

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 20**

RIN 1018-AE14

**MIGRATORY BIRD HUNTING;
Migratory Bird Hunting Regulations on
Certain Federal Indian Reservations
and Ceded Lands for the 1997-98 Early
Season****AGENCY:** Fish and Wildlife Service,
Interior.**ACTION:** Final rule.

SUMMARY: This rule prescribes special early season migratory bird hunting regulations for certain tribes on Federal Indian reservations, off-reservation trust lands and ceded lands. This responds to tribal requests for U.S. Fish and Wildlife Service (hereinafter Service) recognition of their authority to regulate hunting under established guidelines. This rule allows the establishment of season bag limits and, thus, harvest at levels compatible with populations and habitat conditions.

DATE: This rule takes effect on September 1, 1997.

ADDRESSES: The public may inspect comments received, if any, on the proposed special hunting regulations and tribal proposals during normal business hours in Room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia. The public should send communications regarding the documents to: Director (FWS/MBMO), U.S. Fish and Wildlife Service, ms 634—ARLSQ, 1849 C Street, NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Ron W. Kokel, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, (703/358-1714).

SUPPLEMENTARY INFORMATION: The Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755; 16 U.S.C. 703 *et seq.*), authorizes and directs the Secretary of the Department of the Interior, having due regard for the zones of temperature and for the distribution, abundance, economic value, breeding habits, and times and lines of flight of migratory game birds, to determine when, to what extent, and by what means such birds or any part, nest or egg thereof may be taken, hunted, captured, killed, possessed, sold, purchased, shipped, carried, exported or transported.

In the August 11, 1997, **Federal Register** (62 FR 43042), the Service proposed special migratory bird hunting regulations for the 1997-98 hunting season for certain Indian tribes, under

the guidelines described in the June 4, 1985, **Federal Register** (50 FR 23467). The guidelines respond to tribal requests for Service recognition of their reserved hunting rights, and for some tribes, recognition of their authority to regulate hunting by both tribal members and nonmembers on their reservations. The guidelines include possibilities for:

(1) on-reservation hunting by both tribal members and nonmembers, with hunting by nontribal members on some reservations to take place within Federal frameworks but on dates different from those selected by the surrounding State(s);

(2) on-reservation hunting by tribal members only, outside of usual Federal frameworks for season dates and length, and for daily bag and possession limits; and

(3) off-reservation hunting by tribal members on ceded lands, outside of usual framework dates and season length, with some added flexibility in daily bag and possession limits.

In all cases, the regulations established under the guidelines must be consistent with the March 10 - September 1 closed season mandated by the 1916 Migratory Bird Treaty with Canada.

In the March 13, 1997, **Federal Register** (62 FR 2054), the Service requested that tribes desiring special hunting regulations in the 1997-98 hunting season submit a proposal including details on:

(1) requested season dates and other regulations to be observed;

(2) harvest anticipated under the requested regulations;

(3) methods that will be employed to measure or monitor harvest;

(4) steps that will be taken to limit level of harvest, where it could be shown that failure to limit such harvest would impact seriously on the migratory bird resource; and

(5) tribal capabilities to establish and enforce migratory bird hunting regulations.

No action is required if a tribe wishes to observe the hunting regulations established by the State(s) in which an Indian reservation is located. The Service has successfully used the guidelines since the 1985-86 hunting season. The Service finalized the guidelines beginning with the 1988-89 hunting season (August 18, 1988, **Federal Register** [53 FR 31612]).

Although the proposed rule included generalized regulations for both early- and late-season hunting, this rulemaking addresses only the early-season proposals. Late-season hunting will be addressed in late-September. As a general rule, early seasons begin during September each year and have a

primary emphasis on such species as mourning and white-winged dove. Late seasons begin about October 1 or later each year and have a primary emphasis on waterfowl.

**Comments and Issues Concerning
Tribal Proposals**

For the 1997-98 migratory bird hunting season, the Service proposed regulations for 20 tribes and/or Indian groups that followed the 1985 guidelines and were considered appropriate for final rulemaking. Some of the proposals submitted by the tribes had both early- and late-season elements. However, as noted earlier, only those with early-season proposals are included in this final rulemaking; 12 tribes have proposals with early seasons. Comments and revised proposals received to date are addressed in the following section. The comment period for the proposed rule, published on August 11, 1997, closed on August 21, 1997. Because of the necessary brief comment period, the Service will respond to any comments received on the proposed rule and/or these early-season regulations not responded to herein in the September late-season final rule.

