

**COLORADO** Parks and Wildlife

Department of Natural Resources

Director's Office 6060 Broadway Denver, CO 80216 P 303.297.1192

### MEMORANDUM

DATE: December 29, 2023 TO: Parks and Wildlife Commissioners FROM: Jim Gammonley, Avian Research Leader, Colorado Parks and Wildlife and Brian Dreher, Terrestrial Section Manager, Colorado Parks and Wildlife

### SUBJECT: Rail and Crow seasons

During the 2022 and 2023 regulation cycles for Chapter W-5 (Small Game - Migratory Birds), Commissioners raised concerns about rails (Sora, Virginia Rail) and American Crows.

This memo provides some updated information on the hunting of these species in Colorado, biological information that we have for these species; and the staff recommendation for season dates, season lengths, and bag and possession limits for these migratory bird species in 2024-2025.

### Background

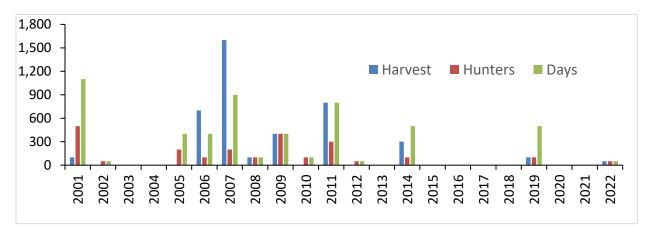
The U.S. Fish and Wildlife Service (Service) has regulatory authority over hunting seasons for rails and crows and annually sets the regulatory frameworks for seasons (i.e., earliest starting date and latest closing date for seasons, maximum season length, and maximum daily bag and possession limits). These frameworks are based on the Service's annual assessment of the population status of migratory game birds. Colorado typically adopts the maximum season lengths and daily bag and possession limits permitted under federal frameworks for migratory game bird hunting seasons.

Population level trend data from the North American Breeding Bird Survey (BBS) and harvest estimates from the Service are available for these three species, although the BBS is not designed to monitor secretive marsh birds like the Sora and Virginia Rail. The BBS population trends during 2013-2022 are stable to increasing for all three species in Colorado. Soras and Virginia Rails are widely distributed throughout North America and occur in Colorado mainly during breeding and migration. Primary wintering areas are along the coasts, and most Soras and Virginia Rails in Colorado during the fall hunting season are birds migrating through the state from breeding areas farther to the north. American Crows are widely distributed throughout North America and occur in Colorado throughout the year. Crows move extensively during the winter and often occur in large flocks.



In Colorado, Sora and Virginia Rail harvest is very limited, despite the relatively liberal season length and daily bag limit. During 2001-2022, the Service estimated that no rail harvest occurred in Colorado during 13 of 22 years, including 9 years when no hunters actively pursued rails in Colorado. During years when some rail harvest was estimated, statewide harvest estimates (Sora and Virginia Rail combined) ranged from a high of 1,600 during 2007 to a low of <50 in 2022. During years when hunters actively pursued rails, hunter numbers ranged from a high of 400 in 2009 to a low of <50 in 2002, 2012, and 2022. Total hunter-days ranged from 1,100 in 2001 to <50 in 2002, 2012, and 2022. Note that these harvest and participation estimates are based on small sample sizes and are highly variable, and therefore imprecise. Given the limited and sporadic nature of rail harvest in Colorado under current regulations, we do not expect that even large reductions in daily bag limits for rails (e.g., 10 or 15 per day) would result in meaningful harvest reductions in local areas or statewide.





In 2023 the Service conducted a potential take level analysis to estimate sustainable harvest levels of hunted rail species in the U.S. For the Sora, they estimated that an annual U.S. harvest level of around 1 million would be sustainable, given the estimated current continental population size of 4.4 million. The total U.S. harvest of Soras has averaged 10,820 over the past 5 years (range 3,900 - 21,300). For the Virginia Rail, the Service estimated that an annual U.S. harvest level of around 51,000 would be sustainable, given the estimated current continental population size of 233,000. The total U.S. harvest of Virginia Rails has averaged 660 over the past 5 years (range 200 - 1,200).

Incidental take during hunting for other rail species was not considered as a threat in the federal listing for Black Rails as Threatened, and given their small size and preference to move through vegetation on the ground versus flying, there is low risk of Black Rails being harvested where they co-occur with Soras and Virginia Rails. In Colorado, Black Rails appear to be mainly distributed along the lower Arkansas River valley, where they occur primarily during the breeding period. There are records of Black Rails as far north as the northern Front Range, but standardized survey efforts have not been conducted outside of southeastern Colorado. During the breeding season (and presumably, during fall), Black Rails commonly co-occur with Soras and Virginia Rails in the same wetlands, but as noted, Black

Rails are much smaller and generally stay hidden in vegetation rather than flying when disturbed. Little is known about the annual timing of movements of Black Rails in Colorado; although they have been recorded along the Arkansas River during winter, most Black Rails are thought to migrate south to Texas in early fall.

