

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

RIN 1018-AE93

Migratory Bird Hunting; Supplemental Proposals for Migratory Game Bird Hunting Regulations; Notice of Meetings

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; supplemental.

SUMMARY: The U.S. Fish and Wildlife Service (hereinafter the Service) proposed in an earlier document to establish annual hunting regulations for certain migratory game birds for the 1998–99 hunting season. This supplement to the proposed rule provides the regulatory schedule; announces the Service Migratory Bird Regulations Committee and Flyway Councils meetings; and describes the proposed regulatory alternatives for the 1998–99 duck hunting seasons and other proposed changes from the 1997–98 hunting regulations.

DATES: The Service Migratory Bird Regulations Committee will consider and develop proposed regulations for early-season migratory bird hunting on June 23 and 24, and for late-season migratory bird hunting on August 4 and 5. All meetings will commence at approximately 8:30 a.m. The Service will hold public hearings on proposed early- and late-season frameworks at 9:00 a.m. on June 25 and August 6, 1998, respectively. The comment period for the proposed regulatory alternatives for the 1998–99 duck hunting seasons will end on July 1, 1998. The comment period for proposed migratory bird hunting-season frameworks for Alaska, Hawaii, Puerto Rico, the Virgin Islands, and other early seasons will end on July 27, 1998. The comment period for late-season proposals will end on September 7, 1998.

ADDRESSES: The Service Migratory Bird Regulations Committee will meet in room 200 of the U.S. Fish and Wildlife Service's Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia. The Service will hold public hearings in the Auditorium of the Department of the Interior Building, 1849 C Street, NW., Washington, DC. Parties should submit written comments on the proposals and/or a notice of intent to participate in either hearing to the Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, ms 634-ARLSQ, 1849 C Street, NW.,

Washington, DC 20240. The public may inspect comments during normal business hours in room 634, ARLSQ Building, 4401 N. Fairfax Drive, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Paul R. Schmidt, Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, (703) 358–1714.

SUPPLEMENTARY INFORMATION:**Regulations Schedule for 1998**

On March 20, 1998, the Service published in the **Federal Register** (63 FR 13748) 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. This document is the second in a series of proposed, supplemental, and final rules for migratory game bird hunting regulations. The Service will publish early-season frameworks in mid-July and late-season frameworks in mid-August. The Service will publish final regulatory alternatives for the 1998–99 duck hunting seasons in mid-July and final regulatory frameworks for early seasons on or about August 21, 1998, and those for late seasons on or about September 26, 1998.

On June 25, 1998, the Service will hold a public hearing in Washington, DC, to review the status of migratory shore and upland game birds and waterfowl hunted during early seasons and the recommended hunting regulations for these species.

On August 6, 1998, the Service will hold a public hearing in Washington, DC, to review the status of waterfowl and recommended hunting regulations for regular waterfowl seasons, and other species and seasons not previously discussed at the June 25 public hearing.

Announcement of Service Migratory Bird Regulations Committee Meetings

The June 25 meeting will review information on the current status of migratory shore and upland game birds and develop 1998–99 migratory game bird regulations recommendations for these species plus regulations for migratory game birds in Alaska, Puerto Rico, and the Virgin Islands; special September waterfowl seasons in designated States; special sea duck seasons in the Atlantic Flyway; and extended falconry seasons. In addition, the Service will review and discuss preliminary information on the status of waterfowl as it relates to the development of the final regulatory packages for the 1998–99 regular waterfowl seasons. The June 25 meeting

will ensure that the Service develops its regulations recommendations with full consultation.

The August 6 meeting will review information on the current status of waterfowl and develop 1998–99 migratory game bird regulations recommendations for regular waterfowl seasons and other species and seasons not previously discussed at the early season meetings. The August 6 meeting will ensure that the Service develops its regulations recommendations with full consultation.

In accordance with Departmental policy, these meetings are open to public observation. Members of the public may submit written comments to the Director on the matters discussed.

Announcement of Flyway Council Meetings

Service representatives will be present at the following meetings of the Flyway Councils:

Atlantic Flyway, July 30–31, Simsbury, Connecticut (Simsbury Inn)
Mississippi Flyway, July 30–31, Alton, Illinois (Holiday Inn)
Central Flyway, July 29–31, Bismarck, North Dakota (Holiday Inn)
Pacific Flyway, July 30–31, Blaine, Washington (The Inn at Semi-ah-moo)

Although agendas are not yet available, these meetings usually commence at 8:30 a.m. on the days indicated.

