



February 12, 2018

Mr. Josh Avey, Pacific Flyway Council Chair
Arizona Game and Fish Department
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RE: Northern Pintail Bag Limits and Seasons

Dear Mr. Avey:

The California Waterfowl Association (CWA) respectfully requests that the Pacific Flyway Council develop regulatory options for increasing the daily bag limit for northern pintail to 3 birds. It is our understanding that this issue was recently discussed at the technical committee level. We are pleased to hear this, as liberalizing the pintail bag limit remains CWA's top waterfowl regulatory priority.

CWA is a 20,000-member nonprofit conservation organization dedicated to the conservation of California's waterfowl, wetlands and hunting heritage. Our membership is primarily composed of waterfowl hunters, and pintail have historically been, and continue to be, a key harvest species in our state. In 1970, California hunters took over 1,000,000 pintail; and, even with significantly more conservative regulations in recent years, our state's harvest still exceeds 200,000 birds in some years. <https://flyways.us/regulations-and-harvest/harvest-trends>

As you are aware, California's midwinter index of pintail is approximately 1 million birds, representing a substantial share of the entire continental population. Waterfowl surveys conducted throughout the hunting season, including those in the Central Valley and Klamath Basin, often show that a plurality (in some cases a majority) of all ducks surveyed are pintail. https://www.fws.gov/uploadedFiles/Region_8/NWRS/Zone_1/Sacramento_Complex/Sacramento/Uploaded_Files/Biological/Oct%202017%20Waterfowl%20Survey.pdf.

Those who hunt flooded rice fields and other open water habitats are particularly affected by the pintail bag limit, and many California hunters target pintail over other species of waterfowl. With the bag limit reduced to 1 bird per day this past season, we have heard numerous complaints

from hunters in our state that this change has negatively impacted their hunting opportunities and participation in the outdoors.

The *2012 North American Waterfowl Management Plan Action Plan* placed an increased emphasis on human dimensions in waterfowl management and stated the following:

“For the first time, the waterfowl management community has committed itself not only to maintaining desirable numbers of waterfowl...but also to the conservation (recruitment and retention) of resource users, including hunters and others who enjoy waterfowl.”

“Goal 3: Growing numbers of waterfowl hunters, other conservationists and citizens who enjoy and actively support waterfowl and wetlands conservation.”

*“Key Actions – Adapt Harvest Management Strategies
As waterfowl population, habitat, and user objectives are established, revisit harvest strategies to accommodate multiple, explicit objectives.*

Assess trends and tradeoffs related to regulatory alternatives including rule simplicity, harvest opportunity, hunter satisfaction, hunter participation, and management risk.”

We strongly agree that the needs and preferences of hunters must be considered in the waterfowl regulatory process, and that greater hunter opportunity will aid in recruitment, retention and reactivation efforts. We also believe that states should be given as much flexibility as possible to tailor their regulations to meet their hunters’ needs, to the extent that it is biologically justified.

CWA recognizes that some previous hunter surveys supported conservative but more consistent pintail regulations that reduce the likelihood of closed seasons, and that the current pintail harvest strategy specifically eliminates partial seasons.

However, especially in light of the 1 bird daily limit this past season, hunter sentiment appears to be changing, at least in California, based on recent input from many of our members. (To garner more insight, CWA is currently working on an updated survey of hunter preferences and pintail bag limits.)

It appears that the last 20 years of restrictive regulations on pintail have not resulted in a significant boost in their populations, even in years of good precipitation in the prairies. Changing farming practices, especially in wheat fields favored by nesting pintail, may be the driving factor in limiting pintail populations (as opposed to harvest). As you are also aware, the number of days in the waterfowl season has a far greater impact on total harvest than do bag limits.

It should also be noted that pintail populations from Alaska, which are more stable than those in the prairies, appear to provide a greater portion of the harvest in Pacific Flyway states, including California, in recent years. Since 1990, approximately one third of the Pacific Flyway pintail harvest derivation has shifted from the Canadian Prairies to Alaska (De Sobrino et al 2017) <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=152481&inline>. Also please consider that recent body conditioning surveys from California have shown that food resources provided from restored wetlands and flooded, post-harvest rice fields, for example, are helping to improve pintail and other waterfowl body masses, particularly late in the hunting season, which is likely

increasing waterfowl survival. See Fleskes et al (2016)
<http://onlinelibrary.wiley.com/doi/10.1002/jwmg.1053/full>

A 2017 study of harvest and the effects on the pintail population by Bartzen and Dufour entitled “Northern Pintail (*Anas acuta*) survival, recovery, and harvest rates derived from 55 years of banding in Prairie Canada, 1960-2014” <https://www.ace-eco.org/vol12/iss2/art7/> found that “there was no clear evidence that hunting bag limit restrictions affected annual survival, recovery, or harvest rates. In addition, we could find no compelling evidence that harvest mortality was substantially additive to nonharvest mortality for pintails.”

Similarly, a study by Sedinger et al (2012) “Harvest and Dynamics of Duck Populations” <http://onlinelibrary.wiley.com/doi/10.1002/jwmg.370/abstract> concluded that “failure of annual survival to increase when both harvest mortality and population size declined, however, suggests that additive harvest mortality has little influence on annual survival in northern pintails.”

