

**Chapter 1 : Miscellaneous Policies of the California Fish and Game Commission**

*Fish and wildlife miscellaneous: hearings before the Subcommittee on Fisheries and Wildlife Conservation and the Environment of the Committee on Merchant Marine and Fisheries, House of Representatives ; Ninety-sixth Congress, first session.*

Fish; mollusks; amphibians; crustaceans. Protected wildlife; unprotected wildlife. Compliance with applicable law. Specification; release; sale; exceptions. Authority of Department; duty of person purchasing trapping license; denial and reinstatement of certain privileges. Nontoxic shot required; possession of noncomplying shot prohibited. Requirement; application; examination; reinstatement; conditions; exceptions. Quota; falconry license required. Attachment of leg band; validation of permit; transportation of raptor from State. Return of unused permit and leg band. Grounds for denial of permit; reinstatement of privilege; administrative fine. Application for permit; falconry license required. Filling of quotas for permits. Authorization for another person to take raptors for holder of permit. Requirements if raptor is injured while being taken. Outside this State; in this State by nonresident. General authority to and restrictions on capture, transport and use. Applicable waters; restrictions on bait and lures. Capture, sale, holding and transportation; reference work for naming of species. Prerequisites to issuance; use; expiration. Notification by Department; action upon conclusion; fee. Amendment or revocation by Department. General requirements; inspection of facilities. Revocation and reinstatement; expiration and renewal. Authority to conduct certain activities; application; use. Prerequisites to release; inspection by Department. Ownership and disposition of wildlife taken. Limitation on use; federal permits. Added to NAC by Bd. The term does not include any device that is designed, built or made to close upon or hold fast any portion of an animal. Supplied in codification; A by Bd. As used in NRS The term does not include:

**Chapter 2 : Other Alaska Wildlife Regulations, Alaska Department of Fish and Game**

*Subject: Audit Report on Miscellaneous Receipts, U.S. Fish and Wildlife Service miscellaneous receipts collected by the U.S. Fish and Wildlife Service.*

It is the policy of the Fish and Game Commission that: This report will include a status report on attaining the goals and objectives contained in the strategic planning component of the Comprehensive Management System. The Department operations shall be guided by the plan. Any proposed program not provided for in the plan shall be submitted to the Commission for approval unless mandated by the Legislature. Oppose all applications for a prospecting permit on, or a lease of, any state land administered by the Department for the purpose of prospecting or producing any mineral, or commodity, including geothermal and petroleum resources unless no adverse effect to fish or wildlife or their habitat will occur. The Department shall urge any state agency or agencies, empowered to grant such a permit or enter into such a lease, to provide for such protection and safeguards as the Department deems necessary to protect fish and wildlife and their habitat. It shall also inform the public about the authority and activities of the Commission and the Wildlife Conservation Board. Young people will be encouraged to participate in conservation, hunting and fishing programs based on a sound renewable natural resource ethic. The Department shall not support any program increasing the demand for possession or ownership of wild animals as pets. Research, including the investigation of disease, shall be performed to provide scientific and management data necessary to promote the protection, propagation, conservation, management or administration of fish and wildlife resources of this state when such data is not available by other means. Whenever possible and advantageous, the services of the University of California or other academic or research institutions, or federal, state or local agencies shall be used. The Department shall review the following information, which must be clearly stated in any proposed research programs: The provisions of this paragraph shall not extend to emergency investigations of disease. The Department shall report regularly to the Commission on the status of major research programs in progress. The policies in this document provide a source of information for the public and a guide for the Commission and Department in preparing and reviewing legislation, regulations, or policies that propose to restrict access to commercial fisheries. The development and adoption of these policies do not represent an initiative to apply restricted access approaches to all California fisheries. The objective is primarily to guide the Commission and Department in responding to requests for restricted access programs. Restricted Access as a Management Tool The global context. Virtually every modern fishery faces--or has faced--similar intractable management problems. Because these problems recur in so many dissimilar fisheries, it is clear that they are not caused by the biology of the species harvested, nor do they depend on the type of gear or size of vessel employed by harvesters. The one factor common to all of these fisheries is that the fishery resources are available to anyone who wants to pursue them. Once a fisheries management authority specifies the total catch, the season length, and the allowable gear, every fisherman competes with every other fisherman to catch as much as possible in the shortest time possible. In some fisheries, bigger and faster boats, more electronics, more gear, longer hours each day and fewer days each season are the result as each fisherman rushes to catch more than the other--the "race for fish" so often described in the fishery management and economics literature. In other fisheries, the problem may just be that the number of participants has increased to a level that jeopardizes the economic viability of the fishery. What makes sense for the individual makes no sense in the aggregate because it results in too many vessels, too much gear, too much waste, and too little income for fishermen. Moreover, excess fishing capacity usually leads to overfished populations of fish, which eventually leads to confrontations between fishermen and fishery managers over the status of the resource and the need for more restrictive regulations. Debate then follows over the need for better data. The race for fish does not result from inadequate biological information. Population surveys, stock assessments and biological samples are important components of sound fishery management, and improving the science on which management decisions are based is always a desirable objective. But management plans based on better biology alone will not solve problems caused by the economics of the harvest system. Economic problems

