
NATURAL RESOURCES COMMISSION
Information Bulletin #49
Waterfowl Resting Area

I. Introduction

Indiana law grants the Department of Natural Resources (DNR) broad authority to manage the fish and wildlife resources of the State of Indiana. With respect to a DNR property, 312 IAC 8-2-1(a) provides that DNR may post a sign to authorize a particular use or close an area to entry by the public and 312 IAC 8-2-1(b) provides that a person must not violate a posted sign. DNR's Division of State Parks and Reservoirs and Division of Fish and Wildlife have posted signs designating certain areas they manage as a "Waterfowl Resting Area." These signs generally prohibit entry by the public and may or may not also include specific dates when entry is prohibited.

The designation of an area as a Waterfowl Resting Area is a wildlife management tool whose general purpose is to provide a place for waterfowl to congregate in an area where disturbance is held to a minimum. In order to accomplish this objective, large areas of land and water need to be set aside and posted. The objective is to limit, but not totally eliminate, access to an area designated or posted as a Waterfowl Resting Area. A Waterfowl Resting Area is not the same as a "Refuge" which is commonly understood to mean an area where access by the public and activities such as hunting are completely prohibited. Each DNR property will also have an established management plan and goals.

The Division of Reservoirs and Division of Fish and Wildlife of DNR have used designated Waterfowl Resting Areas for thirty years. This management tool has been a very effective way of balancing the use of the area by waterfowl hunters and those users that may want to enter the area for other approved activities. With competition for areas by property users with varied interests, this system has been extremely effective and allows the property management personnel to better manage the public's resource for all users and still protect the resources that are entrusted to DNR.

As stated, the primary purpose of designating a Waterfowl Resting Area is to reduce human disturbance and create favorable conditions that in turn will increase use by waterfowl. However, DNR recognizes the public may also have interests that are compatible with secondary uses of a WRA for activities such as hiking, birdwatching, boating, educational field trips, research studies or special hunting, fishing or trapping activities as deemed appropriate by the Property Manager.

The standards below for issuance of licenses are designed to accommodate various reasons why members of the public may want to enter an area designated or posted as a Waterfowl Resting Area.

II. Definitions

As used in this policy document:

“Waterfowl” means a wild goose, brant, or wild duck as defined in Ind. Code 14-22-7-1.

“Waterfowl Resting Area” or “WRA” means an area set aside by the DNR, including land and water, to reduce human disturbance and create favorable conditions for increased use by waterfowl. A WRA may be operated on a permanent or seasonal basis.

III. Policy Statement for Issuance of Licenses

The following standards are established for the issuance of licenses to enter a Waterfowl Resting Area:

1. The individual, group or organization desiring to enter must make a verbal or written request in advance to the DNR property manager or other designated DNR representative. The request must include the:
 - (a) name, address and telephone number of the individual, group or organization;
 - (b) activity or purpose(s) for entering;
 - (c) date and expected duration of the license; and
 - (d) number of persons to be covered by the license.
2. The property manager shall evaluate the request based on the management plan and goals for the particular DNR property for which entry is being sought. The property manager may deny or modify the request if it is not consistent or compatible with:
 - (a) the management plan or goals of the particular DNR property; or
 - (b) any other request to enter the property.
3. A license to enter a Waterfowl Resting Area shall be in writing and note any conditions or limitations determined by the property manager to be appropriate.
4. An individual, group or organization issued a license to enter a Waterfowl Resting Area shall:
 - (a) keep the license in its possession at all times while in the WRA;
 - (b) comply with any conditions or limitations noted on the license; and
 - (c) comply with all applicable federal, state, and local laws.
5. The property manager has the authority to determine dates for special hunts in the WRA that shall require compliance with 312 IAC 8-2-3(c)(2).
6. Each DNR property manager may create forms, keep such records, and implement other procedures deemed necessary to carry out the purposes of this policy.