Review of Public Comments

This supplemental rulemaking contains the proposed regulatory alternatives for the 1998–99 duck hunting seasons. All comments and recommendations received through May 1, 1998, relating to the development of these alternatives are included and addressed herein.

This supplemental rulemaking also describes other recommended changes based on the preliminary proposals published in the March 20, 1998, **Federal Register**. Only those recommendations requiring either new proposals or substantial modification of the preliminary proposals are included here. This supplement does not include recommendations that support or oppose but do not recommend alternatives to the preliminary proposals. The Service will consider these comments later in the regulations-development process. The Service will publish responses to all proposals, written comments, and public-hearing testimony when it develops final frameworks.

The Service seeks additional information and comments on the

recommendations in this supplemental proposed rule. The Service will consider all recommendations and associated comments during development of the final frameworks.

New proposals and modifications to previously described proposals are discussed below. Wherever possible, they are discussed under headings corresponding to the numbered items in the March 20, 1998, **Federal Register**.

1. Ducks

Categories used to discuss issues related to duck harvest management are: (A) Harvest Strategy Considerations, (B) Framework Dates, (C) Season Length, (D) Closed Seasons, (E) Bag Limits, (F) Zones and Split Seasons, and (G) Special Seasons/Species Management. The categories correspond to previous published issues/discussion and only those containing substantial recommendations are discussed below.

A. Harvest Strategy Considerations

Council Recommendations: The Atlantic Flyway Council recommended that the duck hunting packages used for the 1997–98 season be continued for the 1998–99 season.

The Upper-Regulations Committee of the Mississippi Flyway Council recommended that the 1997–98 regulations packages be maintained for the 1998–99 duck season. These consisted of 20-, 30-, 45-, and 60-day seasons, with bag limits ranging from 3 to 6 ducks, including appropriate species restrictions, and frameworks dates from the Saturday nearest October 1 to the Sunday nearest January 20.

The Lower-Region Regulations Committee of the Mississippi Flyway Council recommended that the regulatory packages for the 1997–98 season be continued in 1998–99, with the exception of framework dates (see further discussion in B. Framework Dates).

The Central Flyway Council recommended that the duck hunting packages used for the 1997–98 season be continued for the 1998–99 season.

Service Response: Beginning in 1995, the Service, Flyway Councils, and States introduced a new approach to the regulation of duck harvests, called Adaptive Harvest Management (AHM). AHM should help managers better understand the impacts of regulations on harvest and population levels, thereby improving the ability to provide maximum hunting opportunities consistent with long-term resource maintenance. AHM also is intended to provide a more objective, better informed, and less contentious decision-making process, as well as a formal and

coherent framework for addressing controversial harvest-management issues.

An integral part of this harvest-management approach is the cooperative establishment of a set of regulatory alternatives that includes specified season lengths and bag limits for very restrictive, restrictive, moderate, and liberal seasons. The alternatives used last year were the result of extensive discussions with the Flyway Councils and States, as well as involvement by the public. The Service appreciates the Flyway Councils' support for the continued use of those regulatory alternatives for the 1998–99 duck hunting season.

For the 1998–99 regular duck hunting season, the Service proposes the four regulatory alternatives detailed in the accompanying table. Alternatives are specified for each Flyway and are designated as "VERY RES" for the very restrictive, "RES" for the restrictive, "MOD" for the moderate, and "LIB" for the liberal alternative. The Service will publish final regulatory alternatives in July and propose a specific regulatory alternative when survey data on waterfowl population and habitat status are available. Public comments will be accepted until July 1, 1998, and should be sent to the address under the caption **ADDRESSES**.

B. Framework Dates

Council Recommendations: The Atlantic Flyway Council recommended no change to the current framework dates, believing that extensions would be premature without knowing the potential harvest impacts, which could reduce the frequency of liberal regulations and would reduce the likelihood that eastern mallards will be fully incorporated into AHM this year.

The Lower-Region Regulations Committee of the Mississippi Flyway Council recommended the Service allow States to choose a framework closing date as late as January 31 with a 10% penalty in days.

The Upper-Region Regulations Committee of the Mississippi Flyway Council recommended no change in existing framework dates. The Committee also recommended that if the Service were to offer States the opportunity to extend frameworks, the extension should be coupled with a commensurate reduction in season length and/or bag limits in the participating States to offset the predicted increase in harvest.

