



# Digest of Waterfowl Hunting Regulations *2008-2009*

## “Best of Show” 2008 Federal Junior Duck Stamp Contest



*Greater Scaup*

by Abraham Hunter



Illinois  
Department of  
Natural  
Resources

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## NEW REGULATIONS FOR 2008-2009

New Regulations are shaded.

Canvasback season closed	3, 8
Scaup bag limit reduced to 1 for 40 days of 60 day season	3, 8
Wood duck bag limit increase to 3 daily	3, 8
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## MESSAGE FROM THE DIRECTOR



Thank you for reviewing the 2008-2009 edition of the *Digest of Waterfowl Hunting Regulations* from the Illinois Department of Natural Resources. The digest is an important resource, with details on season dates, hunting hours, bag limits, hunting zones, and other information for those heading to the field this season.

This year's Illinois waterfowl seasons were set based on our best available biological and scientific information, including historical freeze up data, aerial waterfowl survey data, and the results of our extensive waterfowl hunter surveys.

Among the changes in regulations for this season is an increase in the daily bag limit for wood ducks from two a day to three a day as part of the six-duck daily limit. An analysis of wood duck harvest potential by the U.S. Fish and Wildlife Service indicated that wood ducks can support more harvest pressure in our flyway, and we are being allowed to increase the wood duck limit. Biologists will monitor harvest rates to make sure the wood duck population can support the change.

Among the things that are still required of waterfowl hunters this year is registration with the federal Harvest Information Program (HIP). It helps provide more accurate federal waterfowl harvest information. Be sure to register with HIP before you take to the field this fall.

Thanks again for your support of our hunting programs and good luck during the 2008-09 waterfowl season in Illinois.

A handwritten signature in green ink that reads "Sam Flood". The signature is written in a cursive, flowing style.

Sam Flood, Acting Director  
Illinois Department of Natural Resources

## HARVEST INFORMATION PROGRAM

**Harvest Information Program (HIP) – Required.** This important program is designed to produce more accurate federal harvest estimates which will ultimately improve our ability to maximize hunting opportunity without detriment to the waterfowl resource. You can help preserve your sport by registering with HIP at the license vendor when you purchase your hunting license and state duck stamp. Remember, registration is **MANDATORY**, not optional.

# OVERVIEW AND OUTLOOK FOR 2008

Dear Illinois Waterfowl Hunter,

Illinois duck hunters experienced a good hunting season last year harvesting the sixth most ducks recorded since state estimates began in 1981. Excellent reproduction on the MVP Canada goose breeding grounds combined with well above average snowfall in Wisconsin and in the northern half of Illinois resulted in great hunting opportunities for many goose hunters. Illinois hunters shot a record Canada goose harvest as a result. Hunters were very pleased with the elimination of quotas and despite the high goose harvest in Illinois the MVP Canada goose total population rose to 4% above average. Well that's enough about last year. Let's take a look at what is in store for us this fall.

You will find a great deal of information about our upcoming waterfowl seasons in the paragraphs below. Conditions on the duck breeding grounds were generally fair this year. There were 4.4 million ponds in Prairie Canada and northern U.S. breeding areas. This was 37% less than last year and 10% below the long term average of 4.9 million ponds. However, there were still enough mallards and ponds to offer Mississippi Flyway duck hunters another 60-day season. This is the 12th year in a row we have been offered a 60-day duck season. We anticipate a fall duck flight smaller than last year's due to reduced water levels over a large portion of the breeding grounds. MVP Canada goose breeding numbers are down from last year due to a late spring and a late April snowstorm and production is expected to be poor this year. However, the Flyway's giant Canada goose population is doing fine and almost half the geese shot in Illinois are giants.

In closing, we encourage each of you to take a new young hunter along with you this season. Remember, hunters who come to appreciate and value wildlife at an early age are the foundation upon which the future of wildlife will be built.

We hope you find the information in this digest useful and we wish you a safe and memorable 2008-2009 waterfowl season!

Sincerely,



Mike Conlin  
Director, Office of Resource Conservation



John Buhnerkempe  
Chief, Division of Wildlife Resources



Ray Marshalla  
State Waterfowl Biologist

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## DUCKS

**Duck Populations** – The U.S. Fish and Wildlife Service's (Service) annual survey of key nesting areas indicated 37.3 million breeding ducks, 9% lower than last year's 41.2 million birds, and 11% above the 1955-2007 long-term average. In 2006 there were 32.6 million ducks and in 2005 there were 31.7 million ducks.

**Mallards** – The mid-continent mallard fall flight forecast is 9.2 million. The fall flight index predicts 1.3 million young mallards will fly south this year compared to 2 million last year. Young mallards are generally twice as vulnerable to hunting as adults.

**Pintails** – The northern pintail population of 2.6 million was 22% lower than last year. Pintails remain 36% below their long-term average but the population this year was above the threshold of 2.5 million, again justifying a full season length according to the Service's interim pintail harvest strategy.

**Canvasbacks** – The canvasback population dropped 44% from last year's record population to 489,000 and was 14% below the long-term average. Based upon this population estimate, the canvasback harvest strategy does not allow a nationwide canvasback season this year. Therefore the Service has closed the season on canvasbacks in the Pacific, Atlantic and Mississippi Flyways. After a record canvasback population estimate last year, followed by this year's low estimate, Service staff reviewed survey methods, data and analytical procedures and found nothing unusual. Declines in canvasbacks counted were widespread, occurring in the same areas that experienced increases last year. Based on the harvest estimate from last year's seasons, it is clear that harvest alone is not responsible for the drop. Canvasback estimates typically have higher variation than for many other species. Although it is possible that the large change in the population estimate is simply the result of normal sampling variation, the Service has no data to suggest this year's population estimate is not accurate.

**Scaup** – Scaup population estimates of 3.74 million increased 8% over last year but are still 27% below the long-term average. There is no strong evidence indicating that hunting is the primary cause of scaup declines and many agencies continue to conduct research to understand reasons for the population decline. This year the Service offered the Mississippi Flyway 3 options which would result in a reduction of scaup harvest. A decision was made to allow 2 scaup to be taken daily during 20 consecutive days of the 60-day season. During the remaining 40 days one scaup will be allowed daily. Illinois seasons were set to allow 2 scaup daily during the 20 days when past aerial survey data indicated that the most scaup would likely be present in Illinois.

**Wood Ducks** – The Service worked with the Atlantic and Mississippi Flyways during the past decade to assess harvest potential of wood ducks in eastern North America. A model based approach was used to predict population responses to increased harvest. Results indicated that wood ducks could support more harvest pressure than currently exists and the two eastern Flyways are being allowed to increase the wood duck bag limit from 2 to 3 birds daily this year. The Service and Flyway Councils will monitor wood duck harvest rates to ensure that bag limits in future years remain in line with a harvest level that the population can support.

**2007 Duck Harvest** – The preliminary state duck harvest estimate of 464,366 was 8% lower than in 2006 (507,464) and was the sixth highest harvest since state estimates began in 1981. The harvest was 33% above the long term 1981-2006 average (348,654). The North Zone harvested an estimated 81,338 ducks while the Central took 224,200 and the South took 153,404. Preliminary mallard harvest was 265,369, the sixth highest since 1981. According to federal estimates Illinois hunters took more scaup (14,416) than any other state in the Mississippi Flyway last season. On average, duck hunters spent a little over 12 days afield to harvest over 9.4 ducks per hunter for the season. This annual harvest per hunter is 7% above the previous 5-year average of 8.8 ducks per hunter. The duck harvest per hunter per day last season was 0.77 ducks which is the same as last year and is tied for the second highest daily success rate in the previous 26 years. Harvest of teal during the 2007 September season was 29,800 compared to 28,016 in 2006.

