

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 20****RIN 1018-AD69****Migratory Bird Hunting; Proposed Frameworks for Early-Season Migratory Bird Hunting Regulations****AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Proposed rule; Supplemental.

SUMMARY: The Fish and Wildlife Service (hereinafter the Service) is proposing to establish the 1996–97 early-season hunting regulations for certain migratory game birds. The Service annually prescribes frameworks, or outer limits, for dates and times when hunting may occur and the maximum number of birds that may be taken and possessed in early seasons. Early seasons generally open prior to October 1, and include seasons in Alaska, Hawaii, Puerto Rico, and the Virgin Islands. These frameworks are necessary to allow State selections of final seasons and limits and to allow recreational harvest at levels compatible with population status and habitat conditions. This supplement to the proposed rule also provides the Service's final regulatory alternatives for the 1996–97 duck hunting season.

DATES: The comment period for proposed early-season frameworks will end on August 1, 1996; and for late-season proposals on September 3, 1996. The Service will hold a public hearing on late-season regulations August 2, 1996, starting at 9 a.m.

ADDRESSES: The Service will hold a public hearing August 2 in the Department of the Interior's Auditorium, 1849 C Street, NW., Washington, DC. Parties should submit written comments on these proposals and/or a notice of intention to participate in the late-season hearing to the Chief, Office of Migratory Bird Management (MBMO), U.S. Fish and Wildlife Service, room 634—Arlington Square, Washington, DC 20240. The public may inspect comments during normal business hours in room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Paul R. Schmidt, Chief, MBMO, U.S. Fish and Wildlife Service, (703) 358–1714.

SUPPLEMENTARY INFORMATION:**Regulations Schedule for 1996**

On March 22, 1996, the Service published in the Federal Register (61 FR 11992) a proposal to amend 50 CFR

part 20. The proposal dealt with the establishment of seasons, limits, and other regulations for migratory game birds under §§ 20.101 through 20.107, 20.109, and 20.110 of subpart K. On June 13, 1996, the Service published in the Federal Register (61 FR 30114) a second document providing supplemental proposals for early- and late-season migratory bird hunting regulations frameworks. The June 13 supplement also provided detailed information on the 1996–97 regulatory schedule and announced the Service Migratory Bird Regulations Committee and Flyway Council meetings. On June 14, 1996, the Service published in the Federal Register (61 FR 30490) a third document describing the Service's proposed 1996–97 regulatory alternatives for duck hunting and its intent to consider establishing a special youth waterfowl hunting day.

This document is the fourth in a series of proposed, supplemental, and final rulemaking documents for migratory bird hunting regulations and deals specifically with proposed frameworks for early-season regulations. It will lead to final frameworks from which States may select season dates, shooting hours, and daily bag and possession limits for the 1996–97 season. The Service has considered all pertinent comments received through July 8, 1996, in developing this document. In addition, new proposals for certain early-season regulations are provided for public comment. Comment periods are specified above under **DATES**. The Service will publish final regulatory frameworks for early seasons in the Federal Register on or about August 16, 1996.

This supplemental proposed rulemaking consolidates further changes in the original framework proposals published in the March 22 Federal Register. The regulations for early waterfowl hunting seasons proposed in this document are based on the most current information available about the status of waterfowl populations and habitat conditions on the breeding grounds.

Presentations at Public Hearing

Five Service employees presented reports on the status of various migratory bird species for which early hunting seasons are proposed. These reports are briefly reviewed below.

Dr. Jim Dubovsky, Waterfowl Specialist, presented information on 1996 habitat conditions for waterfowl, preliminary estimates of duck abundance, and harvests during the 1995 September teal seasons. Most of the midcontinent region experienced

unusually cool temperatures during May and early June. Spring conditions were delayed approximately 2–3 weeks throughout most of the region. In the northcentral United States, southern Saskatchewan, and southern Manitoba, habitat conditions for nesting ducks were good to excellent. Abundant water existed in natural and artificial basins, and land managed in conservation easements in the United States continued to provide good nesting cover. Southern Alberta had improved wetland conditions relative to recent years, but nesting cover was limited because grazing reduced the amount of residual vegetation, and cool temperatures slowed growth of grasses. The pond estimate for the northcentral United States and prairie Canada combined was 7.5 million. This estimate was the second highest recorded, and was 61 percent above the long-term average. Farther north in the prairie provinces and in the Northwest Territories, habitat conditions were much improved from last spring, when habitats were extremely dry and forest fires were common. This year, most areas had abundant water. Conditions in Alaska and in survey areas throughout eastern portions of the United States and Canada also were favorable for nesting waterfowl. Estimates of duck abundance for most species during spring 1996 generally were similar to those of last year. Blue-winged teal and northern shoveler increased in abundance. American wigeon numbers decreased. The 1995 May breeding population survey yielded an estimate of 6.4 million blue-winged teal, which was greater than the 1995 estimate of 5.1 million and 53 percent above the long-term average. The estimated harvest of blue-winged teal during the 1995 September teal season was approximately 370,000 birds, which was about 100,000 birds more than the 1994 teal-season harvest. However, the 1995 estimate was within the range of harvests experienced historically. Band-recovery rates of blue-winged teal suggested that 1995–96 harvest rates were similar to or lower than those during the 1970's and early 1980's.

Dr. David Caithamer, Wildlife Biologist, reviewed the status of several populations of Canada geese for which the Service is proposing September seasons. In Alaska five subspecies of Canada geese are hunted including Dusky Canada geese and Cackling Canada geese. Numbers of Dusky Canada geese, which nest primarily in the Copper River Delta of Alaska, have declined steadily since an earthquake in 1964 altered their nesting habitat and

resulted in lowered recruitment rates. The January 1995 population index revealed approximately 8,500 geese. Unfortunately, no survey was conducted in January 1996 due to the furlough of federal employees and inclement weather. However, preliminary results from a spring survey of Dusky geese on the Copper River Delta suggest that the size of the breeding population is similar to the record-low size observed last spring. The Service remains concerned about the continued poor status of this population. The December 1995 survey of Cackling Canada geese revealed approximately 161,000 geese, which was about 6 percent higher than 1994 index. This population has grown approximately 14 percent per year since 1986. The 3 other subspecies of Canada geese hunted in Alaska are thought to be at or above objective levels. In the Pacific Flyway, the Rocky Mountain Population of Canada geese increased 18 percent from 1995 to 109,000 geese. The population of Mississippi Flyway giant Canada geese has increased at a rate of about 5 percent per year during the last 10 years. In some areas, numbers of giant geese have increased to record-high and nuisance levels. The situation is similar in the northeastern U.S., where the "resident" goose population has approximately doubled since 1989 to nearly 800,000 birds. The Service is concerned about the rapid growth rate and large sizes of resident Canada goose populations in parts of the Atlantic and Mississippi Flyways. In some regions, the management of these large populations of resident geese is confounded by the presence of other populations, which are below population objectives. A case in point is the migratory population of Atlantic Canada geese which nests in northern Quebec and winters in the Atlantic Flyway. The number of breeding pairs of Atlantic Canada geese has declined from 118,000 in 1988 to only 29,000 in 1995. The Service recognizes the challenge facing management agencies which are striving to increase migrant populations, while simultaneously attempting to decrease resident populations.

Mr. David Sharp, Central Flyway Representative, reported on the status and harvests of sandhill cranes. The Mid-Continent Population appears to have stabilized following dramatic increases in the early 1980s. The Central Platte River Valley 1996 preliminary spring index, uncorrected for visibility, was 315,200. This index is 15 percent higher than 1995's index of 273,376. However, the photo-corrected 3-year average for the 1993-95 period was

394,093, which was 6 percent below the previous year's 3-year running average and within the established population-objective range of 343,000-465,000 cranes. All Central Flyway States, except Nebraska, elected to allow crane hunting in portions of their respective States in 1995-96; about 20,200 Federal permits were issued and approximately 7,400 permittees hunted one or more times. The number of permittees and active hunters were similar to the previous year's seasons. About 20,777 cranes were harvested in 1995-96, a 20 percent increase from the previous year's estimate. Harvest from Alaska, Canada and Mexico are estimated to be less than 10,000 for 1995-96 sport-hunting seasons. The total North American sport harvest was estimated to be about 34,773, which is an all time record high level. Annual surveys of the Rocky Mountain Population, which migrates through the San Luis Valley of Colorado in March, suggest a relatively stable population since 1984. The 1996 index of 20,500 cranes was within the established objective range of 18,000-22,000. Limited special seasons were held during 1995 in portions of Arizona, Montana, New Mexico, Utah, and Wyoming, and resulted in an estimated harvest of 378 cranes.

Dr. John Bruggink, Eastern Shore and Upland Game Bird Specialist, reported on the 1996 status of the American woodcock. The 1995 recruitment index for the Eastern Region (1.2 immatures per adult female) was 29 percent below the long-term regional average; the recruitment index for the Central Region (1.4 immatures per adult female) was 18 percent below the long-term regional average. Singing-ground Survey data indicated that the number of displaying woodcock decreased ($P < 0.01$) between 1995 and 1996 in the Eastern and Central regions (-20.2 and -11.5 percent, respectively). Trends from the Singing-ground Survey during 1986-96 also were negative (-3.2 and -3.7 percent per year for the Eastern and Central regions, respectively) ($P < 0.01$). There were long-term (1968-96) declines ($P < 0.01$) of 2.5 percent per year in the Eastern Region and 1.6 percent per year in the Central Region.

Mr. David Dolton, Western Shore and Upland Game Bird Specialist, presented the mourning dove population status. The report summarized call-count information gathered over the past 31 years. Trends were calculated for the most recent 2 and 10-year intervals and for the entire 31-year period. Between 1995 and 1996, the average number of doves heard per route declined significantly in all three management units. In the Eastern Management Unit

(EMU), a significant decline in doves heard was found over the most recent 10 years, but no trend was indicated over 31 years. The Central Management Unit (CMU) showed significant declines for both the 10 and 31-year time frames. In the Western Management Unit (WMU), no trend was evident over the most recent 10 years, but there has been a significant decline over 31 years. Trends for doves seen at the unit level over the 10 and 31-year periods agreed with trends for doves heard in the WMU. No trend was found in doves seen over 10 years in the EMU and for 31 years in the CMU. Trends for doves seen in other time periods were comparable to those in doves heard.

Mr. Dolton also presented the status of western white-winged doves in Arizona. Since the 1980's, whitewing populations have remained relatively stable. The 1996 whitewing call-count index of 31.1 doves heard per route was essentially the same as the index of 31.2 doves heard per route in 1995. Since 1987, hunters have harvested around 100,000 birds annually. In 1995, an estimated 107,000 birds were harvested, a 22 percent decrease from 1994.

Mr. Dolton then reported on the status of eastern white-winged doves and white-tipped doves in Texas. Results of the 1996 whitewing call-count survey indicate 391,000 birds were nesting in the Lower Rio Grande Valley counties of Starr, Hidalgo, Cameron, and Willacy. This is an 11 percent decrease from 1995, but 6 percent below the previous 6-year average count (1990-95). This decline may be due to a drought in the Lower Rio Grande Valley since December 1994 which may be affecting available native and domestic feed and nesting habitat. In Upper South Texas, an estimated 620,000 whitewings were nesting throughout a 19-county area. This was essentially the same count as last year. West Texas also supports a small population of whitewings. The 1996 estimate of 18,750 birds was 19 percent above the 1995 estimate. For white-tipped doves, an average of 0.47 birds were heard per stop in both brush and citrus locations in 1996.

Last, Mr. Dolton presented population and harvest information on band-tailed pigeons. Band-tailed pigeons are managed as two separate populations: the Coastal Population (Washington, Oregon, California, and Nevada) and the Four-corners or Interior Population (Utah, Colorado, Arizona, and New Mexico). For the Coastal population, the Breeding Bird Survey (BBS) indicates a significant decline between 1968 and 1995. Mineral site counts conducted in Oregon in 1995 showed a 23 percent decrease in pigeon use over 1994.

