

A Guide to Changes in Migratory Game Bird Hunting Regulations for Foreign Residents in Manitoba – 2023

Introduction

On November 3, 2022, Manitoba implemented a new provincial Waterfowl Modernization Strategy. The new regulations will impact the fall 2023 waterfowl hunting season for foreign resident¹ hunters who intend to hunt waterfowl in Manitoba either on their own as freelance hunters, or if they choose to hunt with an outfitter.

This document communicates the reasons for the changes, describes Manitoba's vision to protect the waterfowl hunting culture that exists in this Province and explains how foreign residents can continue to enjoy hunting in Manitoba.

Why Have Changes Been Implemented?

In recent decades, access to quality freelance waterfowl hunting opportunity on private and public land throughout North America has diminished. Competition for access to waterfowl hunting in North America has increased over time, resulting in the leasing and purchase of privately-owned quality hunting land by hunters for their personal use, or by commercial outfitters to guarantee quality hunting for their clients. Understandably, foreign resident hunters from the U.S. come to Canada where quality waterfowl hunting on private land is more freely accessible and public lands are less crowded.

In recent years, resident hunters and outfitters in Manitoba have reported an intensification of hunting activities by foreign resident hunters in Manitoba who are increasingly staying longer and controlling access to waterfowl hunting lands. Freelance foreign resident hunters bring important economic benefits to the province. Likewise, licensed outfitting provides important economic activity in Manitoba, and also provides hunting opportunity for individuals who don't have the ability or opportunity to freelance hunt, or simply choose not to.

Increased competition for access to hunting areas has adversely affected the quality of waterfowl hunting experience in Manitoba by encouraging the practices of payments for exclusive access, through the establishment of permanent, private hunting camps, as well as through illegal activity and conflict over private and public hunting areas.

In response to these trends, Manitoba resident hunter and outfitter organizations requested policy changes to ensure that private and public lands would remain accessible to resident hunters, as well as to foreign resident hunters whether they are hunting on their own or through outfitters. It is evident that ensuring access to hunting areas is needed to sustain resident hunters and to secure the future of quality waterfowl

¹ Foreign Resident: not a resident of Manitoba, Canada or a Canada citizen.

hunting in Manitoba for all stakeholders now and far into the future.

Manitoba's Waterfowl Hunting Culture

Manitoba enjoys a rich waterfowl hunting culture. Indigenous hunters have pursued waterfowl here from time immemorial. Today, hunting by Indigenous peoples is legally protected in Canada under Section 35 of our Constitution, which recognizes and affirms Treaty and Aboriginal rights. In Manitoba, Indigenous peoples include First Nations, Métis and Inuit. Indigenous peoples practicing rights-based harvesting do not require a licence to hunt animals or migratory birds for food, social, or ceremonial purposes. Their numbers are not reflected in the reported numbers of licensed resident waterfowl hunters.

Hunting in Manitoba and Canada is a privilege and not a right for hunters who are not Indigenous. Licensed (non-Indigenous) resident hunters also place a high value on hunting and waterfowl as a food source. Foreign resident access to hunting privileges in Manitoba are directly connected to the ongoing sustainability of Manitoba's waterfowl hunting opportunities.

Waterfowling is incredibly important to the future of Manitoba's overall hunting heritage in that waterfowl hunting is often the introduction to hunting for many resident youth and other first time hunters, and a gateway to other types of hunting experiences.

The resulting regulatory changes are intended to secure access to quality hunting opportunities in Manitoba for all waterfowl hunters. These changes will reduce illegal outfitting, establish a cap on licensed outfitting operations and legacy hunting camps, with the goal of creating a higher quality experience for resident waterfowl hunters, outfitted clients, and visiting foreign resident freelance hunters in Manitoba.

Regulatory Change for Fall 2023 Waterfowl and Upland Game Bird Hunting Season for Foreign Residents

Foreign residents now have the opportunity to access the following licences:

- **Foreign Resident Upland Game Bird Licence:** required to hunt upland birds and can be purchased online and is subject to the same regulatory framework as resident hunters.
- **Foreign Resident Migratory Game Bird Licence:** required to hunt migratory birds and is a seven-day licence, which can be accessed *either by entering a draw process or booking with a licenced outfitter.*

- **Foreign Resident Legacy Migratory Game Bird Licence:** a grandfathered opportunity for qualifying foreign resident land owners or lessees of Crown land.

As part of the initial phase-in strategy for fall of 2023, Manitoba is ensuring that all applicants for the draw will receive a seven-day Foreign Resident Migratory Game Bird Licence. In subsequent years the allocations for each licence type will be determined based on licence sales, hunter questionnaire data from all user groups and stakeholder input. The combination of the seven-day licence and associated draw for freelance foreign resident hunters is intended to discourage visiting hunters from creating lasting systems of control that inhibit other hunters.