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 designs 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 were conducted 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 are included in a biological opinion and may have caused modification of some regulatory measures previously

proposed. The final frameworks 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.

Executive Order (E.O.) 12866

Collectively, the rules covering the overall frameworks for migratory bird hunting are economically significant and are reviewed by the Office of Management and Budget (OMB) under E.O. 12866. This rule is a small portion of the overall migratory bird hunting frameworks and was not individually submitted and reviewed by the Office of Management and Budget (OMB) under E.O. 12866.

Congressional Review

In accordance with Section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 8), this rule has been submitted to Congress and has been declared major. Because this rule establishes hunting seasons, this rule qualifies for an exemption under 5 U.S.C. 808(1); therefore, the Department determines that this rule shall take effect immediately.

Regulatory Flexibility Act

Overall, migratory bird hunting regulations have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). In the March 13, 1997, **Federal Register**, the Service reported measures it took to comply with requirements of the Act. One measure was to prepare a Small Entity Flexibility Analysis (Analysis) in 1996 documenting the significant beneficial economic effect on a substantial number of small entities. The Analysis estimated that migratory bird hunters would spend between \$254 and \$592 million at small businesses in 1996. Copies of the Analysis are available upon request from the Office of Migratory Bird Management.

Paperwork Reduction Act

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

Regulations Promulgation

The rulemaking process for migratory game bird hunting must, by its nature, operate under severe time constraints. However, the Service intends that the public be given the greatest possible opportunity to comment on the

regulations. Thus, when the preliminary proposed rulemaking was published, the Service established what it believed were the longest periods possible for public comment. In doing this, the Service recognized that when the comment period closed, time would be of the essence. That is, if there were a delay in the effective date of these regulations after this final rulemaking, the tribes would have insufficient time to communicate these seasons to their member and non-tribal hunters and to establish and publicize the necessary regulations and procedures to implement their decisions.

Therefore, the Service, under the authority of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 703 *et seq.*), prescribes final hunting regulations for certain tribes on Federal Indian reservations (including off-reservation trust lands), and ceded lands. The regulations specify the species to be hunted and establish season dates, bag and possession limits, season length, and shooting hours for migratory game birds.

The Service therefore finds that "good cause" exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act, and these frameworks will, therefore, take effect immediately upon publication.

Unfunded Mandates Reform Act

The Service has determined and certifies in compliance with the requirements of the Unfunded Mandates Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not impose a cost of \$100 million or more in any given year on local or State government or private entities.

Civil Justice Reform—Executive Order 12988

The Department, in promulgating this rule, has determined that these regulations meet the applicable standards provided in Sections 3(a) and 3(b)(2) of Executive Order 12988.

List of Subjects in 50 CFR Part 20

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

Accordingly, part 20, subchapter B, chapter I of Title 50 of the Code of Federal Regulations is amended as follows:

PART 20—[AMENDED]

1. The authority citation for part 20 is revised to read as follows:

1. AUTHORITY: 16 U.S.C. 703–712 and 16 U.S.C. 742 a–j. (Editorial Note: The following hunting regulations provided for

by § 20.110 of 50 CFR part 20 will not appear in the Code of Federal Regulations because of their seasonal nature).

2. Section 20.110 is revised to read as follows:

§ 20.110 Seasons, limits and other regulations for certain Federal Indian reservations, Indian Territory, and ceded lands.

(a) *Colorado River Indian Tribes, Parker, Arizona (Tribal Members and Non-tribal Hunters)*

Doves

Season Dates: Open September 1, close September 15, 1997; then open November 16, close January 15, 1998.

Daily Bag and Possession Limits: For the early season, daily bag limit is 10 mourning or 10 white-winged doves, singly, or in the aggregate. For the late season, the daily bag limit is 10 mourning doves. Possession limits are twice the daily bag limits.

General Conditions: A valid Colorado River Indian Reservation hunting permit is required for all persons 14 years and older and must be in possession before taking any wildlife on tribal lands. Any person transporting game birds off the Colorado River Indian Reservation must have a valid transport declaration form. Other tribal regulations apply, and may be obtained at the Fish and Game Office in Parker, Arizona.

(b) *Fond du Lac Band of Lake Superior Chippewa Indians, Cloquet, Minnesota (Tribal Members Only)*

Ducks

Minnesota 1854 Zone:

Season Dates: Open September 13, close November 23, 1997.