**2008 Duck Hunting Outlook** – The quality of habitat for breeding waterfowl in the U.S. and Canada was not as good as last year due to drought in parts of the traditional surveyed area. The estimate of May ponds for Prairie Canada was 3.1 million compared to 5 million last year. This was 39% less than last year and 11% below the long term average. Green-winged teal are the third most harvested duck in Illinois after mallards and gadwalls. Green-winged teal populations again increased to the second highest level since 1955 and are 3% over last year and are 57% above the long term average. Blue-winged teal (6.6 million, no change) were at their fourth highest level recorded. Redheads (1 million) again reached a record population and were 66% above the long term averages. Gadwalls decreased 19% from last year but were still 56% above the long term average. American wigeon populations decreased 11% and were 5% below the long term average. Experienced duck hunters know that individual hunter success is much more dependent on the weather during migration and on local water and food conditions at refuges and hunting areas. At the time of this printing many Illinois waterfowl areas along the Illinois River and at Carlyle and Shelbyville Lakes had high summer water levels which will likely cause poor production of crops and moist-soil plants. This could hurt hunting success on some areas this season. Rend Lake's water levels declined enough to produce decent moist-soil plants.

**2008 Duck Season Timing and Zone Lines** – Preliminary results of the 2007 Illinois Waterfowl Hunter Survey (IWHS) indicate hunters were satisfied with our decision in 2006 on a five-year plan for setting duck seasons in the North and Central zones. Duck season dates in the South Zone were to be reevaluated after the 2006 season, and hunter survey results and other key data were helpful in establishing the dates for the upcoming season. An analysis of six years worth of South Zone aerial duck survey data and a comparison of three early seasons to three late seasons at Carlyle and Rend lakes was conducted. The analyses showed that the starting date of a 60-day season would provide about the same number of ducks and opportunity for hunters for the next 60-days if the season started on November 15 or November 27. Finally, IDNR reviewed preliminary results from the 2007 Illinois Waterfowl Hunter Survey, which indicated 54 percent of South Zone duck hunters preferred that the South Zone duck season begin November 27. Only 41 percent preferred November 15 or earlier. The first firearm deer season weekend of November 21-23 was not listed as an option due to strong preferences from hunters in past years to avoid this conflict.

## CANADA GEESE

**2008 Spring Survey Results** – Spring phenology was late on the MVP breeding grounds resulting in poor breeding conditions and low production is expected. Early June aerial surveys found 305,190 breeding MVP Canada geese, which was down from 2007 and 17% below the 1989-2007 average. However, the total spring population estimate (breeding and non-breeding adults) was 626,358, larger than in 2007 (574,383) and about 4% above average. This indicates the MVP Canada geese from the last 2 years of good reproduction will be in the fall flight, however, poor nesting conditions in 2008 will result in fewer young of the year in this flight. MVP Canada geese comprise about 51% of the Illinois harvest during the regular waterfowl season. Giant Canada geese produced in Illinois (23%), Wisconsin (8%), Minnesota (8%) and other states and provinces provide 39% of the harvest in Illinois. Production of giant Canada geese in these areas is expected to be normal. A higher percentage of young geese in the flock often indicate better hunting.

**2008 Canada Goose Harvest Strategy** – Based on a Canada goose harvest management strategy the IDNR implemented in 2006, the use of a goose harvest quota system has been eliminated. Other states in the MVP Canada goose range including Wisconsin, Michigan, Indiana and Kentucky began the “no-quota” five-year experiment in 2007. IDNR received approval from the Fish and Wildlife Service to keep season lengths in the North and Central zones at 85 days and 66 days in the South Zone for the next four years. These season lengths will continue through 2011 unless there is a large decrease in the MVP Canada goose breeding population. Biologists will carefully monitor breeding populations, harvest rates and survival models for MVP geese to make sure the migratory population is protected. If as a result of the experiment the MVP population of geese is affected negatively below a predetermined point, then the experiment will be cancelled in favor of the old harvest management approach.

**2007 Canada Goose Harvest Strategy** – The preliminary state Canada goose harvest estimate during the regular season of 141,205 is the highest recorded since state records began in 1981. The record of 128,387 was set in 2000. In 2007 North Zone hunters took 46,530 geese compared to 70,034 in the Central Zone and 21,163 in the South Zone. The average seasonal harvest per hunter was just over 3 Canada geese last year. During the September season hunters took an estimated 16,207 Canada geese.

### 2007 Canada Goose Season Dates

**North Zone:** Preliminary results from the 2007 IWHS indicated that 67% of North Zone goose hunters were satisfied with last year’s season dates compared to 18% who were not satisfied. This year’s season ends only 2 days earlier than last year’s season due to the calendar shift.

**Central Zone:** Preliminary results from the 2007 IWHS indicated that 72% of goose hunters were satisfied with last year’s season dates compared to 14% who were not satisfied. In addition, 75%

of goose hunters preferred a split season that runs through the end of January compared to 18% who wanted a continuous season that ended in mid-January. A split season is necessary to have goose season open with duck season and close on January 31 with an 85-day season length. Goose migrations into the Central Zone have generally been later than normal the past few years and hunting success generally improves later in the season. More goose hunting opportunities may occur in this zone in late January than early to mid-November.

**South Zone:** Canada goose season is 66 days with no closed segment needed to get to the end of January since duck season is starting 5 days later than last year. Last year 58% of goose hunters were satisfied with the season that started with duck season and had a 5-day closed segment to get to the end of January with 66 days in the season. Only 27% of goose hunters were dissatisfied with last year's season dates.

## SNOW GEESE

During the 2008 Midwinter Survey, biologists counted 2,455,100 light geese (snow, blue and Ross' geese), 16% fewer than in 2007. A normal spring occurred on the high arctic where snow, Ross' and cackling (were called small Canada geese until recently) geese breed. Production is expected to be average and better than last year. During last year's regular snow goose season Illinois hunters took an estimated 6,700 snow geese. An estimated 52,314 snow geese were harvested during the 2007 Conservation Order snow goose season. This represents a 30% decrease from the 2006 estimated harvest of 74,268 snow geese. The South Zone accounted for 63% of the harvest in the state. Most of the harvest (63%) in the state occurred in February.

## WHITE-FRONTED GEESE

During the fall 2007 survey in Saskatchewan and Alberta, biologists counted 764,300 Mid-continent Population white-fronted geese (a.k.a. "specs"), similar to the previous year. During 1996-2007, these estimates have declined an average of 5% per year. Production is expected to be improved from last year and near average. White-fronted geese were again abundant in the Central Zone last January and another record harvest of 4,882 white-fronts was taken statewide, compared to the old record of 4,684 set in 2006. Central Zone hunters shot 2,203 while South zone hunters took 2,496 "specs". North Zone hunters took just 128. Aerial survey data indicates that white-front populations usually peaked in January in the Central Zone. Since Illinois gets only 72 days to hunt white-fronts compared to 85 for Canada geese, the season in this zone will be open during the last 69 days of Canada goose season. Because of the split Canada goose season white-fronted goose season will actually be open during 3 days when Canada goose season is still in the first closed period in the Central Zone.