Manitoba's modernized waterfowl hunting system is one of the first plans in North America to develop a clear management strategy for waterfowl outfitting. Licensed outfitting provides economic benefit to Manitoba as well as access for hunters not able to pursue waterfowl on their own. However, outfitting requires the occupation of significant areas of hunting land to provide quality hunting for clients. The regulatory changes require that licence allocations of Foreign Resident Migratory Game Bird Licences for individual outfitters will be subject to an overall cap at average activity levels prior to Covid-19 restrictions. Outfitted clients are subject to the same seven-day term and can only purchase one licence per year. The operating areas for outfitters will not be expanded beyond their operational footprint from the pre-Covid-19 period.

The regulatory vision is to position Manitoba as a mecca for waterfowl hunting - a high quality experience that will be highly sought after compared to other jurisdictions where unlimited commercialization becomes unsustainable for all involved: residents, foreign resident freelancers and licensed outfitters.

Special grandfathered provisions were established to create the Foreign Resident Legacy Migratory Game Bird Licence. This licence is available to foreign residents who were, prior to September 1, 2022 (and remain currently): registered property owners in Manitoba, or shareholders in a corporation owning registered property in Manitoba, or a Crown land lessee. Eligible land interest holders must also have hunted waterfowl within the previous five years (2018-2022). Foreign residents who meet the aforementioned criteria may qualify for a Foreign Resident Legacy Migratory Game Bird Licence and can find out more at <http://www.gov.mb.ca/nrnd/fish-wildlife/wildlife/mbwaterfowl.html>. These provisions were made to recognize the capital investment made by these individuals. This opportunity is grandfathered, so that no new private hunting operations begin in Manitoba going forward.

The spring conservation Canada, snow, and Ross's goose seasons are not subject to the new regulations pertaining to foreign residents. A separate Spring Conservation Goose Licence can be obtained free of charge from Manitoba's licensing program www.manitobaelicensing.ca

General Information about the Foreign Resident Migratory Game Bird Licence Draw

The Manitoba Foreign Resident Migratory Game Bird Draw program is a priority-based system that will award a single seven (7) consecutive day licence to all successful applicants. It will be up to the individual successful applicant (or group of applicants) to accept, purchase and select the seven (7) consecutive days the licence will be valid.

Full details of the Foreign Resident Migratory Game Bird Draw application guideline with information on how to apply is available at www.gov.mb.ca/nrnd/fish-wildlife/wildlife/mbwaterfowl.html.

Online draw applications will be accepted June 15 – July 15 (11:59 pm), only on Manitoba's elicensing platform.

Applications must be registered online at www.manitobaelicensing.ca by this date and time. Notification of draw results will be **on July 31**.

All successful applicants will be charged \$218.25 for their licence.

To apply for the draw, you will need to create a customer profile online at www.manitobaelicensing.ca. If you have purchased any type of hunting or fishing licence since 2020, you will have a profile already created in the elicensing program, **do not create another profile**.

Draw licences are only available through the draw process **once** a year. There will be no draw licences available after the draw is completed. The only option to obtain a licence after the draw will be through a licensed Manitoba waterfowl outfitter with an allocation of licences.

Up to six (6) applicants may be linked (submitted) together on one (1) Foreign Resident Migratory Game Bird draw application. The first applicant is designated as the group leader and is the only person who can edit the application until the draw deadline.

If you have any questions about the application procedures, contact the elicensing Help Desk at 1-877-880-1203. For further information visit: <http://www.gov.mb.ca/nrnd/fish-wildlife/wildlife/mbwaterfowl.html>.

Frequently Asked Questions

If foreign resident hunter numbers have not increased in recent years and resident hunter numbers have declined over time, why the need for regulatory change?

Manitoba resident game bird hunter numbers declined steadily from over 50,000 in 1978 and then stabilized around 10,000 in recent years. Over that same time frame, foreign hunter numbers have been relatively stable, numbering around 3,500. However, resident hunters have reported an intensification of foreign hunting activities in the last 10-15 years including observing more land being controlled through various mechanisms by U.S. hunters and by outfitters on behalf of their clients, as well as by visiting hunters staying for longer durations. Harvest data from the Canadian Wildlife Service illustrates that although U.S. hunter numbers have stayed relatively constant since the 70s, comprising about a third of the total hunter numbers in recent years, the intensity and duration of their hunting pressure has significantly increased their share of Manitoba waterfowl harvest from 10% in the 1970s to 50% in the last 15 years, a time period when resident numbers have remained relatively stable.

Geographically, Manitoba is the gateway and most accessible prairie province for waterfowl hunters travelling from the American Midwest Region. In addition to Manitoba's proximity to the U.S. hunting market, the map below illustrates Manitoba's relatively small proportion of the most desirable hunting habitat type: the prairie pothole region.