Washington's call-count showed essentially no change in the population between 1994 and 1995. Between 1975 and 1995 there was no significant trend found in the population, but a significant increase was noted during the most recent 5-year period between 1991 and 1995. Two indirect population estimates suggest that the population was between 2.4 and 3.1 million birds in 1992. With continuing restrictions on bag limits and season length, the 1995 harvest was an estimated 2,074 pigeons in Oregon and 10,428 in California. Washington has had a closed season since 1991. In the Four-corners area, BBS data showed a stable population between 1968 and 1995. The 1995 combined harvest for all four States was 1,518 birds; well below the harvest in earlier years which ranged up to 6,000 birds.

Comments Received at Public Hearing

Mr. Dale Bartlett, representing the Humane Society of the United States (HSUS), expressed concern that the Service continues to establish liberal hunting regulations on species without adequate data. HSUS believes that sea duck seasons should be closed or severely restricted until adequate data on population status and species biology are available. HSUS claims that the Service acted too quickly to liberalize duck hunting regulations since the populations of many species remain below goals set by the North American Waterfowl Management Plan (NAWMP). HSUS is frustrated with the failure of the Service to close seasons on species in decline such as woodcock, coastal populations of band-tailed pigeon, white-winged doves in Arizona, and mourning doves in the Western Management Unit. HSUS believes that bag limits and season lengths on several species of webless migratory birds are ridiculously high and fly in the face of the principles of wise and ethical use of the resource. They strongly recommend that opening dates in Alaska be delayed at least 2 weeks to allow birds to leave their natal marshes. They also recommend that the Service require all seasons to open at noon during mid-week to reduce large kills. They further urged the Service to disallow one-half hour before sunrise shooting. Finally, they expressed concern about the general direction of the Service towards resident Canada goose management.

Mr. Don Kraege, representing the Pacific Flyway Council, expressed appreciation for the Service's efforts to enhance cooperative waterfowl management. He stated that the Flyway generally supports the idea of limiting

zone/split configurations for duck hunting. However, he requested the Service reconsider the Council's recommendation on splits and zones for duck seasons. Specifically, he recommended removal of the requirement that duck seasons in different zones differ by at least one day. He suggested that this change would lead to regulatory simplification, increased hunter satisfaction, enhance waterfowl habitat efforts on private lands, and would not significantly alter harvest.

Mr. Joe Kramer, representing the Central Flyway Council, reviewed recommendations passed by the Council regarding establishment of this year's migratory bird hunting regulations. He supported the proposed expansion of the Rocky Mountain Greater Sandhill Crane hunt area in Wyoming. Reviewing status information on blue- and green-winged teal populations, he indicated that this year's combined spring-breeding population of about 8.9 million was a record high level and that the projected fall flight will probably be the largest ever recorded. He indicated that the Central and Mississippi Flyway Councils would complete a more comprehensive harvest approach for these special seasons by March 1997. He supported the Central Flyway Council's recommendation to expand this year's teal bag limit from 4 to 5 and increase the teal season length from 9 to 16 days. He also reaffirmed the Council's strong support for the Adaptive Harvest Management process, but recommended an increase in season length from 60 to 67 days under the "liberal" alternative. He supported the recommended change in the redhead daily bag limit from 1 to 2 in the "liberal" alternative for the Central and Mississippi Flyways.

With respect to the zone/split criteria for the establishment of duck hunting seasons, Mr. Kramer reiterated the Central Flyway's objection to constraints on the use of additional days in the High Plains Mallard Management Unit. Mr. Kramer supported efforts by the Service to review baiting regulations, but he pointed out continuing desires by many Central Flyway States to review the timing of the early- and late-season meetings. Finally, Mr. Kramer supported the additional flexibility allowed to address resident goose problems through special hunting seasons, and the concept of establishing a youth waterfowl hunt.

Mr. Charles D. Kelley, representing the Southeastern Association of Fish and Wildlife Agencies, commended the Service for its efforts in developing the Harvest Information Program, which will provide improved harvest estimates

for a number of species. He also stated that he appreciated the Service's recognition of the problems caused by rapidly-expanding populations of giant Canada geese and the need to work toward solving them.

Ms. Anne Muller, representing the Committee to Abolish Sport Hunting, and its affiliate, the Coalition to Prevent the Destruction of Canada Geese, commented that State and Federal wildlife agencies are exploiting wild Canada geese to supply hunters with targets by increasing resident goose populations on wildlife management areas in every State. She claimed that this is done in order to collect excise taxes on lethal weapons and ammunition. Further, she objected to the roundup and shipment of geese by game agencies personnel to slaughter houses to feed the poor, and believed this action violates the rights of the general citizenry. Ms. Muller asked that the Service change the current depredation permitting process. Finally, she requested that public hearings be held during evening hours to increase public attendance and that the Service directly involve communities to help resolve nuisance Canada geese conflicts.

Mr. Peter Muller, representing the Committee to Abolish Sport Hunting, expressed concern that the special Canada goose seasons currently held in New York and New Jersey were responsible for the decline of migrant geese nesting in northern Quebec. He questioned whether the criteria allowing 10 and 20 percent harvest of migrant geese during the special early and late seasons, respectively, were too liberal. Further, he argued that statistics regarding this goose population were highly dubious since very little banding had occurred on the breeding ground to accurately determine the racial composition of the harvest. He indicated that little is known regarding the interactions between resident and migrant geese and recommended suspension of these seasons until more information regarding population affiliation was available. To assess the beneficial effects of these liberal hunting seasons on resident Canada geese, he asked that the Service develop an Environmental Impact Statement (EIS). He requested that the Service maintain and enforce strict waterfowl baiting regulations. Finally, he was disturbed by the trend of State and Federal management agencies of shifting to more liberal policies.

Dr. Ann Stirling Frisch expressed opposition to a proposed new hunt area for special early Canada goose seasons in Wisconsin. Dr. Frisch suggested such seasons are ineffective at controlling

local Canada goose populations, that habitat management was a preferable alternative to hunting seasons, that other lethal means of control were undesirable. She further stated that National Environmental Policy Act (NEPA) requirements were not met in establishing such seasons.

Written Comments Received

The preliminary proposed rulemaking, which appeared in the March 22 Federal Register, opened the public comment period for migratory game bird hunting regulations. As of July 8, 1996, the Service had received 82 comments; 18 of these specifically addressed early-season issues and 9 addressed the proposed regulatory alternatives for duck hunting. Early-season comments are summarized below and numbered in the order used in the March 22 Federal Register. Only the numbered items pertaining to early seasons for which written comments were received are included. The Service received recommendations from all four Flyway Councils. Some recommendations supported continuation of last year's frameworks. Due to the comprehensive nature of the annual review of the frameworks performed by the Councils, support for continuation of last year's frameworks is assumed for items for which no recommendations were received. Council recommendations for changes in the frameworks are summarized below.

1. Ducks

The categories used to discuss issues related to duck harvest management are as follows: (A) General Harvest Strategy, (B) Framework Dates, (C) Season Length, (D) Closed Seasons, (E) Bag Limits, (F) Zones and Split Seasons, and (G) Special Seasons/Species Management. Only those categories containing substantial recommendations are included below.

A. Harvest Strategy Considerations

In the March 22, 1996, Federal Register, the Service described the underlying principles of Adaptive Harvest Management (AHM) and the progress made on its implementation in 1995. In addition, the Service reported recommendations made by an AHM technical working group for the 1996–97 regulatory process. Comprised of representatives from the Service and the four Flyway Councils, the working group was established in 1992 to develop technical recommendations for improving duck harvest regulations.

One of the recommendations of the AHM working group for the 1996–97

regulatory process was to continue the regulatory alternatives used in 1995, with a minor exception in the Pacific Flyway. In 1995, the Service limited the choice of regulatory alternatives for the 1995–96 regular duck hunting season to three sets of frameworks similar to those in effect during the 1979–93 hunting seasons. These three sets of frameworks were described in a relative sense as restrictive, moderate, and liberal. In general, specific guidelines for selection of one of the regulatory alternatives are based on the size of the mallard breeding population and habitat conditions.

Council Recommendations: In the June 13, 1996, Federal Register, the Service reported that all four Flyways continued to express support for the AHM approach. The Mississippi, Central, and Pacific Flyway Councils recommended some specific modifications to the regulatory alternatives recommended by the working group and these recommendations were identified in the June 13, 1996, document and are reiterated here and under "Framework Dates," "Season Length," "Bag Limits," and "Special Seasons/Species Management."

The Atlantic Flyway Council endorsed the AHM technical working group's recommendations regarding harvest-management objectives, use of mid-continent mallard population models, and regulatory options for the Atlantic Flyway in 1996.

The Upper-Region Regulations Committee of the Mississippi Flyway Council expressed support for no more than three regulations packages, but recommended a harvest-management objective (objective function) that achieves an equal balance between harvest and a breeding population objective of 8.1 million mallards.

The Lower-Region Regulations Committee of the Mississippi Flyway Council requested the working group investigate the addition of both a more conservative and a more liberal regulatory package to the group of regulations packages offered for the 1997–98 hunting season.

The Central Flyway Council supported the working group's recommendation to modify the objective function so that it continue to reflect the broad resource values of the population goals of the NAWMP, but commented that many technical issues need to be resolved before AHM's fully operational for multiple duck stocks.

The Pacific Flyway Council endorsed the AHM working group's 1996 duck regulations approach and, with the

exception of a harvest strategy for pintails, recommendations for 1996.

Public-Hearing Comments: Mr. Joe Kramer, Chairman of the Central Flyway Council, expressed continued support for AHM. However, he questioned the Service's proposal to largely maintain the interim regulatory alternatives from last year.

Mr. Don Kraege, Chairman of the Pacific Flyway Council Study Committee, expressed support for the cooperative development of AHM as a means to improve the scientific management of mallards and other species.

Written Comments: The Texas Parks and Wildlife Department supports the concept of AHM, but feels that minor changes to regulatory alternatives should not be precluded because full implementation of AHM may take several years.

The Missouri Department of Conservation applauded the Service for continued progress on AHM and supports: (1) the use of NAWMP population goals; (2) regulatory alternatives that are similar to those of 1995; (3) continued use of current hypotheses concerning harvest and reproduction; and (4) AHM development for other populations or species. Missouri also noted the important role of communication in ensuring long-term support for AHM and urged that data-collection efforts be maintained in the face of changing budgets and priorities. In a second letter, the Missouri expressed continued support for AHM, including the proposed regulatory alternatives. Missouri also urged continued progress on a broader range of regulatory alternatives and inclusion of other duck species in the AHM strategy.

The Minnesota Department of Natural Resources supports the three regulatory alternatives as outlined in the June 14 Supplement. Minnesota also supports finalization of the regulatory alternatives prior to the July Flyway meetings and wishes to pursue cooperative development of regulatory alternatives that will be appropriate over the long-term for the Mississippi Flyway.

The Illinois Department of Natural Resources encouraged the Service to examine the pros and cons of four or five regulatory alternatives, rather than three. Illinois believes that the addition of a more restrictive and/or a more liberal alternative could provide greater flexibility in responding to changing population status, but may be undesirable if they lead to greater annual fluctuations in hunting regulations.

The Kansas Department of Wildlife and Parks has supported the principles of AHM, but is concerned that the process now is being used to circumvent the traditional process of allowing input of the States through the Flyway Councils. Kansas objects to the AHM technical working group establishing regulations by "popular vote" among individuals from all four Flyways, employees of the Service's MBMO, and their academic associates. Kansas is also concerned that the regulatory alternatives used in 1995 and proposed for 1996 are becoming entrenched and that future changes will be increasingly difficult.