## YOUTH WATERFOWL HUNTING DAYS

The U.S. Fish and Wildlife Service has again authorized two consecutive days for the 2008 youth waterfowl hunt. During the 2007 season an estimated 8,981 youths shot 9,141 ducks, 1,701 geese and 850 coots. The Youth Waterfowl Hunting dates for the North and Central zones will again open the weekend immediately preceding the regular duck season opening date. In the Central Zone, aerial survey data on the Illinois and Mississippi rivers combined suggest that there will be about 100,000 more ducks available during the weekend immediately preceding the regular duck season opener than the weekend before that. In the South Zone, aerial survey data suggest there will be large numbers of ducks available by the weekend 2 weeks before the regular duck season. In addition, the weekend immediately preceding the regular duck season is the first gun deer season and we did not want youths to lose opportunities due to potential conflicts for them or their parents that weekend. Most waterfowlers know that the average age of the Illinois duck and goose hunter is getting older. That is because few new hunters (especially youth) are being recruited into the sport. If you are concerned about this trend – and all of us should be – please take a qualifying young person hunting during the Youth Hunt as well as during the regular season.

# AVIAN INFLUENZA AND WILD BIRDS

Many different subtypes of avian influenza virus (bird flu) are found in wild birds, especially waterfowl and shorebirds. In most instances, only a small number of birds become infected and most wild birds do not exhibit observable symptoms of sickness or die. Recently a highly pathogenic form of avian influenza (Asian H5N1) has emerged in Asia and spread to Africa and Europe. The virus has primarily affected domestic poultry operations but some wild birds have also been affected. In addition, humans in Asia, Africa, and Europe have contracted Asian H5N1 causing human mortality in some cases. Human infections are thought to have primarily occurred due to close contact with contaminated domestic poultry, surfaces, or equipment.

Wild migratory birds have not been documented to carry Asian H5N1 between geographic regions. Some mortality events in wild birds have been associated with outbreaks of Asian H5N1 in domestic poultry but it is not known if wild birds were the source of the virus or if the virus was acquired from poultry. Because Asian H5N1 surveillance in wild birds can aid in the early detection of the virus if it arrives in North America, efforts to monitor wild migratory birds for Asian H5N1 have been undertaken. During 2006-2008, the Illinois Department of Natural Resources collected 1,304 samples from nine species of waterfowl for avian influenza testing. Four of the samples collected in Illinois tested positive for avian influenza, however, none of the types of avian influenza found in these samples were the Asian H5N1 subtype and none of them presented a risk to human or animal health. To date (June 30, 2008) the Asian H5N1 subtype has not been detected in North America. The IDNR plans to continue sampling for avian influenza testing this fall as part of the nationwide surveillance effort. While the role of wild birds in transporting Asian H5N1 is not clear, the nationwide surveillance effort will help to ensure the early detection of Asian H5N1 should it occur in North America. Several species will be selected for sampling and Department biologists may be sampling in your hunting area. The sample collection only lasts a minute and your birds will be returned to you intact. So please help the Department in its efforts to watch for the disease by allowing your birds to be sampled.

Some hunters have also inquired as to whether their hunting dogs could be at risk for contracting Asian H5N1 avian influenza. To date, there have been no clinical cases of dogs contracting the disease. In an experiment, dogs were injected with Asian H5N1 but did not become sick. While it appears that dogs are not at great risk of contracting the disease, the possibility cannot be ruled out entirely. More research is still being conducted on this topic.

Apparently healthy birds can carry diseases other than avian influenza which can infect humans. As a result, hunters and others handling wild birds and game should follow the minimum basic precautions below:

The following advisory guidelines have been developed by the National Wildlife Health Center: (see [www.nwhc.usgs.gov/publications/wildlife\\_health\\_bulletins/WHB\\_05\\_03.jsp](http://www.nwhc.usgs.gov/publications/wildlife_health_bulletins/WHB_05_03.jsp) for more details)

- Do not handle or eat sick game.
- Wear rubber or disposable latex gloves while handling and cleaning game, wash hands thoroughly with soap and water, and thoroughly clean knives, equipment and surfaces that come in contact with game. After cleaning, surfaces and equipment can be disinfected with a 10% household bleach solution.
- Do not eat, drink, or smoke while handling animals.
- All game should be thoroughly cooked (well done or 160E F). Additional information on food safety can be found at: [www.who.int/entity/foodsafety/fs\\_management/No\\_02\\_Avianinfluenza\\_Dec04\\_en.pdf](http://www.who.int/entity/foodsafety/fs_management/No_02_Avianinfluenza_Dec04_en.pdf)

Links for further information about Avian Influenza:

Illinois Department of Public Health -  
[www.idph.state.il.us/avianflu.htm](http://www.idph.state.il.us/avianflu.htm)

Illinois Department of Agriculture -  
[www.agr.state.il.us/news/Special/birdflu/](http://www.agr.state.il.us/news/Special/birdflu/)

National Wildlife Health Center -  
[www.nwhc.usgs.gov/disease\\_information/avian\\_influenza/index.jsp](http://www.nwhc.usgs.gov/disease_information/avian_influenza/index.jsp)

Alaska Department of Fish and Game -  
[www.cdc.gov/flu/avian/index.htm](http://www.cdc.gov/flu/avian/index.htm)

World Health Organization -  
[www.who.int/csr/disease/avian\\_influenza/en/](http://www.who.int/csr/disease/avian_influenza/en/)

# 2008-2009 WATERFOWL HUNTING INFORMATION

New Regulations are Shaded.

## LICENSES, STAMPS AND HIP

Hunters must have a current, valid hunting license, Harvest Information Program (HIP) registration/certification and Federal and State Migratory Waterfowl Stamps in their possession at all times when afield. Federal stamps must be signed in ink across the face of the stamp. Please refer to the **2008-2009 Digest of Hunting & Trapping Regulations** for exemptions and further information.

Annual Fees Are (*including agent's fees*):

Resident Hunting License . . . . .	\$7.50
Non-resident Hunting License 5-day/regular . . . . .	\$28.75 / \$50.75
Resident Senior Hunting License . . . . .	\$4.00
Resident Apprentice Hunting License . . . . .	\$7.50 *
State Waterfowl Stamp . . . . .	\$10.50
Federal Waterfowl Stamp . . . . .	\$15.00 **
Sportsman's License (hunt-fish) . . . . .	\$19.25

\* This is a one-time, non-renewable license for residents only. It allows persons ages 10-17 to go hunting with a parent or guardian who has a valid resident hunting license. Those 18 and older can hunt with any family member or friend who is a validly licensed Illinois resident hunter. A hunter safety course is not needed to purchase this hunting license.

\*\* Does not include agent's fee which may be 50¢ or 75¢.

A State Habitat Stamp is **NOT** required to hunt waterfowl.

## IF YOU WANT TO HUNT WATERFOWL IN ILLINOIS AND YOU ARE:

YOU NEED:	under 16	16 – 64	65 & Older	Disabled <sup>1</sup>	Service-man <sup>1</sup>	Land-owner <sup>1</sup>
Hunting License	X	X	X			
Federal Waterfowl Stamp		X	X	X	X	X
State Waterfowl Stamp		X	X			
Harvest Information Program (HIP) Registration/Certification <sup>a</sup>	X	X	X			

<sup>a</sup> To hunt migratory game birds (doves, ducks, geese, coots, mergansers, woodcock, snipe and rails). Lifetime license holders are exempt.