Daily Bag Limit: 20 ducks, including no more than 10 mallards; only 5 of which may be hen mallards; 4 black ducks; 4 redheads, 4 pintails and 2 canvasbacks.

Mergansers

Minnesota 1854 Zone:

Season Dates: Open September 13, close November 23, 1997.

Daily Bag Limit: 5 mergansers, including no more than 1 hooded merganser.

Geese

Minnesota 1854 Zone:

Season Dates: Open September 6, close November 23, 1997.

Daily Bag Limit: 10 geese.

Coots and Common Moorhens (Gallinule)

Minnesota 1854 Zone:

Season Dates: Open September 13, close November 23, 1997.

Daily Bag Limit: 20 coots and common moorhens, singly or in the aggregate.

Sora and Virginia Rails

Minnesota 1854 Zone:

Season Dates: Open September 6, close November 23, 1997.

Daily Bag Limit: 25 sora and Virginia rails, singly or in the aggregate. The possession limit is 25.

Common Snipe

Minnesota 1854 Zone:

Season Dates: Open September 1, close November 23, 1997.

Daily Bag Limit: 8 snipe.

Woodcock

Minnesota 1854 Zone:

Season Dates: Open September 1, close November 23, 1997.

Daily Bag Limit: 5 woodcock.

General Conditions:

(i) While hunting waterfowl, a tribal member must carry on his/her person a valid tribal waterfowl hunting permit.

(ii) Except as otherwise noted, tribal members will be required to comply with tribal codes that will be no less restrictive than the provisions of Chapter 10 of the Model Off—Reservation Code. This Model Code was the subject of the stipulation in *Lac Courte Oreilles v. State of Wisconsin* regarding migratory bird hunting. Except as modified herein, these amended regulations parallel Federal requirements, 50 CFR Part 20, and shooting hour regulations in 50 CFR Part 20, subpart K, as to hunting methods, transportation, sale, exportation and other conditions generally applicable to migratory bird hunting.

(iii) Tribal members in each zone will comply with State regulations providing for closed and restricted waterfowl hunting areas.

(iv) Minnesota--Duck Blinds and Decoys. Tribal members hunting in Minnesota will comply with tribal codes that contain provisions parallel to applicable State statutes.

(v) Possession limits for each species are double the daily bag limit, except on the opening day of the season, when the possession limit equals the daily bag limit, unless otherwise specified.

(vi) Possession limits are applicable only to transportation and do not include birds which are cleaned, dressed, and at a member's primary residence. For purposes of enforcing bag and possession limits, all migratory

birds in the possession or custody of tribal members on ceded lands will be considered to have been taken on those lands unless tagged by a tribal or State conservation warden as having been taken on-reservation. In Wisconsin, such tagging will comply with applicable State statutes. All migratory birds which fall on reservation lands will not count as part of any off-reservation bag or possession limit.

(c) Grand Traverse Band of Ottawa and Chippewa Indians, Suttons Bay, Michigan (Tribal Members Only)

Ducks

Michigan, 1836 Treaty Zone:

Season Dates: Open September 20, 1997, close January 20, 1998.

Daily Bag Limit: 10 ducks, which may include no more than 1 pintail, 1 canvasback, 1 black duck, 1 hooded merganser, 2 wood ducks, 2 redheads, and 5 mallards (only 2 hen mallards).

Canada Geese

Michigan, 1836 Treaty Zone:

Season Dates: Open September 1, close November 30, 1997, and open January 1, 1998, close February 8, 1998.

Daily Bag Limit: 5 geese.

General Conditions: A valid Grand Traverse Band Tribal license is required for all persons 12 years and older and must be in possession before taking any wildlife. All other basic regulations contained in 50 CFR part 20 are valid. Other tribal regulations apply, and may be obtained at the tribal office in Suttons Bay, Michigan.

Sora Rails

Michigan 1836 Treaty Zone:

Season Dates: Open September 1, close November 14, 1997.

Daily Bag Limit: 5 rails.

Common Snipe

Michigan 1836 Treaty Zone:

Season Dates: Open September 1, close November 14, 1997.

Daily Bag Limit: 5 snipe.

Woodcock

Michigan 1836 Treaty Zone:

Season Dates: Open September 1, close November 14, 1997.

Daily Bag Limit: 5 woodcock.