This small area of the highest quality hunting areas further concentrates hunting pressure and competition for access between user groups within Manitoba. Although Manitoba is large geographically, most of its landbase is comprised of remote, inaccessible forested landscape not suitable for waterfowl hunting. By comparison, Saskatchewan and Alberta have much larger easily accessible high quality areas suitable for waterfowl hunting within which to disperse hunting pressure.



What is the intent of introducing a seven-day licence and draw for foreign resident hunters?

Manitoba's vision for waterfowl hunting for today and the future is to avoid the level of commercialization and privatization that has occurred across much of the rest of North America. Manitoba is seeing an increase in foreign resident hunters establishing private, permanent personal hunting operations, which often leads to the occupation of hunting areas that exclude other hunters.

The intent is to ensure quality access for residents and provide the best seven-day waterfowl hunting opportunity in North America for foreign resident hunters, whether they choose to freelance or use a licensed outfitter. After the seven-day hunt for a foreign resident is over, the land is open to the next hunter to pursue and harvest waterfowl, and enjoy cooking and eating the birds. A seven-day licence encourages high quality hunting, but discourages the establishment of permanent operations that limit access to the hunting landscape by residents, other foreign resident freelance hunters and licensed outfitters alike.

Draw systems intended to manage hunting pressure have been used in South Dakota and is also employed on many public hunting areas in various U.S. States. For Fall of 2023 Manitoba intends that all draw applicants will receive a licence. For future years, the intent of the draw is to allow the maximum number of foreign resident freelance hunters while ensuring land remains accessible for all users. Hunter questionnaire data from residents, foreign residents, licence allocations, and input from stakeholders will be used to determine future draw rates.

How do the new regulations affect licensed outfitting in Manitoba?

Licensed outfitting is an important economic activity in rural communities in Manitoba, and it provides access to high quality hunting for individuals to experience waterfowl hunting. However, it also incentivizes control of access to land by licensed outfitters wanting to guarantee quality, reliable hunting for their clientele. If not controlled, this will exacerbate conflicts and further restrict access for residents and freelancing foreign resident hunters, and potentially, create conflict between outfitters.

Manitoba's vision for licensed waterfowl outfitting is to focus on maintaining a quality, high value product, and ensure that existing, active licensed outfitters continue to provide the best waterfowl hunting on the continent, now, and on a sustainable basis into the future. To that end, Manitoba has capped licensed outfitting activity at the levels seen in the years prior to Covid-19 restrictions both in terms of the number of active licensed outfitters who will receive allocations and the volume of clientele. Further, existing licensed outfitters will operate in the areas they occupied pre-Covid-19, and their clientele will be limited to a single, seven-day licence. The Province's goal is to make Manitoba's licensed outfitters the most sought after in North America, while at the same time maintaining access to waterfowl hunting for residents and freelancing foreign

residents on private and public land.

As a foreign resident hunter, why should I continue to come to Manitoba?

Manitoba is one of the best places to hunt in North America and with the recent regulatory changes, Manitoba is poised to provide access to quality freelance and outfitted waterfowl hunting for the foreseeable future.

How will the proposed regulatory changes affect Manitoba's tourism economy?

With these changes, Manitoba can continue to provide the best freelance hunting on the continent and the highest quality outfitting experiences. With a seven-day licence, the best option for freelance hunters will be to patronize hotels, rental properties and restaurants, as opposed to building and using private camps.

Although Manitoba outfitting will not expand beyond the pre-Covid-19 levels, existing operators are positioned to experience sustainable business that will be highly sought after and highly valuable compared to other jurisdictions where the privatization of access to land has not been managed.

Manitoba's vision for waterfowl hunting is to maximize the enjoyment of all users of our waterfowl resource, as well as maximizing the economic impact, in a sustainable fashion over the long term.

What is Manitoba doing in terms of enforcement to deal with illegal waterfowl hunting activities?

Resident and foreign resident hunters, as well as licensed outfitters, have been reporting incidents of various forms of illegal waterfowl hunting activity in Manitoba. Stopping these illegal activities requires a strong enforcement effort. Manitoba's Conservation Officer Service is committed to curbing illegal waterfowl hunting and outfitting activity and these new regulations will make it harder for illegal outfitters to operate.

The Manitoba Government also recently announced a Conservation Officer Revitalization Plan to invest in new equipment and technology to ensure Conservation Officers have the tools and training needed to enforce safe hunting rules and enhance protection of Manitoba's natural resources, including waterfowl populations. An additional \$7.4 million is being provided this year to support enforcement efforts during the 2023 hunting season.

How will the regulations affect resident Manitoba hunters?

There are no regulatory changes to Manitoba resident waterfowl hunting. However, it is anticipated that the new waterfowl hunting regulations pertaining to foreign residents will ensure that the number of Manitoba waterfowl hunters remains stable or increases over time by ensuring ongoing, strong access to quality waterfowl hunting.