<sup>1</sup> For the purpose of this section, "DISABLED" = disabled American veterans with at least 10% service-related disabilities or disabled persons certified under the Illinois Identification Card Act as having a Type 1 or Type 4, Class 2 disability. "SERVICEMAN" = persons on leave from the Armed Services, having entered the military as an Illinois resident. "LANDOWNER" (or tenant) = those persons and their children, parents, brothers and sisters **permanently residing** on their land and **hunting on that land**.

## HARVEST INFORMATION PROGRAM (HIP)

Also Dove and Other Migratory Gamebird Hunters

Registration with **HIP** (National Migratory Bird Harvest Information Program) is required **annually** to hunt migratory game birds in Illinois. Register with HIP at the license vendor when you purchase your hunting license and state duck stamp. Hunters can also register with HIP online at [www.dnr.state.il.us](http://www.dnr.state.il.us) or by calling **1-888-6PERMIT** (1-888-673-7648). A \$3.08 convenience fee will be charged for phone sales if you do not register for HIP at the time of license purchase.

You **cannot** register with HIP at the old 800 phone number.

## DUCKS & EARLY CANADA GEESE

SPECIES	DATES (Inclusive)	HOURS	DAILY BAG LIMIT	POSSESSION LIMIT
Teal	Sept. 6-Sept. 21 (Statewide)	Sunrise to Sunset	4	8
<b>Ducks</b>	<b>North Zone</b> Oct. 18 – Dec. 16	1/2 hour before sunrise to sunset	<b>6</b> (See section on Bag Limits)	2 x daily bag limit
Mergansers	<b>Central Zone</b> Oct. 25 – Dec. 23		5 (See section on Bag Limits)	2 x daily bag limit
Coots	<b>South Zone</b> Nov. 27 – Jan. 25		15	30
Early Canada Geese	Sept. 1 – Sept. 15 (Northeast, North and Central Zones)		5 (a)	10
Early Canada Geese	Sept. 1 – Sept. 15 (South Zones only)		2 (a)	4

(a) Daily bag limit is five in Northeast Canada Goose Zone and North & Central Zones and 2 in the South Zone.

## YOUTH WATERFOWL HUNTING DAYS\*

SPECIES	DATES	HOURS	DAILY BAG LIMIT
<b>Ducks</b>	<b>North Zone</b> Oct. 11 – 12	1/2 hour before sunrise to sunset	<b>6</b> (See section on Bag Limits)
Mergansers			5 (See section on Bag Limits)
Coots	<b>Central Zone</b> Oct. 18 – 19		15
Canada Geese	<b>South Zone</b> Nov. 15 – 16		2
Snow Geese			20
White-fronted Geese			2
Brant			1

### \*Youth Waterfowl Hunting Day Regulations

1. Youth hunters must be 15 years of age or younger and must have a hunting license and HIP registration/certification unless hunting on property where they reside. No stamps are required for youths under 16.
2. Only geese, ducks, mergansers and coots may be taken in addition to other game in season.
3. An adult at least 18 years of age must accompany the youth hunter into the field. This adult cannot hunt geese, ducks, coots or mergansers but can participate in other open seasons.
4. Bag limits for ducks includes 2 scaup during youth hunt.

**Bag Limit – DUCKS** – Bag limits on ducks are as follows: The basic daily bag limit shall be 6 ducks of any species including all teal species, (except mergansers); however, no more than 4 shall be mallards (no more than 2 hen mallards) and not more than 3 wood ducks, 2 redheads, and not more than 1 black duck and 1 pintail and 1 scaup except 2 scaup may be taken during Nov. 4 – 23 in north zone, Nov. 11 – 30 in the central zone and Nov. 27 – Dec. 16 in south zone. **Canvasbacks are closed.** The daily bag limit for all mergansers is 5, only 2 of which may be a hooded merganser. The possession limit for ducks and mergansers is twice the daily bag limit.

# GEESE

DATES (Inclusive)		HOURS	DAILY BAG LIMIT	POSSESSION LIMIT	
<b>Canada Geese</b>					
North Zone	Oct. 18 – Jan. 10	1/2 hour before sunrise to sunset (a)	2	4	
Central Zone	Oct. 25 – Nov. 9 & Nov. 24 – Jan. 31				
South Zone	Nov. 27 – Jan. 31				
<b>Snow/Blue &amp; Ross' Geese and Brant</b>					
North Zone	Oct. 18 – Jan. 10		20 Snow/Blue & Ross' Geese 1 Brant	Unlimited Snow/Blue & Ross' Geese 2 Brant	
Central Zone	Oct. 25 – Jan. 31				
South Zone	Nov. 27 – Jan. 31				
<b>White-fronted Geese</b>					
North Zone	Oct. 31 – Jan. 10		2	4	
Central Zone	Nov. 21 – Jan. 31				
South Zone	Nov. 27 – Jan. 31				

(a) Hunting hours for all geese in Alexander, Jackson, Union and Williamson Counties now end at sunset.

## CONSERVATION ORDER LIGHT GOOSE SEASONS

DATES (Inclusive)		HOURS	DAILY BAG LIMIT	POSSESSION LIMIT
<b>(Snow/blue and Ross' Goose)</b>		1/2 hour before sunrise to 1/2 hour after sunset	None	None
North Zone	Jan. 11 – March 31			
Central Zone	Feb. 1 – March 31			
South Zone	Feb. 1 – March 31			

### CONSERVATION ORDER SEASON REGULATIONS

1. Unplugged shotguns may be used. There is no limit to the number of shells that may be placed in a shotgun.
2. Electronic calling devices may be used.
3. No federal duck stamp required.
4. State duck stamp and hunting license required.

## DON'T SHOOT A SWAN

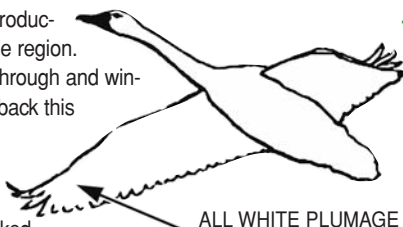
### DON'T MAKE A MISTAKE! ALL WILD SWANS ARE PROTECTED IN ILLINOIS

Several Midwestern states are reintroducing the native Trumpeter Swan to the region. Some of these birds are migrating through and wintering in Illinois. You can help bring back this magnificent swan by:

- Learning the difference between swans and snow geese.
- Reporting observations of marked swans with wing tags, neck collars, bands.
- Protecting wetland habitat.
- Reporting any harassment of Trumpeter Swans.

Please report swan sightings to:

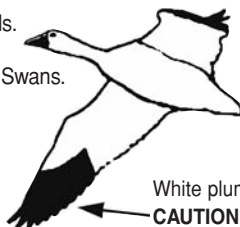
**Illinois Department of Natural Resources, Waterfowl Program,  
700 South 10th Street,  
Havana, IL 62644  
309/543-3065**



#### TRUMPETER SWAN

Protected Species.  
Long neck  
Length: 4 ft.  
Wingspan: 7 ft.  
Weight: 20 - 30 lbs.

ALL WHITE PLUMAGE



#### SNOW GOOSE

Legally hunted.  
Short neck  
Length: 1 1/2 ft.  
Wingspan: 3 1/2 ft.  
Weight: 3 - 6 lbs.

White plumage, but BLACK WING TIPS.

