

### **Competitive Research Grant Program**

## **Investigate the potential liability and sustainability issues associated with wildlife and fisheries-based economic enterprises**

*Investigator(s): Stephen C. Grado, Changyou Sun, Forestry; Gregory A. Ibendahl, Agricultural Economics; W. Daryl Jones, Wildlife and Fisheries*

### **Project Goal:**

The overall goal of this project is to examine the potential liability and sustainability issues related to fee access recreation and wildlife/fisheries-based economic enterprises.

### **Project Objectives:**

The first objective was to examine the causes behind the patterns of previous cases using statistical analysis. Ongoing studies have identified previous cases related to the liability of landowners in fee access recreation and have subsequently summarized the patterns. The review has covered four decades (1965-2004) and identified trends and characteristics for related lawsuits. Characteristics of each case included: plaintiff, defendant, state, year, who wins, time taken, appeals, land features, type of activities, and amount of compensation for damages or injuries if any. At the end of this study, a database will be created at the national scale and for this period. This database will contain detailed information about each case/precedent. Statistical analyses will be designed and conducted based on the results of this study.

The second objective was to identify the actual injury and damage patterns in Mississippi in the past three years. Surveys will be conducted on both landowners and recreationists (e.g.,

hunting clubs, hunters) to collect the information on actual injuries and damage patterns in Mississippi during the past three years from 2004 to 2006.

The third objective was to identify the patterns in purchasing liability insurance by landowners and recreational users in Mississippi. Another study is focusing on insurance companies. This project will focus on landowners and recreationists through the use of a mail survey.

### **Synopsis of research activities per objective:**

For objective 1, scientists have uncovered over 100 cases specifically related to the liability issue of recreational activities on private lands. Details about each case have been documented in a database. These items included names of litigants, year, location, land types, type of recreational activities, injury type, case duration, and final verdict. Right now, scientists are interpreting legal cases and preparing data for statistical analysis. For objective 2, researchers have conducted a logit regression analysis on the survey data on those who purchased Mississippi hunting and fishing licenses for the 2004/2005 season. For objective 3, plans are to conduct a mail survey of insurance companies.

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**Significant findings/results per objective to date:**

A telephone survey about accident liability concerns on hunters and anglers has been conducted. The telephone survey revealed that 1% of respondents had incidents related to their recreational activities in the past three seasons from 2004 to 2006. About 17% of respondents had liability insurance coverage in the 2004/2005 season. The logit regression analysis revealed that age, years of hunting, and income were positively related to the purchase of liability insurance. Caucasians and nonresidents of Mississippi had a higher likelihood of having insurance coverage. Special liability insurance has been helpful in reducing financial losses on recreationists and, furthermore, liability insurance may be effectively promoted in several ways.

**Project success relative to original objectives:**

This project is successfully meeting the objectives.

**List post-docs and graduate students with title of thesis or dissertation, if completed, and estimated graduation date:**

Pokharel, S. 2006. Recreational incidents liability insurance and judicial interpretation for fee access activities on nonindustrial private forest lands in Mississippi. Thesis, Department of Forestry, Mississippi State University.

Liao, X. 2007-Current. Post-doctoral Research Associate, Department of Forestry, Mississippi State University.