(d) Great Lakes Indian Fish and Wildlife Commission, Odanah, Wisconsin (Tribal Members Only)

Ducks

Wisconsin and Minnesota 1837 and 1842 Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 20 ducks, including no more than 10 mallards; only 5 of which may be hen mallards; 4 black ducks; 4 redheads, 4 pintails and 2 canvasbacks.

Michigan 1836 and 1842 Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 10 ducks, including no more than 5 mallards; only 2 of which may be hen mallards; 2 black ducks; 2 redheads, 2 pintails and 1 canvasback.

Mergansers

Wisconsin and Minnesota 1837 and 1842 Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 5 mergansers.

Michigan 1836 and 1842 Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 5 mergansers, including no more than 1 hooded merganser.

Canada Geese

Wisconsin and Minnesota 1837 and 1842 Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 10 geese, minus the number of blue, snow or white-fronted geese taken.

Michigan 1836 and 1842 Treaty Zone:

Season Dates: Open September 15, close December 1, 1997. In addition, the same dates and season length permitted the State of Michigan during the Special September Canada goose Season.

Daily Bag Limit: 10 Canada geese, minus the number of blue, snow or white-fronted geese taken. In addition, the same bag limit permitted the State of Michigan during the Special September Canada goose Season.

Geese: Blue, Snow and White-fronted Geese

A. Wisconsin and Minnesota 1837 and 1842 Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 10 geese, minus the number of Canada geese taken.

B. Michigan 1836 and 1842 Treaty Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 10 geese, minus the number of Canada geese taken.

Other Migratory Birds: Coots and Common Moorhens (Common Gallinules)

A. Wisconsin and Minnesota 1837 and 1842 Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 20 coots and common moorhens (common gallinules), singly or in the aggregate.

B. Michigan 1836 and 1842 Treaty Zones:

Season Dates: Open September 15, December 1, 1997.

Daily Bag Limit: 20 coots and common moorhens (common gallinules), singly or in the aggregate.

Sora and Virginia Rails

A. Wisconsin and Minnesota 1837 and 1842 Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 25 sora and Virginia rails singly, or in the aggregate.

B. Michigan 1836 and 1842 Treaty Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 25 sora and Virginia rails singly, or in the aggregate.

Common Snipe

A. Wisconsin and Minnesota 1837 and 1842 Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 8 common snipe.

B. Michigan 1836 and 1842 Treaty Zones:

Season Dates: Open September 15, close December 1, 1997.

Daily Bag Limit: 8 common snipe.

Woodcock

A. Wisconsin and Minnesota 1837 and 1842 Zones:

Season Dates: Open September 2, close November 30, 1997.

Daily Bag Limit: 5 woodcock.

B. Michigan 1836 and 1842 Treaty Zones:

Season Dates: Open September 1, close December 1, 1997.

Daily Bag Limit: 5 woodcock.

General Conditions:

(i) While hunting waterfowl, a tribal member must carry on his/her person a valid tribal waterfowl hunting permit.

(ii) Except as otherwise noted, tribal members will be required to comply with tribal codes that will be no less restrictive than the provisions of Chapter 10 of the Model Off-Reservation

Code. This Model Code was the subject of the stipulation in *Lac Courte Oreilles v. State of Wisconsin* regarding migratory bird hunting. Except as modified herein, these amended regulations parallel Federal requirements, 50 CFR Part 20, and shooting hour regulations in 50 CFR Part 20, subpart K, as to hunting methods, transportation, sale, exportation and other conditions generally applicable to migratory bird hunting.

(iii) Tribal members in each zone will comply with tribal regulations providing for closed and restricted waterfowl hunting areas. These regulations generally incorporate the same restrictions contained in parallel state regulations.

(iv) Minnesota and Michigan--Duck Blinds and Decoys. Tribal members hunting in Minnesota will comply with tribal codes that contain provisions parallel to applicable State statutes. Tribal members hunting in Michigan will comply with tribal codes that contain provisions parallel to Michigan law regarding duck blinds and decoys.

(v) Possession limits for each species are double the daily bag limit, except on the opening day of the season, when the possession limit equals the daily bag limit, unless otherwise specified.

(vi) Possession limits are applicable only to transportation and do not include birds which are cleaned, dressed, and at a member's primary residence. For purposes of enforcing bag and possession limits, all migratory birds in the possession or custody of tribal members on ceded lands will be considered to have been taken on those lands unless tagged by a tribal or State conservation warden as having been taken on-reservation. In Wisconsin, such tagging will comply with applicable State statutes. All migratory birds which fall on reservation lands will not count as part of any off-reservation bag or possession limit.