Service Response: The Service appreciates the continued support of the Flyway Councils and States for implementation of AHM. Agreement on a limited number of regulatory alternatives, on the role of NAWMP population goals in guiding harvest management, and on alternative hypotheses of mallard population dynamics has greatly reduced the annual debate over appropriate duck-hunting regulations. More importantly, these elements constitute key components of a systematic process to increase knowledge of regulatory effects and, thus, improve long-term management performance. The Service also recognizes, however, that continued progress in AHM will demand deliberate and methodical attention to a number of previously ignored or unresolved issues in waterfowl management. These include: (1) hunter dynamics and how regulations affect hunter activity and success; (2) factors affecting duck reproduction on a continental scale; (3) relative costs and benefits of species, population, and sex-specific management; and (4) allocation of harvest opportunities among countries, Flyways, and States. Continued progress also will depend heavily on further education and communication, particularly as it concerns field biologists, wildlife-area managers, and other resource-agency staff. The Service is urging its partners to cooperatively address these technical and communication issues in a comprehensive and coherent manner. The Service recognizes that schedules for clarifying issues, receiving Flyway Councils and others input, and conducting necessary assessments must be developed so that expectations for progress are realistic. The Service believes that AHM implementation must itself be adaptive and that there will be a continuing need for periodic review of all technical specifications,

including management objectives, regulatory alternatives, and theories (or models) of population dynamics.

The limited set of regulatory alternatives (i.e., "restrictive", "moderate", and "liberal") continues to draw criticism from some Flyway Councils and States. At issue is both the number of regulatory alternatives and the specific combination of season length and bag limits for each alternative. The Service recognizes that the proposed alternatives do not satisfy all partners and will continue to treat these alternatives as interim, pending further investigation by the AHM technical working group and others. However, the Service believes that adjustments to the set of regulatory alternatives should be based on the following criteria: (1) alternatives should differ sufficiently so that differences in harvest levels and their impacts on duck populations can be detected with current monitoring programs; (2) the set of alternatives should produce enough variation in harvest rates to permit identification of optimal harvest strategies; and (3) regulatory alternatives should reflect the needs of law enforcement and the desires and abilities of hunters. The set of alternatives can be reduced or expanded as needed, but it is important to use the alternatives long enough to identify patterns in harvest rates under each alternative. Because relevant issues have not yet been addressed adequately, the Service is denying requests this year to modify the basic structure of regulatory alternatives. Prior to the 1997-98 hunting season, the Service will work with the Flyway Councils and the AHM technical working group to investigate the merits of major modifications to the set of regulatory alternatives.

The role of the AHM working group is to provide technical guidance to decision-makers. This working group is comprised of two representatives appointed by each Flyway Council, in addition to biological staff from the Service and the National Biological Service. The Flyway Councils' appointees effectively represent the perspectives of their respective Flyways, but they must be concerned also with continental issues that cross Flyway boundaries. The Service believes that this arrangement works exceedingly well and that individual States have ample opportunity to comment on recommendations offered by the AHM working group, either through their Flyway Councils or directly to the Service. The Service emphasizes that the working group does not establish regulations. Moreover, the working

group develops its recommendations through consensus, and does not use a voting process.

For the 1996-97 regular duck hunting season, the Service will use the three regulatory alternatives detailed in the accompanying table (at the end of this document). Alternatives are specified for each Flyway and are designated as "RES" for the restrictive, "MOD" for the moderate, and "LIB" for the liberal alternative. The Service will propose a specific regulatory alternative when survey data on waterfowl population and habitat status are available in late July.

B. Framework Dates

Council Recommendations: The Lower-Region Regulations Committee of the Mississippi Flyway Council recommended the AHM technical working group investigate the impacts of a January 31 framework closing date.

Service Response: The Service supports investigations by the AHM technical working group to assess the suitability of all aspects of the current regulatory alternatives, including framework dates. However, the Service reiterates its long-standing concerns that hunting disturbance in late winter may interfere with pair bonding and inhibit nutrient acquisition and storage with subsequent impacts to reproductive potential. Before the Service can consider changes to the timing of the framework closing date, additional information to alleviate these concerns is necessary.

The Service notes that the framework dates in the proposed regulatory alternatives for the Atlantic Flyway published in the June 14 Supplement did not accurately reflect the policy established by the Service last year (September 27, 1995, Federal Register 60 FR 50042). This discrepancy was unintentional. The Service reaffirms its policy of fixed dates of October 1 to January 20 for the Atlantic Flyway, and of floating framework dates (Saturday closest to October 1, Sunday closest to January 20) for the Mississippi, Central, and Pacific Flyways. The appropriate change in framework dates for the Atlantic Flyway is reflected in the final regulatory alternatives.

C. Season Length

Council Recommendations: In the regulatory alternatives recommended for 1996-97, the Upper- and Lower-Region Regulations Committees of the Mississippi Flyway Council recommended the season length in the "liberal" package be 51 days instead of 50 days. The Central Flyway Council

recommended the season length in the "liberal" package be 67 days.

Public-Hearing Comments: Mr. Joe Kramer, Chairman of the Central Flyway Council, urged the Service to adopt the Council's proposal to increase the season length from 60 to 67 days in the "liberal" alternative.

Written Comments: The Texas Parks and Wildlife Department also urged a change from 60 to 67 days in the "liberal" alternative for the Central Flyway.

The Kansas Department of Wildlife and Parks also recommended that the "liberal" alternative for the Central Flyway provide 67 days of duck hunting. Kansas believes that they are "locked into" an unnecessarily restrictive regulation without any recourse for addressing the problem.

The Wyoming Game and Fish Department supports extending the season from 60 to 67 days under the "liberal" alternative for the Central Flyway. Wyoming feels that the current regulatory options will be used for an indefinite number of years and that postponing an appropriate correction to season length is unacceptable.

The Minnesota Department of Natural Resources supports the Mississippi Flyway Council proposal to increase the season length in the "liberal" alternative by one day.

The Illinois Department of Natural Resources also supports the Mississippi Flyway Council proposal to increase the "liberal" alternative season length by one day. Illinois believed this minor change would provide additional weekend hunting opportunity without adverse impact.

Service Response: The Service believes that any modifications to season length under the three regulatory alternatives must be approached carefully, with due consideration to differences among Flyways. Current differences in season length among the Flyways are predicated on historic (ca. 1950) patterns of duck abundance and hunter activity, with longer seasons available to Flyways with relatively more ducks and fewer hunters. The Service believes that a thorough review of Flyway differences in season lengths is needed and is seeking technical guidance from the Flyway Councils, the AHM working group, and others. Current differences in hunter activity and duck abundance, as well as the origin and status of duck stocks contributing to each Flyway, should be investigated using modern data and analytical techniques. Until such analyses are available, the Service is concerned that changes in season lengths contained in the regulatory

alternatives could alter the allocation of harvest in unpredictable, undesirable or inappropriate ways. Therefore, the Service prefers to approach all proposed changes to season length, regardless of the number of days involved, in a systematic and comprehensive manner.

E. Bag Limits

Council Recommendations: The Upper- and Lower-Region Regulations Committees of the Mississippi Flyway Council and the Central Flyway Council recommended the redhead daily bag limit in the "liberal" package be 2 birds instead of 1.

The Lower-Region Regulations Committee of the Mississippi Flyway Council also recommended the overall daily bag limit in the "liberal" package be 6 birds instead of 5, and within this overall limit, the daily bag limit for mottled ducks be 4 instead of 3; and the limit for ringnecks, scaup, goldeneyes, and buffleheads be 4 instead of 5. Limits for black ducks, pintails, wood ducks, and canvasbacks would be the same as in 1995.

Public-Hearing Comments: Mr. Joe Kramer, Chairman of the Central Flyway Council, expressed support for the Service's proposal to increase the redhead limit from 1 to 2 under the "liberal" alternative.

The Minnesota Department of Natural Resources also supports the Service's proposal to allow a second redhead in the daily bag under the Central and Mississippi Flyways "liberal" alternative.

Written Comments: The Massachusetts Division of Fisheries and Wildlife recommended any "liberal" regulatory package delete the hen mallard restriction in the Atlantic Flyway.

The Michigan Department of Natural Resources supports the Service's proposal to allow a second redhead in the daily bag under the "liberal" alternative for the Central and Mississippi Flyways. Michigan also requested the rationale for allowing an additional duck in the daily bag limit of the "liberal" alternative for the Pacific Flyway.

Service Response: The Service concurs with the recommendations to increase the bag limit of redheads from 1 to 2 in the "liberal" alternative of the Central and Mississippi Flyways. However, the Service cannot support the proposal of the Lower-Region Regulations Committee of the Mississippi Flyway Council to increase the overall bag limit in the "liberal" alternative from 5 to 6 in order to provide additional hunting opportunity on several abundant species. The

Service believes that major changes to the regulatory alternatives should be addressed in a deliberate and comprehensive manner. Historic efforts at species-specific management have been predicated largely on the assumptions that: (a) mallard harvest rates can be used as a standard by which to judge the appropriateness of harvest rates for other species; (b) target stocks of ducks can be isolated in time or space, or that hunters can shoot selectively; and (c) that management costs are largely fixed whether managing one stock or many. Recent information has led the Service to question the validity of these assumptions. The Service believes that a number of issues must be addressed prior to major reforms in species-specific harvest strategies: (1) how much must species or populations differ in terms of their population dynamics to warrant differential harvest regulations? (2) what are the relative costs and benefits of managing individual duck stocks? (3) what is the ability of hunters to harvest selectively? and (4) do hunters prefer the maximum hunting opportunity afforded by complex regulations or simpler hunting regulations that offer less hunting opportunity? The Service awaits further guidance from the Councils and the AHM technical working group before considering significant changes to species-specific bag limits.

The Service acknowledges that liberal hunting regulations in the Atlantic Flyway historically had no sex-specific conventional bag limits for mallards (although there were hen restrictions for States using the point system). However, the Service believes that it is premature to remove hen restrictions that have been in effect in the Atlantic Flyway since 1985. The role of sex-specific bag limits in regulating mallard harvest, total mortality, and recruitment is uncertain. Further investigation of the potential consequences of eliminating hen restrictions on mallards is necessary before considering fundamental changes in sex-specific bag limits of mallards. The Service also urges the Atlantic Flyway Council to begin development of a harvest-management objective for mallards breeding in eastern North America so that the implications of changes in hen bag limits can be assessed.

The Service is allowing a 7-duck daily bag limit in the Pacific Flyway "liberal" alternative, representing a 1-duck increase compared to the 1995 "liberal" alternative. The Service agreed to this change because the Pacific Flyway had a 7-duck bag limit during the 1979–84 period, which provided the basis for

season lengths and bag limits under the current "liberal" alternative. Mallard harvest rates realized with a 7-duck daily bag limit in the Pacific Flyway are accounted for within the AHM framework and are consistent with current resource status.

Regarding the final regulatory alternatives, the Service notes that the daily bag limit for redheads in the Pacific Flyway's overall daily bag limit was inadvertently omitted from the proposed regulatory alternatives in the June 14, 1996, Federal Register. Consistent with the Pacific Flyway frameworks established last year (September 27, 1995, Federal Register), a daily bag limit of 2 redheads is reflected in the final regulatory alternatives.

F. Zones and Split Seasons

In 1990, the Service established guidelines for the use of zones and split seasons for duck hunting (Federal Register 55 FR 38901). These guidelines were based upon a cooperative review and evaluation of the historical use of zone/split options. The Service reiterated 1977 criteria that the primary purpose of these options would be to provide more equitable distribution of harvest opportunity for hunters throughout a State. In 1977, the Service had also stated that these regulations should not substantially change the pattern of harvest distribution among States within a Flyway, nor should these options detrimentally change the harvest distribution pattern among species or populations at either the State or Flyway level. The 1990 review did not show that the proliferation of these options had increased harvest pressure; however, the ability to detect the impact of zone/split configurations was poor because of poorly chosen response variables, the lack of statistical tests to differentiate between real and perceived changes, and the absence of adequate experimental controls. Therefore, the 1990 strategy intended to provide a framework for controlling the proliferation of changes in zone/split options and limited changes to 5-year intervals. The first open season for changes was in 1991 and the second occurs this year when zone/split configurations will be established for the 1996–2000 period.