must be addressed directly. The most effective solutions to these fishery management problems restrict fishing effort in some way so that the "race for fish" is ended. New entry to a fishery is most often restricted by issuing only a certain number of licenses to participate in the fishery. Existing effort in a fishery is usually restricted by limiting the size of the vessel, limiting the size or amount of gear, or directly limiting the quantity of fish that can be landed. Theoretically, the "right" number of licenses fished by the "right" size of vessels using the "right" amount of gear can harvest fish more sustainably and efficiently than the unrestricted fleet. The problems restricted access programs are meant to address can actually become worse if the programs are poorly designed. Because many restricted access programs have been seriously flawed, some fishermen and others lack confidence that they can work. For example, in setting up restricted access programs, fishery managers have sometimes issued licenses to many more participants than are possible for the fishery to be both sustainable and economically viable for its participants. Clearly, expanding the fleet can have no effect on slowing the race for fish. Just as important, effort restrictions, such as those on the size of vessels or amount of gear, have sometimes been insufficient to restrain fishing power. Finally, managers sometimes address only one dimension of the race for fish by restricting access without also restricting capacity expansion by existing fishermen. What does not work is a management system that lacks the clear policies, the will, and the compassion to design and implement restricted access systems that reconcile the need of fishermen to make a living with the need to restrict total harvest. The set of policies in this document are intended to provide guidance on restricted access programs for the Commission, the Department, the fishing industry, and other interested members of the public. Loss and degradation of marine and anadromous habitats and other ecological changes have aggravated this condition of excess fishing capacity. The build-up in harvest capacity began with the advent of ocean commercial fishing in the mids and accelerated following World War II. Vessels became larger and faster, have greatly increased fishing power and hold capacity, and use a wide variety of electronic innovations to find and catch fish. At the same time, increasing knowledge of the behavior of target species have made fishermen increasingly skilled at their trade. Since the early s, various programs have been implemented, through statute or regulation, to limit the number of commercial vessels or fishermen allowed to use specific types of fishing gear or to harvest specific species or species groups of fishes. These programs have seldom resulted in adequate reduction in the overall fishing capacity for those species. They sometimes have been effective in capping the number of fishery participants; however, an unintended consequence has been a shift in effort from restricted fisheries to open access fisheries that were already fully developed. The lack of consistent policies for guiding the development of restricted access fisheries<sup>1</sup> has resulted in a myriad of laws and regulations. These are confusing to the industry, difficult for the Department to interpret and administer, and, in some cases, of questionable benefit to the fishery or the resource they were intended to protect. Restricted access programs should: Contribute to sustainable fisheries management by providing a means to match the level of effort in a fishery to the health of the fishery resource and by giving fishery participants a greater stake in maintaining sustainability; Provide a mechanism for funding fishery management, research, monitoring, and law enforcement activities; Provide long-term social and economic benefits to the State and fishery participants; and Broaden opportunities for the commercial fishing industry to share management responsibility with the Department. Need for other fishery management tools. Restricted access programs are important tools for fishery managers, but they do not eliminate the need for other fishery management measures, such as gear restrictions, time and area closures, size limits, landing quotas, total allowable catches, and related measures. In all fisheries, a minority of vessels or divers catches most of the fish. A severe restriction in the number of fishery participants, while perhaps contributing to fishery sustainability, can have other consequences that are undesirable: Laws or regulations that limit the amount of gear that vessels may use or that restricts the amount or size of fish that may be taken are usually important in ensuring that restricted access initiatives achieve the desired benefits. The Commission and the Department may use restricted access programs as one of a number of tools to conserve and manage fisheries as a public trust resource. As such they are to be protected, conserved and managed for the public benefit, which may include food production, commerce and trade, subsistence, cultural values, recreational opportunities, maintenance of viable ecosystems, and scientific research. None of these purposes need be