(e) Kalispel Tribe, Kalispel Reservation, Usk, Washington (Tribal Members Only).

Ducks

Season Dates: Open September 15, 1997, close January 31, 1998.

Daily Bag and Possession Limits: 7 ducks, including no more than 3 pintails, 2 hen mallards, and 1 canvasback.

Geese

Season Dates: Open September 15, 1997, close January 31, 1998.

Daily Bag and Possession Limits: 4 geese, including 4 dark geese but not

more than 3 light geese. The possession limit is twice the daily bag limit.

General: Tribal members must possess a validated Migratory Bird Hunting and Conservation Stamp and a tribal ceded lands permit.

(f) Navajo Indian Reservation, Window Rock, Arizona (Tribal Members and Nonmembers).

Band-tailed Pigeons

Season Dates: Open September 1, close September 30, 1997.

Daily Bag and Possession Limits: 5 and 10 pigeons, respectively.

Mourning Doves

Season Dates: Open September 1, close September 30, 1997.

Daily Bag and Possession Limits: 10 and 20 doves, respectively.

General Conditions: Tribal and nontribal hunters will comply with all basic Federal migratory bird hunting regulations in 50 CFR Part 20, regarding shooting hours and manner of taking. In addition, each waterfowl hunter 16 years of age or over must carry on his/her person a valid Migratory Bird Hunting and Conservation Stamp (Duck Stamp) signed in ink across the face. Special regulations established by the Navajo Nation also apply on the reservation.

(g) Oneida Tribe of Indians of Wisconsin, Oneida, Wisconsin (Tribal Members).

Ducks

Season Dates: Open September 15, close November 20, 1997.

Daily Bag and Possession Limits: 5 ducks, including no more than 3 mallards (only 1 of which can be a mallard hen), 4 wood ducks, 1 canvasback, 1 redhead, 2 pintails, and 1 hooded merganser. Possession limit is twice the daily bag limit.

Geese

Season Dates: Open September 1, close December 31, 1997.

Daily Bag and Limits: 3 Canada geese, that must be tagged after harvest with tribal tags. The tribe will reissue tags upon registration of the daily bag limit. A season quota of 150 birds is adopted. If the quota is reached before the season concludes, the season will be closed at that time.

Woodcock

Season Dates: Open September 1, close November 16, 1997.

Daily Bag and Possession Limits: 5 and 10 woodcock, respectively.

General Conditions: Indians and non-Indians hunting on the Oneida Indian Reservation or on lands under the jurisdiction of the Oneida Nation will observe all basic Federal migratory bird hunting regulations found in 50 CFR. Indian hunters are exempt from the requirement to purchase a Migratory Waterfowl Hunting and Conservation Stamp (Duck Stamp) and the plugging of shotgun to limit capacity to 3 shells.

(h) *Point No Point Treaty Tribes, Kingston, Washington (Tribal Hunters).*

Ducks

Season Dates: Open September 15, 1997, close January 15, 1998.

Daily Bag and Possession Limits: 7 ducks, including no more than 1 female mallard, 2 pintails, 1 canvasback and 2 redheads. The season on wood ducks and harlequin ducks is closed. Possession limit is twice the daily bag limit.

Geese

Season Dates: Open September 15, 1997, close January 15, 1998.

Daily Bag and Possession Limits: 4 geese, and may include no more than 3 light geese. The season on Aleutian and Cackling Canada geese is closed. Possession limit is twice the daily bag limit.

Brant

Season Dates: Open September 15, close January 15, 1997.

Daily Bag and Possession Limits: 2 and 4 brant, respectively.

Coots

Season Dates: Open September 15, 1997, close January 15, 1998.

Daily Bag Limits: 25 coots.

Mourning Doves

Season Dates: Open September 1, close September 30, 1997.

Daily Bag and Possession Limits: 10 and 20 doves, respectively.

Snipe

Season Dates: Open September 1, close December 16, 1997.

Daily Bag and Possession Limits: 8 and 16 snipe, respectively.

(i) *Seminole Tribe of Florida, Big Cypress Seminole Reservation, Clewiston, Florida (Tribal and Non-tribal Hunters).*

Mourning Doves

Season Dates: Open September 14, 1997, close January 18, 1998.

Daily Bag and Possession Limits: 12 and 24 doves, respectively.