Council Recommendations: The Flyway Councils made several recommendations on the Service's proposed guidelines on the use of zones and split seasons for duck hunting. The Service published these guidelines in the March 22, 1996, Federal Register.

The Central Flyway Council recommended non-contiguous zones be

allowed when supported by adequate justification. The Council also made several recommendations regarding the use of additional days in the High Plains Management Unit. The Council recommended the restrictions "must be consecutive" and "after the regular duck season" be removed from the proposed guidelines. Further, the Council recommended additional days in the management unit be restricted to one split (i.e., 2 segments).

The Pacific Flyway Council recommended the guidelines for zones allow identical season dates and/or different zoning configurations with different regulatory packages.

Regarding Flyway Council recommendation for specific changes requested by States, the Atlantic Flyway Council recommended the State of Maine be granted a waiver for its proposed zoning option for 1996–2000. The Upper-Region Regulations Committee of the Mississippi Flyway Council recommended the Service approve changes to zone-boundary configurations proposed by Illinois, Indiana, Michigan, and Wisconsin for the 1996–2000 period. The Central Flyway Council recommended the Service approve Nebraska's duck hunting zone proposal. The Pacific Flyway Council recommended the Service approve duck zone changes in Arizona, Nevada, Oregon, and Utah for the 1996–2000 period.

Written Comments: The Nebraska Game and Parks Commission and the Kansas Department of Wildlife and Parks recommended the restrictions "must be consecutive" and "after the regular duck season" be removed from the proposed guidelines on the use of additional days in the High Plains Management Unit. Both noted these requirements were new and seemed unnecessary.

Nebraska also recommended the addition of a provision allowing the use of non-contiguous zones when supported by strong justification. The Wyoming Game and Fish Department also requested a variance from the contiguous-boundary criterion, stating that the current zoning guidelines do not seem to contain the flexibility needed to address the considerable variation in hunting opportunity associated with the diverse physiographic regions found in many Rocky Mountain States.

Service Response: For the 1996 open season, the Service proposed in the March 22, 1996, Federal Register use of the existing 1990 guidelines, with an exception for the handling of special management units. The Service

proposed to delete the following from the 1990 guidelines:

Special Management Unit Limitation: Within existing Flyway boundaries, States may not zone and/or use a 3-way split season simultaneously within a special management unit and the remainder of the State.

The Service proposed this change with the understanding that the additional days allowed for a management unit must be consecutive and, for the Central Flyway, be held both after the Saturday nearest December 10 and after the regular duck season. In the June 13, 1996, Federal Register, the Service proposed an additional special provision for management units: For the States that have a recognized management unit and include a non-management unit portion, an independent 2-way split season with no zones can be selected for the management unit. The remainder of the State in the non-management unit portion can be zoned/split according to established guidelines.

Regarding the Central Flyway Council recommendation that the criteria "must be consecutive" and "after the regular duck season" be removed from the guidelines on the use of additional High Plains Management Unit days, the Service stated in the June 13 Federal Register that the restrictions regarding the use of additional days should remain as proposed.

Regarding Flyway Council recommendations to alter the definition and interpretation of a "zone" that would allow the establishment of hunting areas with non-contiguous boundaries or concurrent seasons, the Service stated in the June 13 Federal Register that it believes the definition/interpretations previously used are still appropriate. However, after further review, the Service now believes that the requirement for different season dates among zones can be removed without detriment to the objectives of the guidelines for use of zones/split seasons for duck hunting. This change will allow States additional flexibility in addressing differences in physiography, climate, etc. within a State.

The following zone/split-season guidelines apply only for the *regular* duck season:

1. A zone is a geographic area or portion of a State, with a contiguous boundary, for which independent dates may be selected for the regular duck season.

2. Consideration of changes for management-unit boundaries are not subject to the guidelines and provisions governing the use of zones and split seasons for ducks.

3. Only minor (less than a county in size) boundary changes will be allowed for any grandfather arrangement, and changes are limited to the open season.

4. Once a zone/split option is selected during an open season, it must remain in place for the following 5 years.

For the 1996–2000 period, any State may continue the configuration used in 1991–1995. If changes are made, the zone/split-season configuration must conform to one of the following options:

1. Three zones with no splits,
2. Split seasons (no more than 3 segments) with no zones, or
3. Two zones with the option for 2-way split seasons in one or both zones.

At the end of 5 years after any changes in splits or zones, States will be required to provide the Service with a review of pertinent data (e.g., estimates of harvest, hunter numbers, hunter success, etc.). This review does not have to be the result of a rigorous experimental design, but nonetheless should assist the Service in ascertaining whether major undesirable changes in harvest or hunter activity occurred as a result of split and zone regulations. The next open season for changes in zone/split configurations will be 2001.

Using the above revised guidelines, the Service reviewed specific proposals for zoning changes submitted to date, including those recommended by the Flyway Councils and those proposed by the various States. Proposals by the States of Arizona, Illinois, Kentucky, Maine (boundary change), Michigan, Mississippi, Montana, Nebraska (Low Plains Zone boundary changes), Nevada, Oregon, South Dakota, Utah, Wisconsin, and Wyoming were within the established guidelines and are approved for the 1996–2000 period. Proposals by the States of Indiana, Kansas, Maine (creation of third zone), and Nebraska (creation of new zone) did not comply with the revised guidelines and the Service requests these States revise their proposals accordingly.

G. Special Seasons/Species Management

i. Canvasbacks

Council Recommendations: The Lower-Region Regulations Committee of the Mississippi Flyway Council recommended canvasback regulations fluctuate within the regulations packages commensurate with model predictions, breeding-population indices, and habitat conditions.

Public-Hearing Comments: Mr. Joe Kramer, Chairman of the Central Flyway Council, expressed support for the Service's canvasback harvest strategy.

Written Comments: The Texas Parks and Wildlife Department asked the

Service to consider an additional canvasback in the daily bag if the resulting harvest would not exceed that provided under current modeling procedures.

Service Response: The Service implemented an interim harvest-management strategy for canvasbacks in 1994. The Service allows one canvasback in the daily bag in all four Flyways as long as the harvest is not expected to exceed the "harvestable surplus." This surplus is the number of canvasbacks that could be taken by hunters while maintaining a subsequent breeding population of at least 500,000. Calculation of the harvestable surplus is based on breeding population size, predicted production during the current year, and expected rates of natural mortality and crippling loss. The Service believes that it has insufficient experience with this harvest strategy and that proposed modifications are premature. The Service also notes the high harvest potential for this species and is concerned that an overly aggressive harvest strategy could precipitate a return to closed seasons. The Service will continue to monitor canvasback harvests and population status and may be willing to consider modifications in the future.

ii. Pintails

Council Recommendations: The Central Flyway Council recommended a harvest strategy for pintails based on the breeding population size. The pintail daily bag limit would be 1 with a pintail breeding population below 3.0 million; 2 with a breeding population between 3.0 and 4.5 million; 3 with a breeding population between 4.5 and 5.6 million; and equal to the overall daily bag limit with a breeding population above 5.6 million.

The Pacific Flyway Council recommended guidelines for the 1996–97 Pacific Flyway pintail harvest regulations based on a prescriptive basis. A matrix of breeding population size from a subset of survey strata association with the Pacific Flyway breeding population and the numbers of prairie ponds counted during the May survey would determine bag limits.

Written Comments: The Texas Parks and Wildlife Department urged the Service to adopt the Central Flyway's proposal for a pintail harvest strategy.

Service Response: The Service is supportive of any attempt at a more objective approach to pintail harvest regulations. However, the Service believes that a more deliberate and careful assessment is needed before considering changes in harvest strategies, particularly in light of pintail population status and the harvest

liberalization that occurred in 1994 and again during the 1995–96 season. Such an assessment would include, among other things, explicit harvest-management objectives, comprehensive model development for continental pintails, and a consideration of the regulatory constraints imposed by the adaptive harvest strategy for mid-continent mallards. The Service currently is working with the Pacific Flyway Council Study Committee, the Cooperative Fish and Wildlife Research Units, and other interested parties to ensure that such an assessment is forthcoming. To that end, the Service and the National Biological Service have agreed to provide funding that in total exceeds \$65,000. The Service is hopeful that additional funding can be made available from the States and other organizations to complete development of population models and an acceptable adaptive harvest strategy for pintails.

iii. September Teal Seasons

Council Recommendations: The Upper-Region Regulations Committee of the Mississippi Flyway Council recommended a 5-day experimental September teal season be offered to the production States of Iowa, Michigan, Minnesota, and Wisconsin for a 3-year period. The Committee recommended a daily bag limit of 4 teal with sunrise to sunset shooting hours.

The Central Flyway Council recommended a harvest strategy of linking regulatory packages developed for the September teal season with those developed for the regular duck season under the AHM process. For 1996, the Council recommended either a "restrictive" package of 5 days with a daily bag limit of 3 teal, a "moderate" package of 9 days with a daily bag limit of 4 teal, or a "liberal" package of 16 days with a daily bag limit of 5 teal.

Public-Hearing Comments: Mr. Joe Kramer representing the Central Flyway Council indicated that the Central and Mississippi Flyway Councils would complete a more comprehensive harvest approach for special teal seasons by March 1997.

Service Response: The Service previously determined in the Supplemental Environmental Impact Statement: Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (SEIS 88) that proposals for expansion of existing special regulations require a comprehensive evaluation plan containing study objectives, experimental design, decision criteria, and identification of data needs. The Service believes that the proper approach for permitting experimental expansions would be to design a

comprehensive study that would evaluate the cumulative impacts of all teal-season hunting opportunities, in both production and non-production States, on teal and other ducks. The proposals recommended by the Flyways are disjunct, with one containing an evaluation plan (Mississippi Flyway) and the other (Central Flyway) absent one. As such, these proposals represent a fragmented approach to expanding and evaluating teal-season hunting opportunities, which is inconsistent with the desire of the Service. Future consideration by the Service of any proposal to expand teal-season hunting opportunities will take into account the evaluation plan, the manpower and funding requirements necessary to implement the plan, and the priority of this issue relative to other Service programs.

iv. September Duck Seasons

Council Recommendations: The Upper-Region Regulations Committee of the Mississippi Flyway Council recommended Iowa be allowed to hold up to 5 days of its regular duck hunting season in September, starting no earlier than the Saturday nearest September 14. The remainder of the Iowa regular duck season could begin no earlier than October 10.

Service Response: The Service previously determined in SEIS 88 that the extension of framework dates into September for Iowa's September duck season was a type of special season. The original evaluation of this season suggested little impact on duck species other than teal. However, the Service notes that the original evaluation did not include information from the periods requested in the proposal, so inferences about effects of the proposed changes on duck populations are not clear. More importantly, the Service believes that mixed-species special seasons (as defined in the context of SEIS 88) are not a preferred management approach, and does not wish to entertain refinements to this season or foster expansions of this type of season into other States.

4. Canada Geese

A. Special Seasons

Council Recommendations: The Atlantic Flyway Council recommended the frameworks for September Canada goose seasons in the Atlantic Flyway be modified as follows:

September 1–15: Montezuma region of New York, Lake Champlain region of New York and Vermont, Maryland (Caroline, Cecil, Dorchester, and Talbot Counties), South Carolina, and Delaware.

September 1–20: North Carolina (Currituck, Camden, Pasquotank, Perquimans, Chowan, Bertie, Washington, Tyrrell, Dare, and Hyde Counties).

September 1–30: New Jersey and remaining portion of North Carolina.

September 1–25: Remaining portion of Flyway, except Georgia and Florida.

The Lower-Region Regulations Committee of the Mississippi Flyway Council recommended the Service continue to closely monitor the impacts of early Canada goose seasons, including both special seasons and September openings of regular seasons, to insure that cumulative impacts do not adversely affect migrant Canada geese and to insure that special seasons adhere to the criteria established by the Service.

