from the smallest towns to the largest cities deal with nuisance wildlife issues and damage. Nuisance Wildlife Control Operators (professional trappers) are often brought in to rectify these issues and protect these types of public infrastructure. The language in any future legislation must specifically address this issue or the revenue loss and damage to our critical facilities would be devastating to the state.

THE POSITION OF THE GEORGIA TRAPPERS ASSOCIATION

It is the position of the Georgia Trappers Association that trapping is a fundamental right that is protected under the Constitution of the State of Georgia:

Article I Bill of Rights

Section I Rights of Persons

Paragraph XXVIII Fishing and Hunting

“The tradition of fishing and hunting and the taking of wildlife (Trapping) shall be preserved for the people and shall be managed by law and regulation for the public good.” Any wording of the law pertaining to “Navigable Waters” that would prohibit or restrict access to the “taking of wildlife” (trapping) from those waterways would be an infringement on those rights.

The Georgia Trappers Association supports the rights of ALL property owners who own property that includes these waterways. These property owners should be protected from trespassers, those who litter and otherwise demonstrate disregard for the landowner and disrespect for the natural resources. In as much as these property owners should also maintain the rights to protect their property from nuisance animals that burrow into and destabilize the banks of their property, dam waterways causing flooding, and otherwise cause damage to their property. These property owners should also maintain the right to grant permission to individuals to “take wildlife” in those waterways adjacent to their property.

The Georgia Trappers Association has no issue with those who seek to enjoy these waters respectfully and responsibly in accordance with ALL state laws, rules and regulations. Our focus is to preserve our right to “take wildlife” on these navigable waters as we carry out the tasks of our profession.

SUMMARY

The Georgia Trappers Association would like to be included in any discussions about this legislation and is offering as much information and expertise as possible to achieve the best outcome for all the citizens of Georgia.

IF the legislation falls in favor of the private property owners and their private waterways, the concerns of the Georgia Trappers Association are mitigated because trappers must already have written permission from the landowner to carry out his or her duties as a trapper.

IF the legislation falls in favor of making those waterways property of the State of Georgia or public navigable waterways, then it must include language to the effect:

“...A property owner who owns land adjacent to navigable waters in Georgia will maintain the right to protect their property from nuisance wildlife and may hire or grant permission to any legally licensed individual to work as an agent on their land AND the immediate adjoining navigable waters touching their property to legally remove or otherwise “take wildlife” using those legal methods approved by the state. Furthermore, the individual (s) acting on behalf of the landowner MUST adhere to all state laws as it pertains to “taking wildlife” (trapping). “

Or: Opening trapping to the navigable waterways would achieve the same result.

“...Understanding that “taking wildlife” (trapping) is a constitutional right for all Georgians, the public waterways deemed navigable are open to trapping for the purpose of removing nuisance wildlife, managing wildlife populations, protecting adjacent landowner’s properties, and harvesting furbearers during normal season and harvest dates. It will be understood that all who participate in the activity of trapping will be properly licensed and adhere to all state laws as it pertains to “taking wildlife” (trapping).”

Sincerely

Mike Wilson

Mike Willson

President Georgia Trappers Association

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Lee Riley, Vice President