**CAUTION**-White Pelicans have black wing tips, but their wingspan is 8-9 1/2 ft.

## FIREARMS SAFETY DEPENDS ON YOU

1. Be sure of your target and what's beyond it before you pull the trigger.
2. Do not shoot towards homes, buildings, people or animals that may be hit by your shot, especially when using large shot sizes.
3. Use caution when shooting over water or ice to avoid ricochet.
4. Set up a safe shooting corridor in front of your blind and do not shoot outside it.
5. You are responsible for what your shot strikes. Hunters who damage property or injure others can be charged with reckless conduct and face criminal and financial penalties.

## WATERFOWL BANDS

The U.S. Fish and Wildlife Service offers a toll-free number for reporting waterfowl bands. If you take a banded bird, please report the band number online at [www.reportband.gov](http://www.reportband.gov) or call **1-800-327-BAND** (2263), with information about when and where you shot the bird. From September 1 through February 28, you can call this number 24 hours a day, seven days a week. From March 1 through August 31, services are available from 7:00 a.m. to 3:30 p.m. CDT. You will receive a Certificate of Appreciation with information about when and where the bird was banded. Your cooperation on reporting band numbers gives waterfowl biologists a wealth of useful information that allows them to manage the resource in a way that provides hunters with maximum recreational opportunities while protecting waterfowl populations. You may report any band to this number, even if it is an old band that does not have the 1-800 number inscribed on it.

### WETLAND MANAGEMENT FOR WATERFOWL

At some public waterfowl hunting areas some hunters are concerned about a lack of crops planted for ducks and duck hunting. As the state agency responsible for managing wildlife in Illinois, it is our duty to use best management practices that benefit waterfowl and other wildlife. Current research in waterfowl management emphasizes the value of moist-soil management for ducks and other wildlife. There appears to be an abundance of waste grains available to migrating waterfowl in Illinois, especially mallards and Canada geese, due to the advent of modern farming practices such as no-till and reduced tillage farming. However, many waterfowl do not eat corn, and wetland habitats along with moist-soil forage have been drastically reduced in Illinois when compared to historical times due to wetland drainage, siltation, dams, and other human alterations to the landscape. A combination of cereal grains and moist-soil plants at public hunting areas and refuges will provide quality duck hunting opportunity as could be expected with all cereal grains, while also providing waterfowl and other wildlife with ideal habitat and forage. Some examples of beneficial moist-soil plants for waterfowl includes wild millet (barnyard grass), rice cutgrass, smartweed, sprangletop, sedges, panic grass, teal grass, arrowhead and beggarticks.

#### Advantages of Moist Soil Management

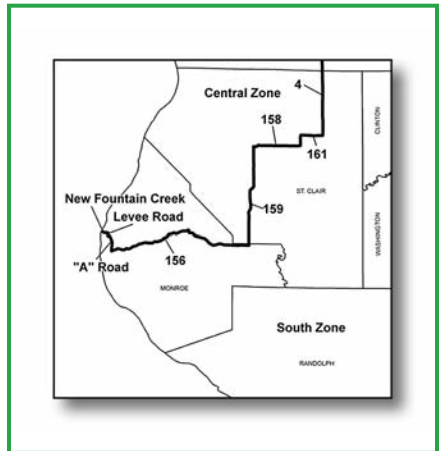
- Lower cost per unit than row crop management.
- Productive in a variety of moisture and weather conditions when domestic grains fail.
- Moist soil plants and seeds contain many essential nutrients lacking in domestic grains. Used in conjunction with nearby grain production on other areas, the best of both is provided to waterfowl and other wildlife.
- Provide valuable insect and other macroinvertebrate communities important for diverse populations of waterfowl and other wildlife. Studies in Missouri have documented enhanced wildlife diversity in moist-soil units when compared with adjacent row cropped areas.
- Provide spring migration habitat for waterfowl as well as shorebirds and a variety of other waterbirds such as egrets, herons, and rails. Spring migration habitat is important to waterfowl so that they return to the breeding grounds in the best body condition possible.

## WATERFOWL HUNTING ZONES

**North Zone** – That portion of the state north of a line extending west from the Indiana border along Peotone-Beecher Road to Illinois Route 50, south along Illinois Route 50 to Wilmington-Peotone Road, west along Wilmington-Peotone Road to Illinois Route 53, north along Illinois Route 53 to New River Road, northwest along New River Road to Interstate Highway 55, south along I-55 to Pine Bluff-Lorenzo Road, west along Pine Bluff - Lorenzo Road to Illinois Route 47, north along Illinois Route 47 to I-80, west along I-80 to I-39, south along I-39 to Illinois Route 18, west along Illinois Route 18 to Illinois Route 29, south along Illinois Route 29 to Illinois Route 17, west along Illinois Route 17 to the Mississippi River, and due south across the Mississippi River to the Iowa border.



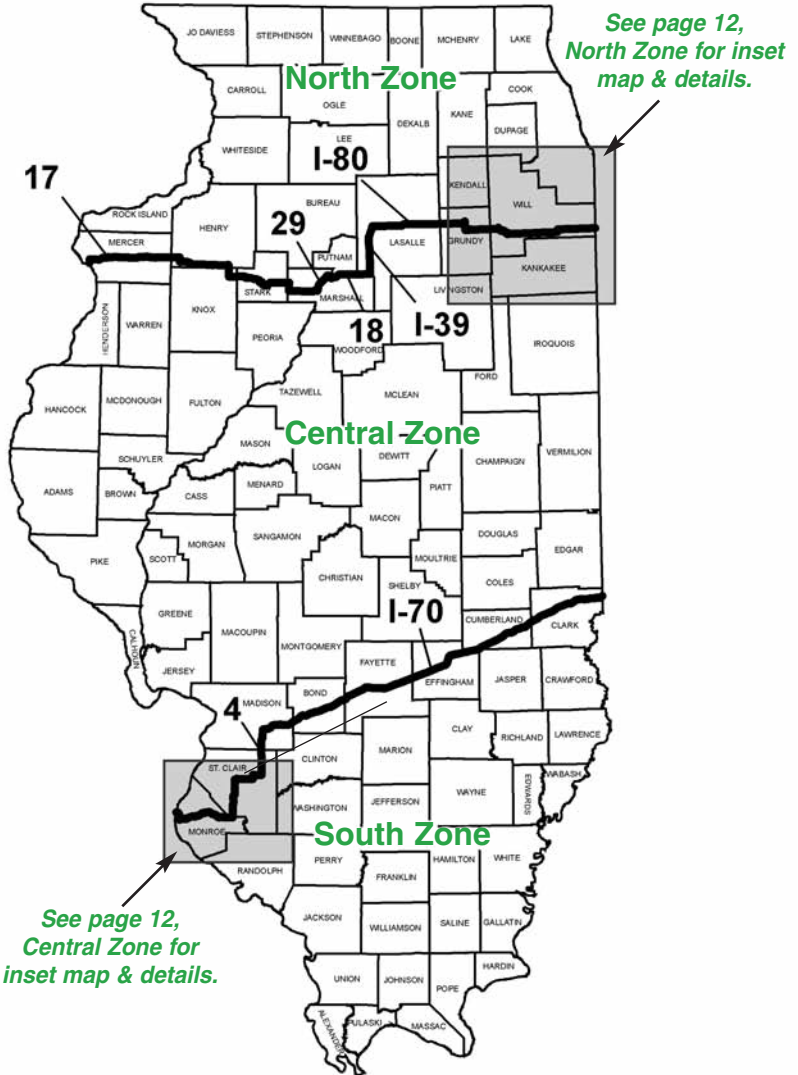
**Central Zone** – That portion of the state south of the North Zone to a line extending west from the Indiana border along Interstate Highway 70 to Illinois Route 4, south along Illinois Route 4 to Illinois Route 161, west along Illinois Route 161 to Illinois Route 158, south and west along Illinois Route 158 to Illinois Route 159, south along Illinois Route 159 to Illinois Route 156, west along Illinois Route 156 to A Road, north and west on A Road to Levee Road, north on Levee Road to the south shore of New Fountain Creek, west along the south shore of New Fountain Creek to the Mississippi River, and due west across the Mississippi River to the Missouri border.