The Central Flyway Council recommended maintaining the current opening and closing framework dates adopted under AHM. However, at some

future date, when the packages are reviewed for modification, the Council recommended that the framework dates issue should be cooperatively dealt with by all Flyways in seeking an agreement for equitable harvest opportunity.

The Pacific Flyway Council recommended maintaining the current opening and closing duck season framework dates adopted under AHM for the near future.

Service Response: In 1995, the Service established framework opening and closing dates of the Saturday nearest October 1 to the Sunday nearest January 20 for the Pacific, Central, and Mississippi Flyways, and fixed dates of October 1 to January 20 for the Atlantic Flyway (60 FR 50045). The Service maintained these framework dates for 1996 and 1997. In recent years, the Service has been requested by the Lower-Region Regulations Committee of the Mississippi Flyway Council (Alabama, Arkansas, Kentucky, Louisiana, Mississippi, and Tennessee) to consider a closing date of January 31. In previous **Federal Registers** (March 20, 1998 [63 FR 13751] and July 23, 1997 [62 FR 39718]), the Service maintained that considerations for extending the framework dates must address the potential increase in harvest, redistribution of harvest within and among Flyways, and the potential physiological impacts to birds later in the winter. Because of the concerns that these proposals would increase harvest and reallocate the harvest, the Service maintained the traditional closing date.

In the Interior Appropriations Committee Report for FY 1998, the Service was directed to analyze existing information and clarify potential impacts of framework extensions. The Service complied with this directive and believes that the available scientific data suggest clearly that framework extensions will increase the harvest of most duck species, although the magnitude of the increases cannot be estimated precisely. Based on these results, large-scale extensions of framework dates, without appropriate mitigation in harvest, could decrease the frequency of years with liberal regulations, while increasing the frequency of years with more restrictive regulations. The Service's report was peer-reviewed and made available for public comment before being submitted to the Congress (copies are available from the Service at the address indicated under **ADDRESSES**).

The Service believes that any extension of the framework closing date must be accompanied by a commensurate reduction in season length to offset the expected increase in

harvest. Offsetting the expected harvest increase would protect the migratory bird resource and address concerns about any redistribution of the harvest within or among Flyways. The Service also believes a change in the closing date can be considered only if the number of States permitted the framework extension is limited (only those few States within the Lower Region of the Mississippi Flyway), and if the reduction in season length is sufficient to offset the expected increase in harvest.

In response to a portion of the hunting public in the southern States of the Mississippi Flyway that is not satisfied with the existing regulatory alternatives, the Service proposes to offer an extension of the framework closing date to no later than January 31 only for those States in the Lower Region of the Mississippi Flyway (AL, AR, KY, LA, MS, TN), provided it can be determined that no net increase in harvest or redistribution of hunting opportunity/harvest occurs within and among Flyways. Any extension of the closing date will be offset with a reduction in season length sufficient to offset any expected harvest increase in those States. The Service's goal is to ensure that non-participating States will not be negatively affected as a result of States selecting this option.

After any State proposals received are reviewed and analyzed, the Service will approve extended closing dates in those States where the Service finds adequate evidence that increased harvest levels will be offset by proposed reductions in season length. These decisions will be announced when the Service publishes the final regulatory alternatives for the 1998–99 duck hunting seasons in mid-July.

Therefore, States requesting the extension in the closing date are to provide the Service (by June 15, 1998) the scientific analysis necessary to determine the nature of a commensurate reduction in season length. The response variable of primary interest is seasonal harvest or harvest rate (proportion of the duck population killed by hunters) of mallards, but effects on other important species (e.g., wood ducks) should be documented as well. Although a well-designed experiment of framework extensions has never been conducted, there is some information related to this issue as a result of a closing date of January 31 during 1979–84 in the State of Mississippi. Therefore, it will be necessary to conduct a retrospective analysis, in which changes in harvest between years with and without the framework extension are determined,

both in Mississippi and in neighboring States.