The Upper-Region Regulations Committee of the Mississippi Flyway Council, the Central Flyway Council, and the Pacific Flyway Council made several September Canada goose seasons recommendations. All of the recommendations were within the established criteria for special Canada goose seasons published in the August 29, 1995, Federal Register (60 FR 45020).

Written Comments: The Massachusetts Division of Fisheries and Wildlife supported extending the frameworks for September Canada goose seasons in the Atlantic Flyway to September 25.

Service Response: The Service agrees with the Atlantic Flyway's request to modify the frameworks for special early Canada goose seasons in the Atlantic Flyway and is proposing to grant the Atlantic Flyway a temporary exemption to the special early Canada goose season criteria. Specifically, the Service is proposing to allow States in the Atlantic Flyway to extend the framework closing date from September 15 to September 25, except in certain areas where migrant geese are known to arrive early. The Service is proposing this temporary exemption because of the suspension of the regular season on Atlantic Population Canada geese and the Flyway's need for greater flexibility in dealing with increasing numbers of resident Canada geese. The exemption is proposed to remain in effect until the regular season on migrant Canada geese is reinstated.

Generally, the Service agrees with the Council's recommended framework modifications. For seasons extending beyond September 25, however, the Service proposes to classify these as experimental. Additionally, in view of the reinstatement of existing criteria when regular seasons on Canada geese

are reinstated in the Flyway, the Service encourages all States selecting framework dates after September 15 to continue with data-gathering and monitoring efforts in order to further evaluate whether any proportional changes in the harvest of migrant geese do occur.

B. Regular Seasons

Council Recommendations: The Upper-Region Regulations Committee of the Mississippi Flyway Council recommended a September 21 framework opening date for the regular goose season in the Upper Peninsula of Michigan and statewide in Wisconsin.

The Pacific Flyway Council reiterated its 1995 recommendation that Alaska, Oregon, and Washington take actions to reduce the harvest of dusky Canada geese.

Service Response: Regarding the Pacific Flyway Council's recommendation, the Service recognizes the need for this and proposes to establish uniform criteria to measure the harvest of dusky Canada geese in Washington's and Oregon's Quota Zones. The Service solicits input from the Council and other parties in the development of these criteria for the 1996–97 season.

9. Sandhill Cranes

Council Recommendations: The Central Flyway Council recommended Wyoming's sandhill crane hunt area expand to include Park and Big Horn Counties.

The Pacific Flyway Council recommended season modifications in Montana and Wyoming. In Montana, the Council recommended a new hunt zone in the Ovando-Helmville area. In Wyoming, the Council recommended expanding the season from 3 to 8 days, increasing the number of permits, and establishing a new hunt zone in Park and Big Horn Counties.

14. Woodcock

The Service is increasingly concerned about the gradual long-term declines in woodcock populations in the Eastern and Central management regions. Although habitat changes appear to be the primary cause of the declines, the Service believes that hunting regulations should be commensurate with the woodcock population status and rates of declines. The Service seeks active participation by the Atlantic and Mississippi Flyway Councils in the development of short and long-term woodcock harvest management strategies, which identify the circumstances under which additional

harvest restrictions should be implemented and what those restrictions should be.

18. Alaska

Council Recommendations: The Pacific Flyway Council recommended the establishment of separate basic limits for geese. For dark geese, the Council recommended a basic daily bag limit of 4, with 8 in possession. For light geese, the Council recommended a daily bag limit of 3, with 6 in possession. The proposed limits would be subject to area restrictions for Canada geese and limits for brant and emperor geese would remain separate.

Public Comment Invited

The Service intends that adopted final rules be as responsive as possible to all concerned interests, and wants to obtain the comments and suggestions from all interested areas of the public, as well as other governmental agencies. Such comments, and any additional information received, may lead to final regulations that differ from these proposals. However, special circumstances involved in the establishment of these regulations limit the amount of time the Service can allow for public comment. Specifically, two considerations compress the time in which the rulemaking process must operate: (1) the need to establish final rules at a point early enough in the summer to allow affected State agencies to appropriately adjust their licensing and regulatory mechanisms; and (2) the unavailability, before mid-June, of specific, reliable data on this year's status of some waterfowl and migratory shore and upland game bird populations. Therefore, the Service believes allowing comment periods past the dates specified is contrary to public interest.

Comment Procedure

It is the policy of the Department of the Interior to afford the public an opportunity to participate in the rulemaking process, whenever practical. Accordingly, interested persons may participate by submitting written comments to the Chief, MBMO, at the address listed under the caption **ADDRESSES**. The public may inspect comments during normal business hours at the Service's office address listed under the caption **ADDRESSES**. The Service will consider all relevant comments received and will try to acknowledge received comments, but may not provide an individual response to each commenter.

NEPA Consideration

NEPA considerations are covered by the programmatic document, "Final Supplemental Environmental Impact Statement: Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (FSES 88-14)," filed with EPA on June 9, 1988. The Service published a Notice of Availability in the June 16, 1988, Federal Register (53 FR 22582). The Service published its Record of Decision on August 18, 1988 (53 FR 31341). Copies of these documents are available from the Service at the address indicated under the caption **ADDRESSES**.

Endangered Species Act Consideration

As in the past, the Service will design hunting regulations to remove or alleviate chances of conflict between migratory game bird hunting seasons and the protection and conservation of endangered and threatened species. Consultations are presently under way to ensure that actions resulting from these regulatory proposals will not likely jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of their critical habitat. Findings from these consultations will be included in a biological opinion and may cause modification of some regulatory measures proposed in this document. The final frameworks will reflect any modifications. The Service's biological opinions resulting from its Section 7 consultation are public documents available for public inspection in the Service's Division of Endangered Species and MBMO, at the address indicated under the caption **ADDRESSES**.

Regulatory Flexibility Act; Executive Order (E.O.) 12866 and the Paperwork Reduction Act

In the March 22, 1996, Federal Register, the Service reported measures it took to comply with requirements of the Regulatory Flexibility Act and E.O. 12866. One measure was to prepare a Small Entity Flexibility Analysis (Analysis) in 1995 documenting the significant beneficial economic effect on a substantial number of small entities. The Analysis estimated that migratory bird hunters would spend between \$258 and \$586 million at small businesses. Copies of the Analysis are available upon request from the Office of Migratory Bird Management. This rule was not subject to review by the Office of Management and Budget under E.O. 12866.

The Service examined these proposed regulations under the Paperwork Reduction Act of 1995 and found no information collection requirements.

List of Subjects in 50 CFR Part 20

Exports, Hunting, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

The rules that eventually will be promulgated for the 1996-97 hunting season are authorized under 16 U.S.C. 703-711, 16 U.S.C. 712, and 16 U.S.C. 742 a-j.

Dated: July 10, 1996
George T. Frampton, Jr.,
Assistant Secretary for Fish and Wildlife and Parks.

Proposed Regulations Frameworks for 1996-97 Early Hunting Seasons on Certain Migratory Game Birds

Pursuant to the Migratory Bird Treaty Act and delegated authorities, the Department of the Interior approved the following proposed frameworks which prescribe season lengths, bag limits, shooting hours, and outside dates within which States may select for certain migratory game birds between September 1, 1996, and March 10, 1997.

General

Dates: All outside dates noted below are inclusive.

Shooting and Hawking (taking by falconry) Hours: Unless otherwise specified, from one-half hour before sunrise to sunset daily.

Possession Limits: Unless otherwise specified, possession limits are twice the daily bag limit.

Area, Zone, and Unit Descriptions: Geographic descriptions are contained in a later portion of this document.

Special September Teal Season

Outside Dates: Between September 1 and September 30, an open season on all species of teal may be selected by Alabama, Arkansas, Colorado (Central Flyway portion only), Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico (Central Flyway portion only), Ohio, Oklahoma, Tennessee, and Texas in areas delineated by State regulations.

Hunting Seasons and Daily Bag Limits: Not to exceed 9 consecutive days, with a daily bag limit of 4 teal.

Shooting Hours: One-half hour before sunrise to sunset, except in Arkansas, Illinois, Indiana, Missouri, and Ohio, where the hours are from sunrise to sunset.

Special September Duck Seasons

Florida: An experimental 5-consecutive-day season may be selected in September. The daily bag limit may not exceed 4 teal and wood ducks in the aggregate.

Kentucky and Tennessee: In lieu of a special September teal season, an experimental 5-consecutive-day season may be selected in September. The daily bag limit may not exceed 4 teal and wood ducks in the aggregate, of which no more than 2 may be wood ducks.

Iowa: Iowa may hold up to 5 days of its regular duck hunting season in September. All ducks which are legal during the regular duck season may be taken during the September segment of the season. The September season segment may commence no earlier than the Saturday nearest September 20 (September 21, 1996), with daily bag and possession limits being the same as those in effect last year. The remainder of the regular duck season may not begin before October 15.

Scoter, Eider, and Oldsquaw Ducks (Atlantic Flyway)

Outside Dates: Between September 15 and January 20.

Hunting Seasons and Daily Bag Limits: Not to exceed 107 days, with a daily bag limit of 7, singly or in the aggregate of the listed sea-duck species, of which no more than 4 may be scoters.

Daily Bag Limits During the Regular Duck Season: Within the special sea duck areas, during the regular duck season in the Atlantic Flyway, States may choose to allow the above sea duck limits in addition to the limits applying to other ducks during the regular duck season. In all other areas, sea ducks may be taken only during the regular open season for ducks and must be included in the regular duck season daily bag and possession limits.

Areas: In all coastal waters and all waters of rivers and streams seaward from the first upstream bridge in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York; in any waters of the Atlantic Ocean and in any tidal waters of any bay which are separated by at least 1 mile of open water from any shore, island, and emergent vegetation in New Jersey, South Carolina, and Georgia; and in any waters of the Atlantic Ocean and in any tidal waters of any bay which are separated by at least 800 yards of open water from any shore, island, and emergent vegetation in Delaware, Maryland, North Carolina and Virginia; and provided that any such areas have been described, delineated, and designated as special sea-duck hunting

areas under the hunting regulations adopted by the respective States.

Special Early Canada Goose Seasons

Atlantic Flyway

General Seasons

Canada goose seasons of up to 15 days during September 1–15 may be selected for the Montezuma Region of New York; the Lake Champlain Region of New York and Vermont; the Counties of Caroline, Cecil, Dorchester, and Talbot in Maryland; Delaware; and Crawford County in Pennsylvania. Seasons not to exceed 20 days during September 1–20 may be selected for the Northeast Hunt Unit of North Carolina. Seasons may not exceed 25 days during September 1–25 in the remainder of the Flyway, except Georgia and Florida, where the season is closed. Areas open to the hunting of Canada geese must be described, delineated, and designated as such in each State's hunting regulations.

Daily Bag Limits: Not to exceed 5 Canada geese.

Experimental Seasons

Experimental Canada goose seasons of up to 30 days during September 1–30 may be selected by New Jersey, North Carolina (except in the Northeast Hunt Unit), and South Carolina. Areas open to the hunting of Canada geese must be described, delineated, and designated as such in each State's hunting regulations.

Daily Bag Limits: Not to exceed 5 Canada geese.

Mississippi Flyway

General Seasons

Canada goose seasons of up to 15 days during September 1–15 may be selected by Illinois, Indiana, Iowa, Michigan (except in the Upper Peninsula, where the season may not extend beyond September 10, and in Huron, Saginaw and Tuscola Counties, where no special season may be held), Minnesota, Missouri, Ohio, Tennessee, and Wisconsin. The daily bag limit may not exceed 5 Canada geese. Areas open to the hunting of Canada geese must be described, delineated, and designated as such in each State's hunting regulations.