Bartzen and Dufour went on to state: “However, we could not definitively ascertain the effects of the restrictions, and we suggest that a trial basis of liberalized hunting bag limits would do much to improve the understanding of harvest and population dynamics of pintails and pose little risk to the population.”

CWA agrees with the Bartzen and Dufour study that a trial basis of an increase in the pintail limit for a set period (e.g. 5-10 years) would help further assess the impact of harvest without causing a significant, negative impact on pintail populations. We would suggest a modest, incremental increase to a 3-bird daily bag during a trial.

Providing a 3 bird daily limit for pintail would not only enhance hunter opportunity in California, but may also increase hunter participation which, in turn, would help to increase funding and support for wetland conservation efforts as suggested by Vrtiska et al (2013) <http://onlinelibrary.wiley.com/doi/10.1002/wsb.245/abstract>. Please note that a significant percentage of California waterfowl hunters do not buy a hunting license each year, opting instead to only hunt during those seasons, for example, when hunting opportunity is greatest. A 3 pintail limit may encourage them to purchase a license on a more consistent basis.

In addition, a 3 pintail daily limit may incentivize more private landowners, who provide most of California’s waterfowl habitat, to flood earlier and manage their marshes or agricultural lands in other ways that benefit wintering pintail. Because waterfowl hunting leases generate important, revenues, particularly for rice farmers, more liberal pintail regulations may also encourage them to maintain rice cultivation rather than switching to other crops, particularly nut crops (e.g. almonds, walnuts) which have little or no waterfowl values. Its also important to note that there are additional methods emerging for treatment of rice stubble that do not involve flooding during the winter, such as disking, baling, etc. Hunting lease revenues may encourage many farmers to flood their rice fields rather than choose other, less waterfowl-friendly methods of rice straw removal.

Accordingly, we ask you to consider doing the following:

Develop a structure that allows for a trial basis, based on the recommendation of the Bartzen and Dufour study, of an increased pintail bag limit for the entire season for several consecutive years.

As discussed in the study, a temporary increase in the daily bag would generate new data that would inform waterfowl managers on the impact on harvest on pintail. Sufficient banding and/or other methods should be employed to measure potential impacts. A radio telemetry study replicating the methods of Fleskes et al (2007) <http://onlinelibrary.wiley.com/doi/10.2193/2005-634/abstract> would be suggested in California. Because the trial would not increase the pintail season length and could be limited to 3 birds per day, any adverse impacts on pintail populations should be low.

Add a scenario to the harvest strategy that allows for a 3 pintail daily bag option.

Scenario 3b was supported by California and the Pacific Flyway Council in 2010. It does not include a partial season and would not result in a greater likelihood of closed seasons. While it significantly reduces the likelihood of a 2 bird bag and somewhat increases the likelihood of a 1 bird bag, scenario 3b provides for a 3 bird bag nearly 40% of the time.

Develop substitution rules for the Pacific Flyway as well as a regulatory option that allows for states to choose a 3 pintail daily bag limit with a reduced pintail season length under a liberal framework.

Under the U.S. Fish and Wildlife Service's substitution rules, a 3 pintail daily limit is allowed in the Central and Mississippi Flyways under a moderate regulatory framework, for example, based on mid-continental mallard populations. We are asking that substitution rules be developed for pintail for Pacific Flyway states under both moderate and restrictive frameworks.

In addition, we ask that a regulatory option be developed that would allow Pacific Flyway states under a "liberal" framework to choose a 3 pintail bag limit with a shorter pintail season, so long as the number of hunt days would not have to be reduced significantly. This option should also appropriately allow states to split their pintail season according to their hunters' preferences. Given that some states may wish to retain a longer season on pintail, it should remain an option only so that states can still choose other regulatory alternative(s) that provide for a longer pintail season.

We have asked the U.S. Fish and Wildlife Service to undertake a revision of the pintail harvest strategy, but this work has not yet been undertaken and it is our understanding that it will not commence until other priorities are completed first. We believe pintail work should be a top priority for the Service and urged that it move forward with this effort as soon as possible. In addition, we urge that that double looping continue to move forward as part of the adaptive harvest management process to help ensure that we are meeting all of our waterfowl management goals and objectives, including hunter recruitment, reactivation and retention. In the meantime, we believe that the regulatory options we suggest above can be implemented somewhat more expeditiously and with fewer resources. If there are ways that CWA can assist with these efforts, including, but not limited to, additional pintail banding work, please let us know.

We plan on attending your 2018 Pacific Flyway Council meeting in March in Norfolk, Virginia. We hope that we can discuss these regulatory options, as well as other ideas that Council members may have on pintail bag limits, at that time.

Sincerely,



Mark Hennelly, Vice President of Legislative Affairs and Public Policy

Enc.

Cc: Ms. Melanie Weaver, California Department of Fish and Wildlife
Mr. Todd Sanders, U.S. Fish and Wildlife Service
Members, Pacific Flyway Council
Mr. Ryan Zinke, Secretary, U.S. Department of Interior
Mr. Greg Sheehan, Director, U.S. Fish and Wildlife Service
Mr. Ken Richkus, Deputy Division Chief, Division of Migratory Bird Management