**South Zone** – The remainder of Illinois.

**Northeast Canada Goose Zone** – Cook, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry and Will Counties This zone only applies during September goose season.

# ILLINOIS WATERFOWL ZONES





# OCTOBER

## REGION

SUNRISE  
SUNSET

All times are for  
Central  
Standard  
Time.

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# NOVEMBER

## REGION

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All times  
are for  
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Add one  
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# DECEMBER

## REGION

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All times are for Central Standard Time.

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# JANUARY

## REGION

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SUNSET

All times  
are for  
Central  
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# FEBRUARY

## REGION

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SUNSET

All times  
are for  
Central  
Standard  
Time.

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# MARCH

## REGION

SUNRISE  
SUNSET

DST

All times  
are for  
Central  
Standard  
Time.

Add one  
hour for  
Daylight  
Savings  
Time.  
Mar. 8 -  
31, 2009.

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# SUMMARY OF STATE AND FEDERAL REGULATIONS

**In addition to statewide regulations, the following regulations apply to MIGRATORY WATERFOWL HUNTERS (ducks, geese, mergansers, coots).**

NOTE: Material below is only a summary. Each hunter should also consult Title 50, Code of Federal Regulations, Part 20, Chapter 520 of the Illinois Compiled Statutes and IL Digest of Hunting and Trapping Regulations - 2008-2009, or talk with a local Conservation Police Officer or a Division of Wildlife Resources Biologist. For additional information on federal regulations call the U.S. Fish & Wildlife Service in Springfield, Illinois at 217-793-9554.

## **Non-Toxic Shot Requirements**

It is unlawful to have in possession while attempting to take migratory waterfowl (including coots and captive reared mallards), snipe or rail in Illinois any shotgun shells not approved as non-toxic by federal regulations (see 50 CFR 20).

## **Hunting Devices & Ammunition Restrictions**

It is unlawful to use a trap, snare, net, crossbow, rifle, pistol, shotgun larger than 10-gauge, punt gun, battery gun, machine gun, fishhook, poison, drug, explosive or stupefying substance.

It is unlawful to hunt with a shotgun capable of holding more than three shells, UNLESS it is plugged with a one-piece filler which limits its total shell capacity to three and which is incapable of removal without disassembling the gun. This does not apply during Conservation Order light goose seasons (snow/blue and Ross' geese) that occur after Canada goose season has closed. (see page 10).

## **Hunting From Floating Blinds, Boats & Scull Boats**

It is unlawful to hunt from a floating blind that is not anchored EXCEPT a scull boat may be used on certain public waters and waterfowl may be taken from a boat not mechanically powered and not camouflaged or disguised. A boat merely painted camouflage is not considered camouflaged.

## **Live Decoys**

It is unlawful to hunt by the use or aid of live decoys. All live, tame or captive ducks and geese shall be removed for a period of 10 consecutive days prior to hunting and confined within an enclosure which substantially reduces the audibility of their calls and totally conceals such birds from the sight of migratory waterfowl.

## **Electronic Calling Devices**

It is unlawful to use a recording or electronic calling device to hunt migratory birds other than crows, except during Conservation Order light goose seasons that occur after Canada goose season such electronic call devices may be used to hunt snow/blue and Ross' geese. (see page 10).

## **Shooting Crippled Waterfowl From Boats**

It is unlawful to hunt waterfowl from a moving watercraft propelled by mechanical power or sails. NOTE: However, waterfowl hunters may have an uncased and unloaded gun in their boat for the purpose of pursuing crippled migratory waterfowl incapable of normal flight in an attempt to reduce said bird to possession, provided that the attempt is made immediately upon downing the bird and is done within 400 yards of the blind from which the bird was

downed. The gun cannot be loaded unless the motor has been completely shut off and the crippled birds may not be shot from such a boat until the motor has been completely shut off and its progress therefrom has ceased.

### **Driving or Chasing Birds**

It is unlawful to hunt by driving, rallying or chasing birds with any motorized conveyance or any sailboat to put them in the range of the hunters.

### **Permits Required for Leased Lands and Commercial Clubs**

It is unlawful to commercially control land or water, or both, in whole or in part for the taking of migratory waterfowl, unless first obtaining a permit from the Department. NOTE: A person is "commercially controlling land or water, or both" when he directly or indirectly receives compensation from persons in exchange for the opportunity to enter onto that land or water.

### **Possession of Live Birds**

It is unlawful to retain live waterfowl taken while hunting. Every migratory game bird wounded by hunting and reduced to possession by the hunter shall be immediately killed and become part of the daily bag limit.

### **Field Possession Limit**

It is unlawful to possess, have in custody, or transport more than one daily bag limit tagged or not tagged while in the field or while returning from the field to one's car, hunting camp, home, etc.

### **Wanton Waste – Retrieval of Downed Game Birds**

It is unlawful to kill or cripple any migratory game bird without making a reasonable effort to retrieve the bird and retain it in your actual custody, at the place where taken or between that place and your automobile or personal abode or temporary place of lodging or a migratory bird preservation facility or a post office or a common carrier facility. ***Birds must remain in your possession while in the field.*** NOTE: You need permission to enter private property.

### **Tagging Requirements**

It is unlawful to give, put or leave any migratory game birds at any place (other than his personal abode) or in the custody of another person UNLESS the birds are tagged by the hunter with the hunter's signature and address, the total number of birds involved, by species, and the dates such birds were killed.

### **Gift of Migratory Game Birds**

No person may receive, possess, or give to another, any freshly-killed migratory game bird as a gift, except at the personal abode of the donor or donee, unless such birds have a tag attached (see tagging requirements).

### **Custody of Birds of Another**

It is unlawful to receive or have in custody any migratory game birds belonging to another person UNLESS such birds are properly tagged.

### **Species Identification Requirement**

It is unlawful to completely field dress any migratory game bird (except doves) and then transport the birds from the field. The head or one fully-feathered wing must remain attached to all such birds while being transported from the field to one's home or commercial preservation facility.

### **Termination of Possession**

The possession of birds taken by any hunter ceases when such birds have been delivered by

him to another person as a gift; or have been delivered by him to a post office, a common carrier, or a migratory bird preservation facility and consigned for transport by the Postal Service or a common carrier to some person other than the hunter.

**Shipment – Marking Package**

It is unlawful to ship migratory game birds UNLESS the package is marked clearly and conspicuously on the outside with the name and address of the person sending the birds, the name and address of the person to whom the birds are being sent, and the number of birds, by species, contained in the package.

**Importation**

It is unlawful to import migratory game birds killed in any foreign country, except Canada, UNLESS such birds are dressed (except as required below), drawn and the head and feet are removed. NOTE: One fully-feathered wing must remain attached to all migratory game birds being transported between a port of entry and one’s home or to a migratory bird preservation facility. No person shall import migratory game birds belonging to another person. For information regarding the importation of migratory birds killed in another country, hunters should consult 50 CFR 20.61 through 20.66.