Central Flyway

General Seasons

Canada goose seasons of up to 15 days during September 1–15 may be selected by South Dakota. The daily bag limit may not exceed 5 Canada geese. Areas open to the hunting of Canada geese must be described, delineated, and designated as such in each State's hunting regulations.

Pacific Flyway

General Seasons

Wyoming may select an 8-day season on Canada geese between September 1–15. This season is subject to the following conditions:

1. Where applicable, the season must be concurrent with the September portion of the sandhill crane season.
2. All participants must have a valid State permit for the special season.
3. A daily bag limit of 2, with season and possession limits of 6 will apply to the special season.

Oregon may select a special Canada goose season of up to 15 days during the period September 1–15. Daily bag limits not to exceed 3 Canada geese with 6 in possession.

Washington may select a special Canada goose season of up to 15 days during the period September 1–15. Daily bag limits not to exceed 3 Canada geese with 6 in possession.

Idaho may select a 15-day season in the special East Canada Goose Zone as described in State regulations during the period September 1–15. All participants must have a valid State permit and the total number of permits issued is not to exceed 110 for this zone. The daily bag limit is 2 and the possession limit is 4.

Idaho may select a 7-day Canada Goose Season during the period September 1–15 in Nez Perce County with a bag limit of 4 and a possession limit of 8. All participants must have a valid State permit and the total number of permits is not to exceed 200 for the season in Nez Perce County.

Areas open to hunting of Canada geese in each State must be described, delineated, and designated as such in each State's hunting regulations.

Regular Goose Seasons

Regular goose seasons in Wisconsin and the Upper Peninsula of Michigan may open as early as September 21. Season lengths and bag and possession limits will be the same as those in effect last year but are subject to change during the late-season regulations process.

Sandhill Cranes

Regular Seasons in the Central Flyway:

Outside Dates: Between September 1 and February 28.

Hunting Seasons: Seasons not to exceed 58 consecutive days may be selected in designated portions of the following States: Colorado, Kansas, Montana, North Dakota, South Dakota, and Wyoming. Seasons not to exceed 93 consecutive days may be selected in designated portions of the following

States: New Mexico, Oklahoma, and Texas.

Daily Bag Limits: 3 sandhill cranes.

Permits: Each person participating in the regular sandhill crane seasons must have a valid Federal sandhill crane hunting permit in their possession while hunting.

Special Seasons in the Central and Pacific Flyways:

Arizona, Colorado, Idaho, Montana, New Mexico, Utah, and Wyoming may select seasons for hunting sandhill cranes within the range of the Rocky Mountain Population subject to the following conditions:

Outside Dates: Between September 1 and January 31.

Hunting Seasons: The season in any State or zone may not exceed 30 days.

Bag limits: Not to exceed 3 daily and 9 per season.

Permits: Participants must have a valid permit, issued by the appropriate State, in their possession while hunting.

Other provisions: Numbers of permits, open areas, season dates, protection plans for other species, and other provisions of seasons must be consistent with the management plan and approved by the Central and Pacific Flyway Councils. Seasons in Montana and the Park-Big Horn Unit in Wyoming are experimental.

Common Moorhens and Purple Gallinules

Outside Dates: Between September 1 and January 20 in the Atlantic Flyway, and between September 1 and the Sunday nearest January 20 (January 19) in the Mississippi and Central Flyways. States in the Pacific Flyway have been allowed to select their hunting seasons between the outside dates for the season on ducks; therefore, they are late-season frameworks and no frameworks are provided in this document.

Hunting Seasons and Daily Bag Limits: Seasons may not exceed 70 days in the Atlantic, Mississippi, and Central Flyways. Seasons may be split into 2 segments. The daily bag limit is 15 common moorhens and purple gallinules, singly or in the aggregate of the two species.

Rails

Outside Dates: States included herein may select seasons between September 1 and January 20 on clapper, king, sora, and Virginia rails.

Hunting Seasons: The season may not exceed 70 days, and may be split into 2 segments.

Daily Bag Limits:

Clapper and King Rails - In Rhode Island, Connecticut, New Jersey,

Delaware, and Maryland, 10, singly or in the aggregate of the two species. In Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, and Virginia, 15, singly or in the aggregate of the two species.

Sora and Virginia Rails - In the Atlantic, Mississippi, and Central Flyways and the Pacific-Flyway portions of Colorado, Montana, New Mexico, and Wyoming, 25 daily and 25 in possession, singly or in the aggregate of the two species. The season is closed in the remainder of the Pacific Flyway.

Common Snipe

Outside Dates: Between September 1 and February 28, except in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, and Virginia, where the season must end no later than January 31.

Hunting Seasons and Daily Bag Limits: Seasons may not exceed 107 days and may be split into two segments. The daily bag limit is 8 snipe.

American Woodcock

Outside Dates: States in the Atlantic Flyway may select hunting seasons between October 1 and January 31. States in the Central and Mississippi Flyways may select hunting seasons between September 1 and January 31.

Hunting Seasons and Daily Bag Limits: In the Atlantic Flyway, seasons may not exceed 45 days, with a daily bag limit of 3; in the Central and Mississippi Flyways, seasons may not exceed 65 days, with a daily bag limit of 5. Seasons may be split into two segments.

Zoning: New Jersey may select seasons in each of two zones. The season in each zone may not exceed 35 days.

Band-tailed Pigeons

Pacific Coast States (California, Oregon, Washington, and Nevada)

Outside Dates: Between September 15 and January 1.

Hunting Seasons and Daily Bag Limits: Not more than 9 consecutive days, with bag and possession limits of 2 and 2 band-tailed pigeons, respectively.

Permit Requirement: The appropriate State agency must issue permits, and report on harvest and hunter participation to the Service by June 1 of the following year, or participate in the Migratory Bird Harvest Information Program.

Zoning: California may select hunting seasons not to exceed 9 consecutive

days in each of two zones. The season in the North Zone must close by October 7.

Four-Corners States (Arizona, Colorado, New Mexico, and Utah)

Outside Dates: Between September 1 and November 30.

Hunting Seasons and Daily Bag Limits: Not more than 30 consecutive days, with a daily bag limit of 5 band-tailed pigeons.

Permit Requirement: The appropriate State agency must issue permits, and report on harvest and hunter participation to the Service by June 1 of the following year, or participate in the Migratory Bird Harvest Information Program.

Zoning: New Mexico may select hunting seasons not to exceed 20 consecutive days in each of two zones. The season in the South Zone may not open until October 1.

Mourning Doves

Outside Dates: Between September 1 and January 15, except as otherwise provided, States may select hunting seasons and daily bag limits as follows:

Eastern Management Unit (All States east of the Mississippi River, and Louisiana)

Hunting Seasons and Daily Bag Limits: Not more than 70 days with a daily bag limit of 12, or not more than 60 days with a daily bag limit of 15.

Zoning and Split Seasons: States may select hunting seasons in each of two zones. The season within each zone may be split into not more than three periods. The hunting seasons in the South Zones of Alabama, Florida, Georgia, Louisiana, and Mississippi may commence no earlier than September 20. Regulations for bag and possession limits, season length, and shooting hours must be uniform within specific hunting zones.

Central Management Unit (Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming)

Hunting Seasons and Daily Bag Limits: Not more than 70 days with a daily bag limit of 12, or not more than 60 days with a daily bag limit of 15.

Zoning and Split Seasons: States may select hunting seasons in each of two zones. The season within each zone may be split into not more than three periods. Texas may select hunting seasons for each of three zones subject to the following conditions:

A. The hunting season may be split into not more than two periods, except

in that portion of Texas in which the special white-winged dove season is allowed, where a limited mourning dove season may be held concurrently with that special season (see white-winged dove frameworks).

B. A season may be selected for the North and Central Zones between September 1 and January 25; and for the South Zone between September 20 and January 25.

C. Each zone may have a daily bag limit of 12 doves (15 under the alternative) in the aggregate, no more than 6 of which may be white-winged doves and no more than 2 of which may be white-tipped doves, except that during the special white-winged dove season, the daily bag limit may not exceed 10 white-winged, mourning, and white-tipped doves in the aggregate, of which no more than 5 may be mourning doves and 2 may be white-tipped doves.

D. Except as noted above, regulations for bag and possession limits, season length, and shooting hours must be uniform within each hunting zone.

Western Management Unit (Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington)

Hunting Seasons and Daily Bag Limits: Idaho, Nevada, Oregon, Utah, and Washington - Not more than 30 consecutive days with a daily bag limit of 10 mourning doves (in Nevada, the daily bag limit may not exceed 10 mourning and white-winged doves in the aggregate).

Arizona and California - Not more than 60 days which may be split between two periods, September 1-15 and November 1-January 15. In Arizona, during the first segment of the season, the daily bag limit is 10 mourning and white-winged doves in the aggregate, of which no more than 6 may be white-winged doves. During the remainder of the season, the daily bag limit is restricted to 10 mourning doves. In California, the daily bag limit may not exceed 10 mourning and white-winged doves in the aggregate.

White-winged and White-tipped Doves

Hunting Seasons and Daily Bag Limits:

Except as shown below, seasons in Arizona, California, Florida, Nevada, New Mexico, and Texas must be concurrent with mourning dove seasons.

Arizona may select a hunting season of not more than 30 consecutive days, running concurrently with the first segment of the mourning dove season. The daily bag limit may not exceed 10 mourning and white-winged doves in

the aggregate, of which no more than 6 may be white-winged doves.

In Florida, the daily bag limit may not exceed 12 mourning and white-winged doves (15 under the alternative) in the aggregate, of which no more than 4 may be white-winged doves.

In the Nevada Counties of Clark and Nye, and in the California Counties of Imperial, Riverside, and San Bernardino, the daily bag limit may not exceed 10 mourning and white-winged doves in the aggregate.

In New Mexico, the daily bag limit may not exceed 12 mourning and white-winged doves (15 under the alternative) in the aggregate.

In Texas, the daily bag limit may not exceed 12 mourning, white-winged, and white-tipped doves (15 under the alternative) in the aggregate, of which not more than 6 may be white-winged doves and not more than 2 may be white-tipped doves.

In addition, Texas may also select a hunting season of not more than 4 days for the special white-winged dove area of the South Zone between September 1 and September 19. The daily bag limit may not exceed 10 white-winged, mourning, and white-tipped doves in the aggregate, of which no more than 5 may be mourning doves and 2 may be white-tipped doves.

Alaska

Outside Dates: Between September 1 and January 26.

Hunting Seasons: Alaska may select 107 consecutive days for waterfowl, sandhill cranes, and common snipe in each of five zones. The season may be split without penalty in the Kodiak Zone. The seasons in each zone must be concurrent.

Closures: The season is closed on Canada geese from Unimak Pass westward in the Aleutian Island chain. The hunting season is closed on Aleutian Canada geese, emperor geese, spectacled eiders, and Steller's eiders.

Daily Bag and Possession limits:

Ducks - Except as noted, a basic daily bag limit of 7 and a possession limit of 21 ducks. Daily bag and possession limits in the North Zone are 10 and 30, and in the Gulf Coast Zone they are 8 and 24, respectively. The basic limits may include no more than 1 canvasback daily and 3 in possession.

In addition to the basic limit, there is a daily bag limit of 15 and a possession limit of 30 scoter, common and king eiders, oldsquaw, harlequin, and common and red-breasted mergansers, singly or in the aggregate of these species.

Light Geese - A basic daily bag limit of 3 and a possession limit of 6.

Dark Geese - A basic daily bag limit of 4 and a possession limit of 8.

Dark-goose seasons are subject to the following restrictions:

1. In Units 9(e) and 18, the limits for Canada geese are 1 daily and 2 in possession.

2. In Units 5 and 6, the taking of Canada geese is permitted from September 28 through December 16. Middleton Island is closed to the taking of Canada geese.

3. In Unit 10 (except Unimak Island), the taking of Canada geese is prohibited.

Brant - A daily bag limit of 2.

Common snipe - A daily bag limit of 8.

Sandhill cranes - A daily bag limit of 3.