General Conditions: Hunting would be on Sundays only from 1:00 p.m. to sunset. All other Federal regulations contained in 50 CFR part 20 would apply.

(j) *Squaxin Island Tribe, Squaxin Island Reservation, Shelton, Washington (Tribal Members)*

Ducks

Season Dates: Open September 15, 1997, close January 15, 1998.

Daily Bag and Possession Limits: 5 ducks, including no more than 1 canvasback. The season on harlequin ducks is closed. Possession limit is twice the daily bag limit.

Geese

Season Dates: Open September 15, 1997, close January 15, 1998.

Daily Bag and Possession Limits: 4 geese, and may include no more than 2 snow geese and 1 dusky Canada goose. The season on Aleutian and Cackling Canada geese is closed. Possession limit is twice the daily bag limit.

Brant

Season Dates: Open September 15, close December 31, 1997.

Daily Bag and Possession Limits: 2 and 4 brant, respectively.

Coots

Season Dates: Open September 15, 1997, close January 15, 1998.

Daily Bag Limits: 25 coots.

Snipe

Season Dates: Open September 15, 1997, and close January 15, 1998.

Daily Bag and Possession Limits: 8 and 16 snipe, respectively.

Band-tailed Pigeons

Season Dates: Open September 15, close December 1, 1997.

Daily Bag and Possession Limits: 2 and 4 pigeons, respectively.

General Conditions: All tribal hunters must obtain a Tribal Hunting Tag and Permit from the tribe's Natural Resources Department and must have the permit, along with the member's treaty enrollment card, on his or her person while hunting. Shooting hours are one-half hour before sunrise to one-half hour after sunset and steel shot is required for all migratory bird hunting. Other special regulations are available at the tribal office in Shelton, Washington.

(k) *Tulalip Tribes of Washington, Tulalip Indian Reservation, Marysville, Washington (Tribal Members)*

Ducks/Coot

Season Dates: Open September 15, 1997, and close February 1, 1998.

Daily Bag and Possession Limits: 6 and 12 ducks, respectively; except that bag and possession limits are restricted for blue-winged teal, canvasback, harlequin, pintail, and wood duck to those established for the Pacific Flyway by final Federal frameworks, to be announced.

Geese

Season Dates: Open September 15, 1997, and close February 1, 1998.

Daily Bag and Possession Limits: 6 and 12 geese, respectively; except that the bag limits for brant and cackling and dusky Canada geese are those established for the Pacific Flyway in accordance with final Federal frameworks, to be announced. The tribes also set a maximum annual bag limit on ducks and geese for those tribal members who engage in subsistence hunting.

Snipe

Season Dates: Open September 15, 1997, and close February 1, 1998.

Daily Bag and Possession Limits: 6 and 12 snipe, respectively.

General Conditions: All waterfowl hunters, members and non-members, must obtain and possess while hunting a valid hunting permit from the Tulalip tribes. Also, non-tribal members sixteen years of age and older, hunting pursuant to Tulalip Tribes' Ordinance No. 67, must possess a validated Federal Migratory Bird Hunting and Conservation Stamp and a validated State of Washington Migratory Waterfowl Stamp. All Tulalip tribal members must have in their possession while hunting, or accompanying another, their valid tribal identification card. All hunters are required to adhere to a number of other special regulations enforced by the tribes and available at the tribal office.

(l) *White Mountain Apache Tribe, Fort Apache Indian Reservation, Whiteriver, Arizona (Tribal Members and Non-tribal Hunters).*

Band-tailed Pigeons

Season Dates: Open September 1, close September 10, 1997.

Daily Bag and Possession Limits: 3 and 6 pigeons, respectively.

Mourning Doves

Season Dates: Open September 1, close September 10, 1996.

Daily Bag and Possession Limits: 8 and 16 doves, respectively.

General Conditions: All non-tribal hunters hunting band-tailed pigeons and mourning doves on Reservation lands shall have in their possession a valid White Mountain Apache Daily or Yearly Small Game Permit. In addition to a small game permit, all non-tribal hunters hunting band-tailed pigeons must have in their possession a White Mountain Special Band-tailed Pigeon Permit. Other special regulations established by the White Mountain Apache Tribe apply on the reservation. Tribal and nontribal hunters will comply with all basic Federal migratory bird hunting regulations in 50 CFR Part 20 regarding shooting hours and manner of taking.

Dated: August 26, 1997.

William L. Leary,

Acting Assistant Secretary for Fish and Wildlife and Parks.

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