

Normal Agricultural Operations and Dove Hunting: *How to Legally Provide Food Sources and Improve Hunting Opportunities*

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What is a “normal” agricultural operation and what does it have to do with hunting? The answers to these questions lie at the intersection of common farming practices and state and federal game regulations. In short, it is legal to hunt over normally planted forages that produce seed and attract birds. However, simply scattering seed on open ground and hunting over it is considered baiting and is illegal.

The harvest of migratory birds, including doves and ducks, is regulated by the United States Fish and Wildlife Service (USFWS) in accordance with the terms of the Migratory Bird Treaty Act (MBTA). State wildlife agencies regulate the harvest of migratory birds according to guidelines established by the USFWS.

These federal and state agencies are legally responsible for, and very expert, at monitoring population growth, demographics, and other

trends in doves. However, they are less expert regarding agricultural practices. Because most dove hunting takes place over agricultural production areas, the USFWS relies on state Extension Services to help distinguish between normal planting and harvesting operations and actions that could constitute baiting of migratory birds.

Normal cool-season planting takes place 6 to 8 weeks before the first historical frost date. As well, normal planting of grain, such as wheat, oat, and rye, requires that the seed be covered with approximately 1 inch of soil. This can be achieved by drilling seed, or broadcasting, then dragging or disking the field. If a person violates either of these two establishment protocols, the practice no longer constitutes “normal” and may be considered baiting. To hunt over cereal grains, they must be planted the year before.

Normal warm-season planting, however, provides ample time to manipulate the crop planted in the same year. Manipulation of a planted crop does not constitute baiting, in a legal context, and is allowable for dove hunting.

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What is considered baiting?

The concept of “baiting” in wildlife management and harvest centers on the use of some attractant to increase the likelihood game will visit a site. With dove, this usually involves seed, such as small grains or grain sorghum (milo), to attract dove to the hunting area. Although water, especially in more arid regions, acts as an attractant to dove, hunting over it is not considered baiting.

A simple rule to follow is if the seed comes out of a bag, you spread it on the soil surface, then hunt over it, it's considered baiting. However, if you plant the seed in a field, it grows to maturity and produces seed, and then you hunt over it, the practice is not considered baiting. Although a simplification of the law, a person who plants a seed producing crop, then manipulates the field is not guilty of baiting doves. Manipulation is defined as altering natural vegetation or agricultural crops through mowing, shredding, disking, rolling, chopping, trampling, flattening, burning, or using herbicide. Anything you can do to an existing crop counts as manipulation. The legal difference is that the seed you planted is not left on the soil surface—you are hunting over the crop the planted seed produced. It is important to note that this practice only applies to doves and dove hunting and not waterfowl. For more information on waterfowl regulations, please see *Restrictions on Waterfowl Hunting and Baiting*, AgriLife Extension publication EWF-029.



Site selection for planted forages for dove hunting

When choosing a site to plant forages for dove hunting there are a few key aspects to consider.

- **Avoid human structures.**

Although doves may congregate around homes, barns, and other human structures, there may be bait at these sites. Also, hunting adjacent to homes and businesses is considered poor form for hunters and may present safety considerations.

- **Is there a history of dove using the site?**

If your location has no history of visitation by doves, it may not be an ideal situation to invest in planting forages for doves. Topography, elevation, vegetation, and water influence micro-flyways for doves.

- **Is the proposed planting competing with other food sources?**

If there is already adequate native or established food sources, your site may not be more attractive to doves. Provide a food source in an area where doves are short of food resources. Be aware that hunting fields where deer feeders are present can be interpreted as hunting a baited field.

- **Is there staging habitat?**

Doves are known to stage before feeding. This involves waiting, watching, and determining that a feeding site is safe before flying in. Staging habitat most often consists of dead trees, old structures, such as windmills, and utility lines. If you have a well-treed fence line that needs clearing, consider girdling a few trees every year, and letting the skeletons stand. Over time, you will have no more trees, but you will have made use of them in the process. Bear in mind you will need to remove the trees at some point to prevent damage to the fence from falling trees.

- **Are there sources of grit present?**

Like all birds, doves need gravel to grind food once they consume it. Gravel roads are an easy source, and if there is one next to a potential planting site, you can make a good hunting field even better.

- **Where is the nearest water?**

Doves will fly tens of miles a day during migration. This means they have high water requirements. Without a convenient water source, doves will not use a site for very long. Water sources on the ground, with little vegetation that can be approached on foot, such as overflows from livestock troughs and shallow edges of dirt tanks, are often preferred.

Crop selection

There are several cool- and warm-season species you can plant. Cool-season forages can provide multiple benefits on your property, including livestock grazing, and deer browsing, but they will not produce seed for doves in the fall unless planted the previous year. If you choose to plant a cool-season forage, such as wheat, oat, or rye, be sure to follow your area's normal agronomic practices regarding establishment timing—remember to cover the seed.

Warm-season plantings come in a variety of types. Here, we separate them into the millets and others. Below, is a brief list of types, planting dates and seeding rates.