Tundra swans - Open seasons for tundra swans may be selected subject to the following conditions:

1. No more than 300 permits may be issued in GMU 22, authorizing each permittee to take 1 tundra swan per season.

2. No more than 500 permits may be issued during the operational season in GMU 18. No more than 1 tundra swan may be taken per permit.

3. The seasons must be concurrent with other migratory bird seasons.

4. The appropriate State agency must issue permits, obtain harvest and hunter-participation data, and report the results of this hunt to the Service by June 1 of the following year.

Hawaii

Outside Dates: Between September 1 and January 15.

Hunting Seasons: Not more than 60 days (70 under the alternative) for mourning doves.

Bag Limits: Not to exceed 15 (12 under the alternative) mourning doves.

Note: Mourning doves may be taken in Hawaii in accordance with shooting hours and other regulations set by the State of Hawaii, and subject to the applicable provisions of 50 CFR part 20.

Puerto Rico

Doves and Pigeons:

Outside Dates: Between September 1 and January 15.

Hunting Seasons: Not more than 60 days.

Daily Bag and Possession Limits: Not to exceed 10 Zenaida, mourning, and white-winged doves in the aggregate. Not to exceed 5 scaly-naped pigeons.

Closed Areas: There is no open season on doves or pigeons in the following areas: Municipality of Culebra, Desecheo Island, Mona Island, El Verde Closure Area, and Cidra Municipality and adjacent areas.

Ducks, Coots, Moorhens, Gallinules, and Snipe:

Outside Dates: Between October 1 and January 31.

Hunting Seasons: Not more than 55 days may be selected for hunting ducks, common moorhens, and common snipe. The season may be split into two segments.

Daily Bag Limits:

Ducks - Not to exceed 5.

Common moorhens - Not to exceed 6.

Common snipe - Not to exceed 8.

Closed Seasons: The season is closed on the ruddy duck, white-cheeked pintail, West Indian whistling duck, fulvous whistling duck, and masked duck, which are protected by the Commonwealth of Puerto Rico. The season also is closed on the purple gallinule, American coot, and Caribbean coot.

Closed Areas: There is no open season on ducks, common moorhens, and common snipe in the Municipality of Culebra and on Desecheo Island.

Virgin Islands

Doves and Pigeons:

Outside Dates: Between September 1 and January 15.

Hunting Seasons: Not more than 60 days for Zenaida doves.

Daily Bag and Possession Limits: Not to exceed 10 Zenaida doves.

Closed Seasons: No open season is prescribed for ground or quail doves, or pigeons in the Virgin Islands.

Closed Areas: There is no open season for migratory game birds on Ruth Cay (just south of St. Croix).

Local Names for Certain Birds:

Zenaida dove, also known as mountain dove; bridled quail-dove, also known as Barbary dove or partridge; Common ground-dove, also known as stone dove, tobacco dove, rola, or tortolita; scaly-naped pigeon, also known as red-necked or scaled pigeon.

Ducks

Outside Dates: Between December 1 and January 31.

Hunting Seasons: Not more than 55 consecutive days.

Daily Bag Limits: Not to exceed 5.

Closed Seasons: The season is closed on the ruddy duck, white-cheeked pintail, West Indian whistling duck, fulvous whistling duck, and masked duck.

Special Falconry Regulations

Falconry is a permitted means of taking migratory game birds in any State meeting Federal falconry standards in 50 CFR 21.29(k). These States may select an extended season for taking migratory game birds in accordance with the following:

Extended Seasons: For all hunting methods combined, the combined

length of the extended season, regular season, and any special or experimental seasons shall not exceed 107 days for any species or group of species in a geographical area. Each extended season may be divided into a maximum of 3 segments.

Framework Dates: Seasons must fall between September 1 and March 10.

Daily Bag and Possession Limits: Falconry daily bag and possession limits for all permitted migratory game birds shall not exceed 3 and 6 birds, respectively, singly or in the aggregate, during extended falconry seasons, any special or experimental seasons, and regular hunting seasons in all States, including those that do not select an extended falconry season.

Regular Seasons: General hunting regulations, including seasons and hunting hours, apply to falconry in each State listed in 50 CFR 21.29(k). Regular-season bag and possession limits do not apply to falconry. The falconry bag limit is not in addition to gun limits.

Area, Unit, and Zone Descriptions

Central Flyway portion of the following States consists of:

Colorado: That area lying east of the Continental Divide.

Montana: That area lying east of Hill, Chouteau, Cascade, Meagher, and Park Counties.

New Mexico: That area lying east of the Continental Divide but outside the Jicarilla Apache Indian Reservation.

Wyoming: That area lying east of the Continental Divide and excluding the Great Divide Portion.

The remaining portions of these States are in the Pacific Flyway.

Mourning and White-winged Doves

Alabama

South Zone - Baldwin, Barbour, Coffee, Conecuh, Covington, Dale, Escambia, Geneva, Henry, Houston, and Mobile Counties.

North Zone - Remainder of the State.

California

White-winged Dove Open Areas - Imperial, Riverside, and San Bernardino Counties.

Florida

Northwest Zone - The Counties of Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Okaloosa, Santa Rosa, Walton, Washington, Leon (except that portion north of U.S. 27 and east of State Road 155), Jefferson (south of U.S. 27, west of State Road 59 and north of U.S. 98), and Wakulla (except that portion south of U.S. 98 and east of the St. Marks River).

South Zone - Remainder of State.

Georgia

Northern Zone - That portion of the State lying north of a line running west to east along U.S. Highway 280 from Columbus to Wilcox County, thence southward along the western border of Wilcox County; thence east along the southern border of Wilcox County to the Ocmulgee River, thence north along the Ocmulgee River to Highway 280, thence east along Highway 280 to the Little Ocmulgee River; thence southward along the Little Ocmulgee River to the Ocmulgee River; thence southwesterly along the Ocmulgee River to the western border of the Jeff Davis County; thence south along the western border of Jeff Davis County; thence east along the southern border of Jeff Davis and Appling Counties; thence north along the eastern border of Appling County, to the Altamaha River; thence east to the eastern border of Tattnall County; thence north along the eastern border of Tattnall County; thence north along the western border of Evans to Candler County; thence west along the southern border of Candler County to the Ochopee River; thence north along the western border of Candler County to Bulloch County; thence north along the western border of Bulloch County to U.S. Highway 301; thence northeast along U.S. Highway 301 to the South Carolina line.

South Zone - Remainder of the State.

Louisiana

North Zone - That portion of the State north of Interstate Highway 10 from the Texas State line to Baton Rouge, Interstate Highway 12 from Baton Rouge to Slidell and Interstate Highway 10 from Slidell to the Mississippi State line.

South Zone - The remainder of the State.

Mississippi

South Zone - The Counties of Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Marion, Pearl River, Perry, Pike, Stone, and Walthall.

North Zone - The remainder of the State.

Nevada

White-winged Dove Open Areas - Clark and Nye Counties.

Texas

North Zone - That portion of the State north of a line beginning at the International Bridge south of Fort Hancock; north along FM 1088 to TX 20; west along TX 20 to TX 148; north along TX 148 to I-10 at Fort Hancock; east along I-10 to I-20; northeast along I-20 to I-30 at Fort Worth; northeast along I-30 to the Texas-Arkansas State line.

South Zone - That portion of the State south and west of a line beginning at the International Bridge south of Del Rio, proceeding east on U.S. 90 to San

Antonio; then east on I-10 to Orange, Texas.

Special White-winged Dove Area in the South Zone - That portion of the State south and west of a line beginning at the International Bridge south of Del Rio, proceeding east on U.S. 90 to Uvalde; south on U.S. 83 to TX 44; east along TX 44 to TX 16 at Freer; south along TX 16 to TX 285 at Hebbbronville; east along TX 285 to FM 1017; southwest along FM 1017 to TX 186 at Linn; east along TX 186 to the Mansfield Channel at Port Mansfield; east along the Mansfield Channel to the Gulf of Mexico.

Area with additional restrictions - Cameron, Hidalgo, Starr, and Willacy Counties.

Central Zone - That portion of the State lying between the North and South Zones.

Band-tailed Pigeons

California

North Zone - Alpine, Butte, Del Norte, Glenn, Humboldt, Lassen, Mendocino, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, and Trinity Counties.

South Zone - The remainder of the State.

New Mexico

North Zone - North of a line following U.S. 60 from the Arizona State line east to I-25 at Socorro and then south along I-25 from Socorro to the Texas State line.

South Zone - Remainder of the State.

Washington

Western Washington - The State of Washington excluding those portions lying east of the Pacific Crest Trail and east of the Big White Salmon River in Klickitat County.

Woodcock

New Jersey

North Zone - That portion of the State north of NJ 70.

South Zone - The remainder of the State.

Special September Goose Seasons

Atlantic Flyway

North Carolina

Northeast Hunt Unit - Counties of Bertie, Camden, Chovan, Currituck, Dare, Hyde, Pasquotank, Perquimans, Tyrrell, and Washington.

Mississippi Flyway

Illinois

Northeast Zone - Cook, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, and Will Counties.

Iowa

North Zone: That portion of the State north of a line extending east from the

Nebraska border along State Highway 175 to State 37, southeast along State 37 to U.S. Highway 59, south along U.S. 59 to Interstate Highway 80, then east along I-80 to the Illinois border.

South Zone: The remainder of Iowa.

Minnesota

Twin Cities Metropolitan Canada Goose Zone -

A. All of Hennepin and Ramsey Counties.

B. In Anoka County, all of Columbus Township lying south of County State Aid Highway (CSAH) 18, Anoka County; all of the cities of Ramsey, Andover, Anoka, Coon Rapids, Spring Lake Park, Fridley, Hilltop, Columbia Heights, Blaine, Lexington, Circle Pines, Lino Lakes, and Centerville; and all of the city of Ham Lake except that portion lying north of CSAH 18 and east of U.S. Highway 65.

C. That part of Carver County lying north and east of the following described line: Beginning at the northeast corner of San Francisco Township; thence west along the north boundary of San Francisco Township to the east boundary of Dahlgren Township; thence north along the east boundary of Dahlgren Township to U.S. Highway 212; thence west along U.S. Highway 212 to State Trunk Highway (STH) 284; thence north on STH 284 to County State Aid Highway (CSAH) 10; thence north and west on CSAH 10 to CSAH 30; thence north and west on CSAH 30 to STH 25; thence east and north on STH 25 to CSAH 10; thence north on CSAH 10 to the Carver County line.

D. In Scott County, all of the cities or Shakopee, Savage, Prior Lake, and Jordan, and all of the Townships of Jackson, Louisville, St. Lawrence, Sand Creek, Spring Lake, and Credit River.

E. In Dakota County, all of the cities of Burnsville, Eagan, Mendota Heights, Mendota, Sunfish Lake, Inver Grove Heights, Apple Valley, Lakeville, Rosemount, Farmington, Hastings, Lilydale, West St. Paul, and South St. Paul, and all of the Township of Nininger.

F. That portion of Washington County lying south of the following described line: Beginning at County State Aid Highway (CSAH) 2 on the west boundary of the county; thence east on CSAH 2 to U.S. Highway 61; thence south on U.S. Highway 61 to State Trunk Highway (STH) 97; thence east on STH 97 to the intersection of STH 97 and STH 95; thence due east to the east boundary of the state.

Northwest Goose Zone (included for reference only, not a special September Goose Season Zone) - That portion of the State encompassed by a line

extending east from the North Dakota border along U.S. Highway 2 to State Trunk Highway (STH) 32, north along STH 32 to STH 92, east along STH 92 to County State Aid Highway (CSAH) 2 in Polk County, north along CSAH 2 to CSAH 27 in Pennington County, north along CSAH 27 to STH 1, east along STH 1 to CSAH 28 in Pennington County, north along CSAH 28 to CSAH 54 in Marshall County, north along CSAH 54 to CSAH 9 in Roseau County, north along CSAH 9 to STH 11, west along STH 11 to STH 310, and north along STH 310 to the Manitoba border.