**Sink Box**

It is unlawful to hunt from a sink box (a low floating device, having a depression affording the hunter a means of concealment beneath the surface of the water).

**ADDITIONAL CANADA GOOSE HUNTING REGULATIONS ON NON-COMMERCIAL AREAS IN ALEXANDER, FRANKLIN, JACKSON, JEFFERSON, UNION AND WILLIAMSON COUNTIES**

On any property where the principal use is to take wild geese in Alexander, Franklin, Jackson, Jefferson, Union and Williamson counties, other than property operated under a Commercial Migratory Waterfowl Hunting Area Permit, all of the following restrictions shall be observed but only during Canada goose season:

- (1) No person may take wild geese except from a blind or pit and it shall be illegal to take or attempt to take geese from the base of standing timber except when immediately adjacent to an open field.
- (2) No person may establish or use a blind or pit within 100 yards of the boundary of the property on which the blind or pit is located unless the minimum yardage requirement cannot be met, in which case one blind or pit may be permitted only if there is a minimum of 200 yards between that pit or blind and the nearest pit or blind.
- (3) No person may establish or use a blind or pit for the taking of wild geese within 200 yards of any wildlife refuge boundary or public road right-of-way adjacent to any State or Federal waterfowl refuge. If a blind or pit has been established for more than 10 years and it was believed by both the landowner and the Department during that time to meet the minimum yardage requirements of this paragraph (3), then the blind or pit may remain in place even though a survey or other evidence may indicate that the minimum yardage requirements are not met.

**Note:** There is no longer a restriction on the number of persons allowed to occupy a pit or blind in Alexander, Jackson, Union and Williamson Counties on non-commercial hunting areas except as may be required on some public hunting areas.

# STATE AND FEDERAL BAITING REGULATIONS

Federal baiting regulations define key terms for hunters and land managers, and clarify conditions under which you may legally hunt waterfowl and other migratory game birds. As a waterfowl hunter or land manager, it is your responsibility to know and obey all Federal and State laws that govern the sport. Rules that affect waterfowl hunting also apply to hunting coots and all references to waterfowl encompass these birds as well. Federal regulations are more restrictive for waterfowl hunting than for dove hunting.

For further information, go to [www.fws.gov/le/huntfish/waterfowl\\_baiting.htm](http://www.fws.gov/le/huntfish/waterfowl_baiting.htm).

## Definitions from Title 50, Code of Federal Regulations, Part 20.11

Normal agricultural planting, harvesting, or post-harvest manipulation means a planting or harvesting undertaken for the purpose of producing and gathering a crop, or manipulation after such harvest and removal of grain, that is conducted in accordance with official recommendations of State Extension Specialists of the Cooperative State Research, Education, and Extension Service of the U.S. Department of Agriculture.

Normal agricultural operation means a normal agricultural planting, harvesting, post-harvest manipulation, or agricultural practice, that is conducted in accordance with official recommendations of State Extension Specialists of the Cooperative State Research, Education, and Extension Service of the U.S. Department of Agriculture.

Normal soil stabilization practice means a planting for agricultural soil erosion control or post-mining land reclamation conducted in accordance with official recommendations of State Extension Specialists of the Cooperative State Research, Education, and Extension Service of the U.S. Department of Agriculture for agricultural soil erosion control.

Baited area means any area on which salt, grain, or other feed has been placed, exposed, deposited, distributed, or scattered, if that salt, grain, or other feed could serve as a lure or attraction for migratory game birds to, on, or over areas where hunters are attempting to take them. Any such area will remain a baited area for 10 days following the complete removal of all such salt, grain, or other feed.

Baiting means the direct or indirect placing, exposing, depositing, distributing, or scattering of salt, grain, or other feed that could serve as a lure or attraction for migratory game birds to, on, or over any areas where hunters are attempting to take them.

Manipulation means the alteration of natural vegetation or agricultural crops by activities that include but are not limited to mowing, shredding, discing, rolling, chopping, trampling, flattening, burning, or herbicide treatments. The term manipulation does not include the distributing or scattering of grain, seed, or other feed after removal from or storage on the field where grown.

Natural vegetation means any non-agricultural, native, or naturalized plant species that grows at a site in response to planting or from existing seeds or other propagules. The term natural vegetation does not include planted millet. However, planted millet that grows on its own in subsequent years after the year of planting is considered natural vegetation.

## Excerpts from Title 50, Code of Federal Regulations, Part 20.21(i)

No persons shall take migratory game birds:

- (i) By the aid of baiting, or on or over any baited area, where a person knows or reasonably should know that the area is or has been baited. However, nothing in this paragraph prohibits:
- (1) The taking of any migratory game bird, including waterfowl and coots, on or over the following lands or areas that are not otherwise baited areas —
    - (i) Standing crops or flooded standing crops (including aquatics); standing, flooded, or manipulated natural vegetation; flooded harvested croplands; or lands or areas where seeds or grains have been scattered solely as the result of a normal agricultural planting, harvesting, post-harvest manipulation or normal soil stabilization practice;
    - (ii) From a blind or other place of concealment camouflaged with natural vegetation;
    - (iii) From a blind or other place of concealment camouflaged with vegetation from agricultural crops, as long as such camouflaging does not result in the exposing, depositing, distributing or scattering of grain or other feed; or
    - (iv) Standing or flooded standing agricultural crops where grain is inadvertently scattered solely as a result of a hunter entering or exiting a hunting area, placing decoys, or retrieving downed birds.

## What Part 20.21(i) of the Code of Federal Regulations Means

You cannot hunt waterfowl or any other migratory game bird by the aid of baiting or on or over any baited area where you know or reasonably should know that the area is or has been baited. Baiting is the direct or indirect placing, exposing, depositing, distributing, or scattering of salt, grain, or other feed that could lure or attract migratory game birds to, on, or over any areas where hunters are attempting to take them. A baited area is any area on which salt, grain, or other feed has been placed, exposed, deposited, distributed, or scattered, if that salt, grain, or feed could serve as a lure or attraction for migratory game birds.

### The 10-Day Rule

A baited area remains off limits to hunting for 10 days after all salt, grain, or other feed has been completely removed. Waterfowl will habitually still be attracted to the same area even after the bait is gone. The 10-day rule recognizes that removing bait does not remove the lure created and that waterfowl will still be attracted to the area.

### What is Legal?

You can hunt migratory game birds, including waterfowl, on, over, or from:

- Standing crops or flooded standing crops, including aquatic plants.
- Standing, flooded, or manipulated natural vegetation.
- Flooded harvested croplands.
- Lands or areas where grains have been scattered solely as the result of a normal agricultural harvesting or normal agricultural post-harvest manipulation.
- Lands or areas where top-sown seeds have been scattered solely as the result of a normal agricultural planting, or a planting for agricultural soil erosion control or post-mining land reclamation.

- From a blind or other place of concealment camouflaged with natural vegetation.
- From a blind or other place of concealment camouflaged with vegetation from agricultural crops, provided your use of such vegetation does not expose, deposit, distribute or scatter grain or other feed. You should be aware that seeds or grains from such vegetation could create a baited area.
- On or over standing, or flooded standing agricultural crops where grain is inadvertently scattered solely as the result of hunters entering or leaving the area, placing decoys, or retrieving downed birds. Hunters are cautioned that while conducting these activities, any intentional scattering of grains will create a baited area.

