

---

Subject: : Paflyfish General Forum

Topic: : Fishing access: A story of people, property and profits

Re: Fishing access: A story of people, property and profits

Author: : pcray1231

Date: : 2013/3/5 14:22:26

URL:

Quote:

So while the landowner doesn't own the wildlife, he certainly owns the land that you need permission to touch so he absolutely controls who has access to these publically owned creatures that are on his land.

Correct.

Quote:

What you are basically saying is anybody who won't allow the public to access their property at anytime to shoot, catch or take pictures of the wildlife isn't allowed to have wildlife on their property.

I said no such thing.

Quote:

So can I stop by your place during rabbit season to shoot a few and I have the right to do that because you don't own that rabbit according to your logic.

Absolutely you do. If you are outside the safety zone, and I have not posted my property, and you are following the PGC's laws, you have every right. Now, follow me. I recognize the semantics of it, but it's important for when comparing to different scenarios. If I post, and I can, then you cannot be on my property. What I have taken away is your privelege of being on my property, NOT your right to hunt the bunnies. Now, it's awfully tough to hunt the bunnies without being on my property, but if you can figure out how, yes, you can.

Quote:

could you float a stream through privately owned land, shoot an elk that's in the stream and as you float by wrap a lasso around the rack and drag him out as long as you never touch bottom? Or could you fly a helicopter over land, shoot an elk and drop a lasso to pick him up?

Yes. Your lasso, though, cannot touch the ground either. Perhaps even the bullet, would have to check on that. But the premise is correct, you have a right to the animals, just not to the land.

Quote:

Based on everything I am aware of, they have ZERO right to tell me what I can and can't do on my property. In fact the laws even say a person can fish on their own property without a license.

In regards to the wildlife, they have EVERY right to tell you what you can do on your property. Sometimes, as a courtesy, we do make laws exempting landowners. But they are courtesy, or else a separate law wouldn't be needed to exempt them. The details vary by state, but these kind of laws are reasonably common.

In, PA, regarding fishing licenses, you can only fish license free on your own land if the water is WHOLLY within your land. Meaning no streams, only ponds/lakes where you own all boundaries. And it only fits if you reside on the property year round. So for a temporary home or camp, even if you own it, you need a license. It also applies to your family or tenants provided they too live on the land year round. It does not apply to your guests.

And regarding hunting licenses, IF you derive your primary livelihood from your land, then you can kill non-threatened animals for crop damage without a license. You still must report the kills and be able to show a crop damage problem from said species if asked. If you do not derive your primary livelihood from your land, then you must purchase a hunting license and obey all seasons and bag limits, as well as tagging and reporting requirements, even to hunt on your own land. If your land is >80 acres, and you leave it open to the public and enroll in a PGC program pretty much stating such, you are eligible for a landowner license which is considerably cheaper than everybody else's.