mutually exclusive and, ideally, as many of these purposes should be encouraged as possible, consistent with resource conservation. Fisheries are also a finite and renewable resource. If harvest and other human-caused factors affecting their health are not managed, fishery resources may be less than optimally productive or, in the worst case, may suffer serious declines. Therefore, as part of a program of controlling harvest, it is appropriate to control the amount of fishing effort applied in a fishery, including restrictions on the number of individuals or numbers of vessels participating. Restricting access to a fishery has become one of many standard fishery management tools that have been used by public agencies in carrying out their conservation and management responsibilities for publicly held finite fishery resources. Restricted access programs may be instituted in order to carry out one or more of these purposes in a given fishery. Depending on the fishery, limiting the fishing capacity of the fishery by limiting the number of individual fishermen or vessels may be one means of reducing take in order to protect the fishery resource. In most instances, reducing the number of individuals or vessels alone will not in itself reduce take unless it is accompanied by complementary measures such as trip limits, quotas, seasons, or gear limitations. Together, restrictions on access coupled with other measures can be an effective way of controlling effort to protect fishery resources and contribute to sustainability. Provide for an orderly fishery. Extreme overcapitalization can lead to unsafe conditions as part of the competition among fishery participants, as in the case of "derby" fisheries. Properly designed restricted access programs can promote safety in those circumstances. Where fishing grounds are limited due either to geographical factors or fish congregating in small areas where harvest occurs, it may be necessary to limit the number of individuals or vessels involved in the fishery. The herring roe fishery is one example of where restricted access was established primarily for the purpose of maintaining an orderly fishery. Promote conservation among fishery participants. Limiting the number of individuals or vessels in a fishery can give those in the fishery a greater stake in the resource, a sense of ownership, and confidence that a long-term opportunity exists in the fishery that usually does not exist in open access fisheries. A well-designed restricted access program can give fishery participants greater incentive to be stewards of that resource and even to invest in rebuilding the fishery the commercial salmon stamp program, for example. Limiting access can also increase compliance with fishery regulations since an individual with a restricted access permit is much less likely to risk losing the opportunity to participate in that fishery because of a fishery violation. Maintain the long-term economic viability of fisheries. To assure the greatest economic benefit to society from the harvest of a public fishery resource, it may be necessary to limit the number of individuals or vessels to assure economically viable fishing operations. When open access contributes to the impoverishment of fishery participants or illegal or unsavory behavior by participants competing for the limited resource, some form of restricted access based on economic viability may be necessary. Any restricted access program established, entirely or in part, for the purpose of economic viability must be crafted to avoid restricting access more than is necessary. The Commission may develop restricted access programs for fisheries that retain the public ownership status of the resource for one or more of the following purposes: Development and Review of Restricted Access Programs Participation of stakeholders in program development. Restricted access programs should be developed with substantial support and involvement from stakeholders. Programs in which fishery participants and others have a substantial role in the design benefit from their knowledge of both the resource and the business aspects of the fishery. Such programs are also more likely to enjoy the support of fishery participants during implementation. Furthermore, any restricted access program must be developed consistent with the stakeholder participation requirements of Section of the Fish and Game Code. Programs specific to the needs of the fishery. Standardization in the elements of restricted access programs is a laudable goal and could help reduce some of the complexity fishermen and the Department are faced with when dealing with different requirements for different fisheries. However, the overriding concern is that each restricted access program meets the needs of its particular fishery. Each of the existing restricted access programs in California fisheries was designed to meet the needs of a particular fishery. As a result of periodic reviews of those programs, it may be possible to reduce some of the complexity that has resulted. However, a program should not be revised solely for the purpose of uniformity or consistency if there is a sound basis for the unique features of the program. Restricted access programs need periodic review for possible revision. Restricted

access programs should be reviewed periodically by the Department and fishery participants in the particular fishery to determine whether the program still meets the objectives of the State and the needs of the fishery participants. For the statutorily created restricted access programs, this review should take place preceding the expiration "sunset" dates when the law is under consideration for extension. In addition, this restricted access policy should be reviewed at a regularly scheduled Commission meeting at least once every four years following its adoption.

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Short single dorsal fin - go to 24 Long single dorsal fin, may be notched - go to 28 No finlets present - go to 25 Snout does not project. Maxillary does not extend past the eye - go to 26 Row of dark spots above mid-line of body - go to 27 Sharp scutes on belly. Weak scutes on belly. Mouth small, maxillary does not extend to eye. Teeth small - go to 29 Mouth large, maxillary extends to eye. Body dark with large reddish spots. Large fleshy cirrus above eyes. No large fleshy cirrus above eyes. Small mouth, maxillary less than halfway to eye. Green or blue-green above, silver side stripe, and silver below - go to 31 Lateral line present - go to 32 Anal fin begins midway between the dorsal fins. Anal fin begins midway through the first dorsal fin. Tail deeply forked - go to 33 Tail moderately forked or no distinct fork - go to 34 Row of scutes along entire lateral line. Lateral line has sharp rise at mid-body that arches over pectoral fin. No scutes on lateral line. Lateral line makes gradual rise over pectoral fin. Tail and fins yellow. Yellow side stripe that begins on snout and continues to tail - Yellowtail *Seriola lalandi* 1. Between 6 and 9 dark stripes along body. No stripes along body. Not "bass-like" - go to 35 First and second dorsal fins widely separated. First and second dorsal fins close together. Large spots along sides. Large canines in strong mouth. Any spotting along sides is minor - go to 37 Soft rays in last half of dorsal fin. Spinous rays through entire dorsal fin. Teeth very large, sharp, and "fang-like". Dorsal and anal fin join body at caudal fin. No spines in dorsal fin - Ocean Sunfish *Mola mola* 3. First dorsal fin comprised of three strong spines.

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