### **Waterfowl Hunting on Agricultural Lands**

Agricultural lands offer prime waterfowl hunting opportunities. You can hunt waterfowl in fields of unharvested standing crops. You can also hunt over standing crops that have been flooded. You can flood fields after crops are harvested and use these areas for waterfowl hunting.

The presence of seed or grain in an agricultural area rules out waterfowl hunting unless the seed or grain is scattered solely as the result of a normal agricultural planting, normal agricultural harvesting, normal agricultural post-harvest manipulation, or normal agricultural soil stabilization practice. A normal agricultural planting, normal agricultural harvesting, or normal agricultural post-harvest manipulation means a planting or harvesting undertaken to produce **and** gather a crop, or manipulation after such harvest and removal of grain. These activities must be conducted in accordance with official recommendations of the State Extension Specialists of the Cooperative State Research, Education, and Extension Service of the U.S. Department of Agriculture (USDA).

### **Planting and Harvesting**

A normal agricultural planting is undertaken for the purpose of producing **and** gathering a crop. Normal agricultural plantings do not involve the placement of seeds in piles or other concentrations. Relevant factors include recommended planting dates, proper seed distribution, seed bed preparation, application rate, and seed viability. A normal soil stabilization practice means a planting for agricultural soil erosion control or post-mining land reclamation conducted in accordance with official recommendations of USDA State Extension Specialists. Lands planted by means of top sowing or aerial seeding can **only** be hunted if seeds are present solely as the result of a normal agricultural planting or normal soil stabilization practice. Lands planted as part of normal soil stabilization practices may be hunted over even if there is no intent to gather a crop.

Seeds that remain on the surface of the ground as the result of planting wildlife food plots, planting a “goose field,” or planting for erosion control on a construction site are examples of activities that constitute baiting since they are not plantings undertaken for the purpose of producing and gathering a crop, agricultural soil erosion control, or post-mining land reclamation. You cannot hunt waterfowl over such areas.

A normal agricultural harvest is undertaken for the purpose of gathering a crop. The arrangement of harvested grain in long rows or piles should raise questions about the legality of the area for waterfowl hunting. A normal post-harvest manipulation first requires a normal agricultural harvest and removal of grain before any manipulation of remaining agricultural

vegetation, such as corn stubble or rice stubble. You should be aware that although you can hunt doves over manipulated agricultural crops, you cannot hunt waterfowl over manipulated agricultural crops except after the field has been subject to a normal harvest and removal of grain (i.e., post-harvest manipulation).

If, for whatever reason, an agricultural crop or a portion of an agricultural crop has not been harvested (i.e., equipment failure, weather, insect infestation, disease, etc.) and the crop or remaining portion of the crop has been manipulated, then the area is a baited area and cannot be hunted for waterfowl. For example, no hunting could occur on or over a field of sweet corn that has been partially harvested and the remainder manipulated. To be considered normal, an agricultural planting, agricultural harvesting, and agricultural post-harvest manipulation must be conducted in accordance with official recommendations of USDA State Extension Specialists. However, the Service will continue to make final determinations about whether official recommendations were followed.

### **Hunting Over Natural Vegetation**

Natural vegetation is any non-agricultural, native, or naturalized plant species that grows at a site in response to planting or from existing seeds or other propagules. Natural vegetation does not include planted millet because of its use as both an agricultural crop and a species of natural vegetation for moist soil management. However, planted millet that grows on its own in subsequent years is considered natural vegetation.

If you restore and manage wetlands as habitat for waterfowl and other migratory birds, you can manipulate the natural vegetation in these areas and make them available for hunting. Activities that fall within the definition of “manipulation” include mowing, shredding, discing, rolling, chopping, trampling, flattening, burning, and herbicide treatments.

Natural vegetation is not intended to include plants grown as agricultural crops.

### **Problem Areas**

**Feeding waterfowl.** Many people feed waterfowl for the pleasure of birdwatching. It is illegal to hunt migratory game birds in an area where such feeding has occurred that could lure or attract birds to, on, or over any area where hunters are attempting to take them. The 10-day rule applies to such areas, and any salt, grain, or feed must be gone 10 days before hunting. The use of sand, shell grit, and artificial corn is not prohibited.

**Distance.** How close to bait can you hunt without breaking the law? There is no set distance. Court rulings vary depending on the circumstances. The influence of bait will increase or decrease depending on such factors as topography, weather, and waterfowl flight patterns. The question of distance can only be answered on a case-by-case basis. Remember, however, that the law prohibits hunting if bait is present that could lure or attract birds “to, on, or over areas where hunters are attempting to take them.”

**Manipulation of crops and other agricultural practices.** Although you can hunt waterfowl over natural vegetation that has been manipulated, you cannot hunt waterfowl over any manipulations of agricultural crops that occur before harvest and removal of grain. You cannot hunt waterfowl on or over areas where farmers feed grain to livestock, store grain, or engage in other normal agricultural practices. You cannot hunt waterfowl on or over ponds or other waters where fish farmers feed food to their fish, or on or over areas where wildlife is being fed.

## **The Hunter's Responsibility**

As a hunter, you are responsible for determining whether your proposed hunting area is baited. Before hunting, you should:

- Familiarize yourself with Federal and State migratory game bird hunting regulations.
- Ask the landowner, your host or guide, and your hunting partners if the area has been baited.
- Suspect the presence of bait if you see waterfowl feeding in a particular area in unusual concentrations or displaying a lack of caution.
- Look for grain or other feed in the water, along the shore, and on the field. Pay particular attention to the presence of spilled grain on harvested fields and seeds planted by means of top-sowing.
- Confirm that scattered seeds or grains on agricultural lands are present solely as the result of a normal agricultural planting, normal agricultural harvesting, normal agricultural post-harvest manipulation, or normal soil stabilization practice by consulting with USDA State Extension Specialists.
- Abandon the hunting site if you find grain or feed in an area and are uncertain about why it is there.

## **Other Responsibilities**

If you prepare lands for hunting, participate in such preparations, or direct such preparations, it is important for you to know and understand what practices constitute baiting. You should know **prior to hunting** what activities constitute baiting and when lands or other areas would be considered baited. If you bait or direct that an area be baited and allow hunting to proceed, you risk being charged with an offense that carries significant penalties.

## **Strict Liability**

For years, courts in most parts of this country had historically applied a strict liability standard to baiting offenses. Under this standard, law enforcement officers did not have to prove that hunters knew bait was present in order to prove a violation had occurred. However, on October 30, 1998, Public Law 105-312 eliminated strict liability for baiting offenses and instead made it unlawful for anyone to hunt with the aid of bait "if the person knows or reasonably should know that the area is a baited area." The Service has incorporated this "knows or reasonably should know" standard in the baiting regulation to promote public understanding of the new law. As in the past, however, hunters are responsible for ensuring that no bait is present before they begin hunting. They should thoroughly inspect the field or marsh, question landowners and guides, and take other reasonable steps to verify the legality of their hunt.

## **Penalties**

Legislators increased the maximum fine for hunting over bait from \$5,000 to \$15,000. They also made the placement of bait a violation of the Migratory Bird Treaty Act punishable by a fine up to \$100,000 for an individual or \$200,000 for an organization, a prison term of up to one year, or both. In the past, individuals who baited fields were charged with "aiding and abetting," that is, helping someone else commit the crime of hunting over bait. They face stiffer penalties under the new law.

# T.I.P.



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