		Planting month	Seeding rate ¹ (lbs/acre)
Millets	Wild (white) proso (preferred)	(April–June)	20–30
	Dove proso	(April–June)	20–30
	Browntop	(March–June)	20–30
	Japanese	(March–June)	20–30
	Foxtail (German)	(March)	15–20
	Pearl	(April)	25–30
Others	Sunflower (Perekovik)	(April–June)	10–15
	Buckwheat	March–June)	40–50
	Partridge pea	(March–June)]	5–7
	Grain sorghum	(March–June)	10–20
	White-grain milo	(March–June)	10–20

¹Broadcast seeding rates. If drilled, reduce by 50 percent.

When choosing a species for planting, it is important to follow good agronomic practices. Be sure to test soils to determine fertilizer requirements and follow any advice given by the soil testing laboratory. If you are considering a seed mix, pay careful attention to which seed is included in the mix and its proportions. Each species may have different requirements terms of soil nutrient requirements, soil pH, drainage, and other characteristics. Seed of different size in prepared mixes may also cause problems with some seed planted being planted too deep or too shallow.

Planting and manipulation strategies

When planting a field with the intention of attracting doves, it is a good idea to remember the “rules of plenty” with doves—plenty of food, plenty of choices, and plenty of room.

- **Plenty of food**

You do not have to plant your entire property in a dove plot, but make sure the food is there when the doves arrive during migration. Ensure that planting dates match with maturation and manipulation schedules. Also, make sure food is provided regularly. Because mourning doves do not forage while perching, manipulating planted forages to scatter seed is essential. Manipulate across rows, producing a variety of food choices, and do this about every two weeks beginning about two weeks before the opening of dove season. This keeps the food present and replenished at appropriate times.

- **Plenty of choices**

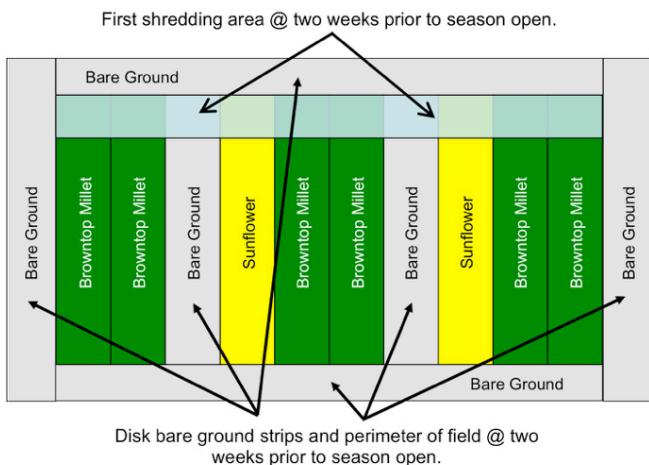
To ensure there are plenty of choices, plant more than one crop. Use multiple species to help provide crops under varying weather conditions and seed maturity at different times during the season.

- **Plenty of room**

Doves do not forage well in thick vegetation, and mourning dove cannot perch while feeding. Providing fresh, clean, bare ground by disking the borders of your crop

field, and a couple of strips in the middle is the best way to ensure doves have plenty of room to get what they want.

These rules are illustrated in the field design example below.



Encouraging native and nonplanted crops for dove

Although planted crops will encourage dove to visit your hunting area, there are native plants and nonplanted crops that are also effective. Shallow disking an area (no more than 3 inches deep) will disturb the soil enough to induce germination of broadleaf weeds which, in turn, produce large quantities of edible seeds for dove. Some examples of these are croton (better known as goatweed or doveweed), annual ragweed, and native sunflower. If you decide to disk, it is wise to have the soil at the site tested to determine if fertilizing would improve the native plant production. If you choose to encourage native sunflower, you can manage this drought-hardy plant into productive fields by simple shredding and disking after dove season each year.

Summary

Establishing and manipulating crop fields as prescribed by law can provide excellent dove hunting without the fear of committing a violation. Warm-season crops such as millet, sunflowers, and others can provide seed yields doves will find difficult to resist. Remember, do not simply broadcast seed or feed onto the soil surface of a field and hunt doves over that location. This is a violation of both federal and state law. If you have any doubts about your seeding plans, contact your local Texas Parks and Wildlife Department office.

Frequently asked questions

Q: What if dove are using my deer feeders, but I didn't put them out for dove?

A: If you shoot any doves that may have been en route to the feeder, you are guilty of hunting a baited field. Don't hunt anywhere near the feeders, especially on the flight path to the feeder. This is considered baiting.

Q: How long is a field considered "baited" after all seed has been buried or removed?

A: A field is considered "baited" for 10 days after the bait has been removed or buried.

Q: My neighbor has a baited field. Can I shoot doves on the way to his bait?

A: No. You are guilty of hunting a baited field even if you are not the one who is doing the baiting.

Q: Do the same rules associated with planting crops for doves apply to waterfowl?

A: No. A stricter set of rules apply to waterfowl. See Texas A&M AgriLife Extension Publication EWF-029 *Restrictions on Waterfowl Hunting and Baiting*.

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