Four Goose Zone - That portion of the state encompassed by a line extending north from the Iowa border along U.S. Interstate Highway 35 to the south boundary of the Twin Cities Metropolitan Canada Goose Zone, then west and north along the boundary of the Twin Cities Metropolitan Canada Goose Zone to U.S. Interstate 94, then west and north on U.S. Interstate 94 to the North Dakota border.

Two Goose Zone - That portion of the state to the north of a line extending east from the North Dakota border along U.S. Interstate 94 to the boundary of the Twin Cities Metropolitan Canada Goose Zone, then north and east along the Twin Cities Metropolitan Canada Goose Zone boundary to the Wisconsin border, except the Northwest Goose Zone and that portion of the State encompassed by a line extending north from the Iowa border along U.S. Interstate 35 to the south boundary of the Twin Cities Metropolitan Canada Goose Zone, then east on the Twin Cities Metropolitan Canada Goose Zone boundary to the Wisconsin border.

Tennessee

Middle Tennessee Zone - Those portions of Houston, Humphreys, Montgomery, Perry, and Wayne Counties east of State Highway 13; and Bedford, Cannon, Cheatham, Coffee, Davidson, Dickson, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Macon, Marshall, Maury, Moore, Robertson, Rutherford, Smith, Sumner, Trousdale, Williamson, and Wilson Counties.

Cumberland Plateau Zone - Bledsoe, Bradley, Clay, Cumberland, Dekalb, Fentress, Grundy, Hamilton, Jackson, Marion, McMinn, Meigs, Morgan, Overton, Pickett, Polk, Putnam, Rhea, Roane, Scott, Sequatchie, Van Buren, Warren, and White Counties.

East Tennessee Zone - Anderson, Blount, Campbell, Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, Monroe, Sevier, Sullivan, Unicoi, Union, and Washington Counties.

Wisconsin

Early-Season Subzone A - That portion of the State encompassed by a line beginning at the Lake Michigan shore in Sheboygan, then west along State Highway 23 to State 67, southerly along State 67 to County Highway E in Sheboygan County, southerly along County E to State 28, south and west along State 28 to U.S. Highway 41, southerly along U.S. 41 to State 33, westerly along State 33 to County Highway U in Washington County, southerly along County U to County N, southeasterly along County N to State 60, westerly along State 60 to County Highway P in Dodge County, southerly along County P to County O, westerly along County O to State 109, south and west along State 109 to State 26, southerly along State 26 to U.S. 12, southerly along U.S. 12 to State 89, southerly along State 89 to U.S. 14, southerly along U.S. 14 to the Illinois border, east along the Illinois border to the Michigan border in Lake Michigan, north along the Michigan border in Lake Michigan to a point directly east of State 23 in Sheboygan, then west along that line to the point of beginning on the Lake Michigan shore in Sheboygan.

Early-Season Subzone B - That portion of the State between Early-Season Subzone A and a line beginning at the intersection of U.S. Highway 141 and the Michigan border near Niagara, then south along U.S. 141 to State Highway 22, west and southwest along State 22 to U.S. 45, south along U.S. 45 to State 22, west and south along State 22 to State 110, south along State 110 to U.S. 10, south along U.S. 10 to State 49, south along State 49 to State 23, west along State 23 to State 73, south along State 73 to State 60, west along State 60 to State 23, south along State 23 to State 11, east along State 11 to State 78, then south along State 78 to the Illinois border.

*Pacific Flyway**Idaho*

East Zone - Bonneville, Caribou, Fremont and Teton Counties.

Oregon

Northwest Zone - Benton, Clackamas, Clatsop, Columbia, Lincoln, Linn, Marion, Polk, Multnomah, Tillamook, Washington, Wayne, and Yamhill Counties.

Southwest Zone - Coos, Curry, Douglas, Jackson, Josephine, and Klamath Counties.

East Zone - Baker, Gilliam, Malheur, Morrow, Sherman, Umatilla, Union and Wasco Counties.

Washington

Southwest Zone - Clark, Colitz, Pacific, and Wahkiakum Counties.

East Zone - Asotin, Benton, Columbia, Garfield, Klickitat, and Whitman Counties.

Wyoming

Bear River Area - That portion of Lincoln County described in State regulations.

Salt River Area - That portion of Lincoln County described in State regulations.

Farson-Edon Area - Those portions of Sweetwater and Sublette Counties described in State regulations.

Teton Area - Those portions of Teton County described in State regulations.

*Ducks**Mississippi Flyway**Iowa*

North Zone: That portion of the State north of a line extending east from the Nebraska border along State Highway 175 to State 37, southeast along State 37 to U.S. Highway 59, south along U.S. 59 to Interstate Highway 80, then east along I-80 to the Illinois border.

South Zone: The remainder of Iowa.

*Sandhill Cranes**Central Flyway**Colorado*

Regular-Season Open Area - The Central Flyway portion of the State except the San Luis Valley (Alamosa, Conejos, Costilla, Hinsdale, Mineral, Rio Grande and Saguache Counties east of the Continental Divide) and North Park (Jackson County).

Kansas

Regular Season Open Area - That portion of the State west of a line beginning at the Oklahoma border, north on I-35 to Wichita, north on I-135 to Salina, and north on U.S. 81 to the Nebraska border.

New Mexico

Regular-Season Open Area - Chaves, Curry, De Baca, Eddy, Lea, Quay, and Roosevelt Counties.

Middle Rio Grande Valley Area - The Central Flyway portion of New Mexico in Socorro and Valencia Counties.

Southwest Zone - Sierra, Luna, and Dona Ana Counties.

Oklahoma

Regular-Season Open Area - That portion of the State west of I-35.

Texas

Regular-Season Open Area - That portion of the State west of a line from the International Toll Bridge at Brownsville along U.S. 77 to Victoria; U.S. 87 to Placedo; Farm Road 616 to Blessing; State 35 to Alvin; State 6 to U.S. 290; U.S. 290 to Austin; I-35 to the Texas-Oklahoma border.

North Dakota

Regular-Season Open Area - That portion of the State west of U.S. 281.

South Dakota

Regular-Season Open Area - That portion of the State west of U.S. 281.

Montana

Regular-Season Open Area - The Central Flyway portion of the State except that area south of I-90 and west of the Bighorn River.

Wyoming

Regular-Season Open Area - Campbell, Converse, Crook, Goshen, Laramie, Niobrara, Platte, and Weston Counties.

Riverton-Boysen Unit - Portions of Fremont County.

Park and Bighorn County Unit - Portions of Park and Bighorn Counties.

*Pacific Flyway**Arizona*

Special-Season Area - Game Management Units 30A, 30B, 31, and 32.

Montana

Special-Season Area - See State regulations.

Utah

Special-Season Area - Rich County.

Wyoming

Bear River Area - That portion of Lincoln County described in State regulations.

Salt River Area - That portion of Lincoln County described in State regulations.

Eden-Farson Area - Those portions of Sweetwater and Sublette Counties described in State regulations.

All Migratory Game Birds in Alaska

North Zone - State Game Management Units 11-13 and 17-26.

Gulf Coast Zone - State Game Management Units 5-7, 9, 14-16, and 10 - Unimak Island only.

Southeast Zone - State Game Management Units 1-4.

Pribilof and Aleutian Islands Zone - State Game Management Unit 10 - except Unimak Island.

Kodiak Zone - State Game Management Unit 8.

All Migratory Birds in the Virgin Islands

Ruth Cay Closure Area - The island of Ruth Cay, just south of St. Croix.

All Migratory Birds in Puerto Rico

Municipality of Culebra Closure Area - All of the municipality of Culebra.

Desecheo Island Closure Area - All of Desecheo Island.

Mona Island Closure Area - All of Mona Island.

El Verde Closure Area - Those areas of the municipalities of Rio Grande and Loiza delineated as follows: (1) All

lands between Routes 956 on the west and 186 on the east, from Route 3 on the north to the juncture of Routes 956 and 186 (Km 13.2) in the south; (2) all lands between Routes 186 and 966 from the juncture of 186 and 966 on the north, to the Caribbean National Forest Boundary on the south; (3) all lands lying west of Route 186 for one kilometer from the juncture of Routes 186 and 956 south to Km 6 on Route 186; (4) all lands within Km 14 and Km 6 on the west and the

Caribbean National Forest Boundary on the east; and (5) all lands within the Caribbean National Forest Boundary whether private or public.

Cidra Municipality and adjacent areas - All of Cidra Municipality and portions of Aguas, Buenas, Caguas, Cayer, and Comerio Municipalities as encompassed within the following boundary: beginning on Highway 172 as it leaves the municipality of Cidra on the west edge, north to Highway 156, east on

Highway 156 to Highway 1, south on Highway 1 to Highway 765, south on Highway 765 to Highway 763, south on Highway 763 to the Rio Guavate, west along Rio Guavate to Highway 1, southwest on Highway 1 to Highway 14, west on Highway 14 to Highway 729, north on Highway 729 to Cidra Municipality boundary to the point of beginning.

BILLING CODE 4310-55-F

FINAL REGULATORY ALTERNATIVES FOR DUCK HUNTING DURING THE 1996-97 SEASON

	ATLANTIC FLYWAY			MISSISSIPPI FLYWAY			CENTRAL FLYWAY (a)			PACIFIC FLYWAY (b)(c)		
	RES	MOD	LIB	RES	MOD	LIB	RES	MOD	LIB	RES	MOD	LIB
Beginning Shooting Time	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise
Ending Shooting Time	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset
Opening Date	OCT 1	OCT 1	OCT 1	SEP 28	SEP 28	SEP 28	SEP 28	SEP 28	SEP 28	SEP 28	SEP 28	SEP 28
Closing Date	JAN 20	JAN 20	JAN 20	JAN 19	JAN 19	JAN 19	JAN 19	JAN 19	JAN 19	JAN 19	JAN 19	JAN 19
Season Length	30	40	50	30	40	50	39	51	60	59	79	93
Daily Bag/Possession	3 6	4 8	5 10	3 6	4 8	5 10	3 6	4 8	5 10	4 8	5 10	7 14
Species/Sex Limits within the Overall Daily Bag Limit												
Mallard (Total/Female)	3/1	4/1	5/1	2/1	3/1	4/1	3/1	4/1	5/1	3/1	4/1	7/1
Pintail	1	1	1	1	1	1	1	1	1	1	1	2
Black Duck	1	1	1	1	1	1	1	1	1	1	1	2
H. Merganser	1	1	1	1	1	1	1	1	1	1	1	2
Canvasback	1	1	1	1	1	1	1	1	1	1	1	2
Redhead	2	2	2	1	1	2	1	1	2	2	2	2
Wood Duck	2	2	2	2	2	2	2	2	2	2	2	2
Whistling Ducks	1	1	1	1	1	1	1	1	1	1	1	1
Harlequin	Closed	Closed	Closed	1	1	1	1	1	1	1	1	1
Mottled Duck	1	1	1	3	3	3	1	1	1	1	1	1

(a) In the High Plains Mallard Management Unit, all regulations would be the same as the remainder of the Central Flyway with the exception of season length. Under the restrictive package, the number of additional days would be 12, 16 for the moderate package and 23 for the liberal package. Under all options, additional days must be on or after the Saturday nearest December 10.

(b) In the Columbia Basin Mallard Management Unit, all regulations would be the same as the remainder of the Pacific Flyway with the exception of season length. Under all options, an additional 7 days would be allowed.

(c) In Alaska, framework dates, bag limits, and season length would be different than the remainder of the Pacific Flyway. The bag limit would be 5-7 under the restrictive option and 8-10 for the moderate and liberal packages. There would be no restrictions on pintails and canvasback limits will follow those for the remainder of the Pacific Flyway. Under all options, season length would be 107 days and framework dates would be Sep 1 - Jan 26.