The Service acknowledges that there may be more than one legitimate method for conducting this analysis. In particular, the estimated effect of a January 31 framework extension depends in part on the specification of study “controls” (i.e., the selection of years without framework extensions and the neighboring States for comparison with the years of framework extensions in Mississippi). Therefore, supporting rationale for these selections should accompany any analysis. In its report to Congress (January 1998), the Service suggested that mallard harvest could be expected to increase by 33%, but this estimate has a relatively large margin of error. Thus, the Service is interested in any analysis that might improve either the precision or accuracy of this estimate. Also, it should be noted that there is not necessarily a one-to-one relationship between the expected proportional increase in harvest and the proportional decrease in season length needed to offset the harvest increase. This assessment will require an examination of the relationship between season length and cumulative harvest, using information from Federal or State harvest surveys.

If a framework extension is ultimately permitted, all States selecting seasons extending beyond the traditional closing date would have the same closing date and proportional reduction in season length. The later closing date would be available only for the years in which the moderate or liberal alternative is selected by the Service. Any State choosing the option of a later closing date must maintain that closing date and the appropriate season-length reduction for a five-year period beginning in the 1998–99 season, unless the Service determines that this option has negative impacts on the resource or distribution of the harvest, or something other than the moderate or liberal regulatory alternative is chosen. During the five-year period, the Service and affected States will annually examine harvest and other monitoring information to determine if adjustments in the season length or framework date are necessary to ensure no increase in, or change in distribution of, the harvest. Should information suggest that the health of duck populations or harvest distribution has been affected by the proposed extension, the Service will consider withdrawing the option of a January 31 closing date.

The Service acknowledges the recent expressions of intent by the Flyways to retain the current framework dates, thus helping to maintain traditional

distributions of hunting opportunities within and among Flyways. The Service also recognizes that any future consideration of framework extensions, beyond what has been proposed here, will likely require a comprehensive review of the distribution of hunting opportunity and harvest within and among Flyways. This review will be extremely difficult and will represent a significant resource commitment on the part of the Service and the Flyways. In light of these considerations, it is the Service's desire to not entertain additional changes to the opening and closing framework dates until the regulatory packages are reviewed for modification at some future date.

F. Zones and Split Seasons

Written Comments: The Ohio Division of Wildlife requested elimination of the Pymatuning Waterfowl Hunting Zone in Ohio and incorporation of the affected area into the North Zone beginning in the 1998–99 season.

Service Response: In the past, hunting seasons in that portion of Ohio had to be the same as those selected by Pennsylvania for that portion of Pennsylvania. Beginning this year, the Pymatuning Area will no longer be included in the Federal waterfowl hunting frameworks as a separate area, and will be considered part of Ohio's North Zone.

G. Special Seasons/Species Management

iii. September Teal Seasons

Council Recommendations: The Atlantic Flyway Council recommended the establishment of an experimental September teal season option in the Atlantic Flyway. States deriving more than 80 percent of their teal harvest from mid-continent populations (Delaware, Georgia, Florida, Maryland, North Carolina, Pennsylvania, South Carolina, Virginia, and West Virginia) could hold a 9-day season between September 1 and 30 with a daily bag limit of 4 teal.

The Central Flyway Council recommended an experimental September teal season harvest strategy in the nonproduction States of the Central Flyway based on the May breeding population index (BPI) of blue-winged teal. When the BPI of blue-winged teal is 4.7 million or greater, the Council's recommended harvest strategy would consist of an additional 7 days of hunting (for a total of 16 days). When the BPI of blue-winged teal is below 4.7 million but remains at or above 3.3 million, the Council's recommended harvest strategy would maintain the

current 9-day season. When the BPI of blue-winged teal is below 3.3 million, the Council's recommended harvest strategy would consider closure of September teal seasons.

iv. September Teal/Wood Duck Seasons

Council Recommendations: The Atlantic Flyway Council recommended the continuation of the Florida September wood duck/teal season on an operational basis.

The Lower-Region Regulations Committee of the Mississippi Flyway Council recommended that the experimental September teal/wood duck seasons in Kentucky and Tennessee be continued in 1998 with no changes from the 1997 season. The Lower-Region Regulations Committee further recommended that if such seasons are suspended, all non-production States should be permitted to take up to 5 days of the regular season in September.

v. Youth Hunt

Council Recommendations: The Upper-Region Regulations Committee of the Mississippi Flyway Council recommended that a special one-day youth waterfowl season include the harvesting of geese.

The Lower-Region Regulations Committee of the Mississippi Flyway Council recommended that a special 2-day youth waterfowl season include the harvesting of geese.

The Central Flyway Council recommended expansion of the special youth waterfowl hunt to 2 consecutive days with a legal bag that includes geese.