Information on American Crow harvest and hunter activity during hunting seasons is not available, but harvest is likely very limited and localized.

### Staff Recommendation

The Commission has expressed social concerns (hunting ethics, low interest in harvesting and consuming these species, etc.) and biological concerns (high harvest rates at small local scales and accidental harvest of the federally listed Black Rail in small isolated marshes) associated with the hunting of rails and crows. However, when comparing hunter participation and harvest levels in Colorado with the USFWS estimates of population size and sustainable harvest levels, Colorado Parks and Wildlife (CPW) does not have a biological concern over current rail season dates, season lengths and bag or possession limits in Colorado. Additionally, accidental harvest was not identified as a concern with the listing of the Black Rail. Lastly, despite limitations on American Crow information, CPW also does not have a biological concern associated with current crow season dates, season lengths and bag or possession limits.

We do not believe closing the hunting seasons for rails and crows is necessary to assure maintenance of wildlife or to preserve the proper ecological balance of the environment. The CPW staff recommendation for 2024-2025 Sora, Vrginia Rail, and American Crow season dates, season lengths, and bag and possession limits is to maintain current (2023-2024) regulations (note that the crow season is intended to run from November 1 through the end of February, which is February 28 in 2025), consistent with federal frameworks.

If the Commission proposes to restrict seasons or bag limits, or eliminate hunting seasons entirely for these migratory species, we encourage the Commission to clearly communicate specific proposals at the January 2024 PWC meeting, and to request input from the public prior to finalizing Chapter W-5 regulations in March 2024.

### **ISSUES SUBMITTAL FORM**

		Date:	December 29, 2023		
ISSUE:	seasons?	5	its be modified for the 2024-2025		
DISCUSSI	ON (FACTS AND FIGURES, E	XPLANATION OF ISSUE):			
The attached table and calendars contain CPW staff recommendations for proposed 2024-2025 season dates and bag limits for migratory bird hunting seasons in Colorado. These proposed regulations are consistent with the preliminary proposed federal regulation frameworks approved by the U.S. Fish and Wildlife Service on October 11, 2023; final federal frameworks are expected to be published in January 2024. The proposed Colorado season dates include adjustments for the 2024-2025 calendar.					
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### Regulation Change Notification: Proposed Migratory Game Bird Seasons for Colorado 2024-2025 Prepared by: Jim Gammonley

These CPW staff proposals for regulations for migratory game bird hunting seasons (Chapter W-5) in Colorado are preliminary and contingent upon final federal regulation frameworks. Federal frameworks for 2024-2025 are expected to be published in the federal register in January 2024, and the proposed season dates and bag/possession limits presented below reflect draft federal frameworks presented by the U.S. Fish and Wildlife Service in October 2023. The proposed season dates include adjustments for the 2024-2025 calendar, and adjustments for waterfowl and crane seasons to provide an open season during the Thanksgiving holiday weekend.

	2024-2025 Pi	roposed	Regulations	2023-20	24 Regu	llations
Season	Proposed dates	Days	Daily bag limit	Dates	Days	Daily bag limit
Sora and Virginia Rail	Sep 1-Nov 9	70	25	Sep 1- Nov 9	70	25
Snipe	Sep 1-Dec 16	107	8	Sep 1-Dec 16	107	8
Band-tailed Pigeon	Sep 1-14	14	2	Sep 1-14	14	2
Doves (Mourning, White-winged)	Sep 1-Nov 29	90	15	Sep 1-Nov 29	90	15
Sandhill Crane (regular season)	Oct 5-Dec 1	58	3	Sep 30-Nov 26	58	3
Crow	Nov 1-Feb 28	120	no limit	Nov 1-Feb 29	121	no limit
Falconry	No extended seas	on		No extended seas	son	
Pacific Flyway Waterfowl, Coot						
September Canada Goose Season	Sep 1-9	9	5	Sep 1-9	9	5
Western Duck, Coot Zone	Oct 5-22	18	7 duck, 25 coot	Sep 30-Oct 17	18	7, 25
	Nov 6-Jan 31	87	7, 25	Nov 6-Jan 31	87	7, 25
(scaup)	Oct 5-22, Nov 6-Ja	an 12 (86	õ days)	Sep 30-Oct 17, No	ov 6-Jan	12 (86 days)
Eastern Duck, Coot Zone	Oct 5-Jan 17	105	7, 25	Sep 30-Jan 12	105	7, 25
(scaup)	) Oct 5-Dec 29 (86 days)			Sep 30-Dec 24 (8	5 days)	
Western Goose Zone	Oct 5-13	9	5 dark, 10 light	Sep 30-Oct 8	9	5 dark, 10 light
	Nov 6-Jan 31	87		Nov 6-Jan 31	87	
Eastern Goose Zone	Oct 5-Jan 8	96	5 dark, 10 light	Sep 30-Jan 3	96	5 dark, 10 light

	2024-2025	5 Propos	ed Regulations	2023	-2024 Re	egulations
Season	Proposed dates	Days	Daily bag limit	Dates	Days	Daily bag limit
Central Flyway Waterfowl, Coot						
September Teal Season	Sep 14-22	9	6	Sep 9-17	9	6
Mountain/Foothills Duck, Coot Zone	Oct 5-Dec 1	58	6 duck, 15 coot	Sep 30-Nov 26	58	6, 15
	Dec 25-Jan 31	38	6, 15	Dec 25-Jan 31	38	6, 15
Northeast Duck, Coot Zone	Oct 19-Dec 1	44	6, 15	Oct 14-Nov 26	44	6, 15
	Dec 11-Jan 31	52	6, 15	Dec 11-Jan 31	52	6, 15
Southeast Duck, Coot Zone	Oct 28-Jan 31	96	6, 15	Oct 28-Jan 31	96	6, 15
North Park Dark Goose Zone	Oct 5-Jan 17	105	5	Sep 30-Jan 12	105	5
South Park Dark Goose Zone	Oct 5-Jan 17	105	5	Sep 30-Jan 12	105	5
San Luis Valley Dark Goose Zone	Oct 5-23	19	5	Sep 30-Oct 18	19	5
	Nov 23-Feb 16	86		Nov 18-Feb 11	86	
Remainder Central Flyway Dark Goose Zone	Nov 4-Feb 16	105	5	Oct 30-Feb 11	105	5
Central Flyway light goose	Nov 2-Feb 16	107	50	Oct 28-Feb 11	107	50
Light goose conservation order	Feb 17-Apr 30	73	no limit	Feb 12-Apr 30	78	no limit
Youth/Military Waterfowl Weekends						
Pacific Flyway Western Zone	Oct 26-27	2	Same as regular	Oct 21-22	2	Same as regular
Pacific Flyway Eastern Zone	Sep 28-29	2	season	Sep 23-24	2	season
Central Flyway Mountain/Foothills	Sep 28-29	2	Same as regular	Sep 23-24	2	Same as regular
Central Flyway Northeast Zone	Oct 12-13	2	season for duck,	Oct 7-8	2	season for duck,
Central Flyway Southeast Zone	Oct 19-20	2	coot, dark goose	Oct 21-22	2	coot, dark goose

### **Regulation Change Notification: Proposed Migratory Game Bird Seasons for Colorado 2024-2025**

Possession limits for all seasons are three times the daily bag limit, with the exception that there is no possession limit for crow, Central Flyway light goose, and the light goose conservation order. Overall daily bag limits for ducks include the following restrictions: Pacific Flyway – no more than 2 female mallards, 1 pintail, 2 canvasbacks, 2 redheads, 2 scaup; Central Flyway – up to 5 mallards, but no more than 2 can be female mallards, 1 pintail, 2 canvasbacks, 2 redheads, 3 wood ducks, 1 scaup.

# 2024-2025 Central Flyway Northeast Duck Zone Seasons

## September

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December

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## January

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	Number of days (107 total)
9	= September Teal
2	= Youth/Military Weekend
73	= Regular duck season
23	= High Plains Unit Days
Holi	days marked in red

# 2024-2025 Central Flyway Southeast Duck Zone Seasons

## September

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Num	Number of days (107 total)						
9	= September Teal						
2	= Youth/Military Weekend						
73	= Regular duck season						
23	23 = High Plains Unit Days						
Holi	Holidays marked in red						

# 2024-2025 Central Flyway Mountain/Foothills Duck Zone Seasons

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Num	Number of days (107 total)						
9	= September Teal						
2	= Youth/Military Weekend						
73	= Regular duck season						
23	23 = High Plains Unit Days						
Holi	Holidays marked in red						

# 2024-2025 Central Flyway San Luis Valley Dark Goose Season

## September

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# 2024-2025 Central Flyway North Park and South Park Dark Goose Seasons

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# 2024-2025 Remainder Central Flyway Dark Goose Seasons

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# 2024-2025 Central Flyway Light Goose Season

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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

# 2024-2025 Pacific Flyway Western Waterfowl Zone Seasons

## September

S	Μ	Т	W	Т	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## October

S	Μ	Т	W	Т	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## January

 $\mathbf{M}$ Т W Т  $\mathbf{F}$ S S 

December

S	Μ	Т	W	Т	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November

S	Μ	Т	W	Т	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

S	Μ	Т	W	Т	F	S
						1
2	3	4	5	6	7	8
9	10		12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

Num	Number of days (107 total each for					
ducks and geese)						
9	= September Canada goose					
2	= Youth/Military Weekend					
105	= Regular duck season					
96	= Regular goose season					
Holio	days marked in red					

# 2024-2025 Pacific Flyway Eastern Waterfowl Zone Seasons

# September

S	Μ	Т	W	Т	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## December

S	Μ	Т	W	Т	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## October

S	Μ	Т	W	Т	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

# January

S	Μ	Т	W	Т	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

### November

S	Μ	Т	W	Т	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

S	Μ	Т	W	Т	F	S
						1
2	3	4		6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
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