The Pacific Flyway Council recommended continuation of the one-day youth hunt that allows States to select outside the general season and frameworks. The Council further recommended the addition of 1 goose to the bag limit.

2. Sea Ducks

Council Recommendations: The Atlantic Flyway Council recommended that the Service clarify regulatory language concerning bag limits for sea ducks so that bag limits for sea ducks during the regular season cannot exceed bag limits for sea ducks established in the special sea duck season, whether inside or outside the special sea duck area.

4. Canada Geese

A. Special Seasons

Council Recommendations: The Atlantic Flyway Council recommended that the closing date of the September goose season around Montezuma

National Wildlife Refuge be extended from September 15 to 25.

The Upper-Region Regulations Committee of the Mississippi Flyway Council recommended that the status of the special late Canada goose season in the Southern Michigan Goose Management Unit in Michigan be changed from experimental to non-experimental.

The Lower-Region Regulations Committee of the Mississippi Flyway Council recommended that the Service reevaluate criteria for special Canada goose seasons (early and late), particularly as they relate to the cumulative harvest of migrant Canada geese from populations of special concern, to insure that the criteria are consistent with management efforts to increase and/or maintain migrant populations of special concern to/at planned objective levels.

The Pacific Flyway Council recommended the 1998 September season for the Pacific Population Canada geese remain unchanged from the 1997 season, with the exception of increase the number of regulated permits from 100 to 400 in Humboldt County, California.

B. Regular Seasons

Council Recommendations: The Upper-Region Regulations Committee of the Mississippi Flyway Council recommended that the 1998 regular goose season opening date be as early as September 26 in Michigan's Upper Peninsula and September 19 in Wisconsin.

7. Snow and Ross's (Light) Geese

Council Recommendations: The Atlantic Flyway Council recommended extension of the shooting hours to one-half hour after sunset at times when other waterfowl season are closed within an area.

The Central Flyway Council recommended the following regulation changes for light-geese hunting in the Central Flyway for 1998 and beyond:

For the 1998-99 regular season, no bag or possession limits and unlimited zones and splits in the season.

During the 1998-99 season, the establishment of a special "conservation hunt" consisting of no bag and possession limits; legalized electronic callers, baiting, unplugged shotguns, live decoys and rallying/hazing; elimination of tagging requirements; and the extension of shooting hours until one-half hour after sunset. "Conservation Hunt" provisions would only be implemented in those areas and time periods in which other firearms waterfowl season are closed, including split season portions of the regular waterfowl seasons.

Beginning with the 1999-2000 season, the Council recommends allowing "conservation hunts" during other open waterfowl seasons.

9. Sandhill Cranes

Council Recommendations: The Central and Pacific Flyway Councils recommended that the Rocky Mountain Population (RMP) greater sandhill crane hunt in Wyoming's Area 6 (Park and Bighorn Counties) become operational in 1998. The Councils further recommended that the third year of monitoring and data collection for the experimental hunt be waived.

16. Mourning Doves

Written Comments: The Louisiana Department of Wildlife and Fisheries requested an extension of the framework closing date from January 15 to January 20.

18. Alaska

Council Recommendations: The Pacific Flyway Council recommended an increase in Alaska's Canada goose daily bag and possession limit from 1 and 2 to 3 and 6, respectively, within overall dark goose bag and possession limits of 4 and 8 in Alaska Game Management Subunit (GMU) 9(E) (Alaska Peninsula) and Unit 18 (Y-K Delta).

The Pacific Flyway Council recommended an archery-only Canada goose hunt on Middleton Island, Alaska (GMU 6); by registration permit only, with no more than 10 permits; mandatory goose identification class, check-in, and check-out; season dates of September 28 to December 16; bag and possession limit of 1; season to close if incidental harvest includes 5 dusky Canada geese.

Public Comment Invited

The Service intends that adopted final rules be as responsive as possible to all concerned interests, and therefore desires to obtain the comments and suggestions of the public, other concerned governmental agencies, non-governmental organizations, and other private interests on these proposals. Such comments, and any additional information received, may lead to final regulations that differ from these proposals.

Special circumstances are involved in the establishment of these regulations which limit the amount of time that 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 that to allow comment periods past the dates specified is contrary to the public interest.

Comment Procedure

The policy of the Department of the Interior, whenever practical, affords the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may participate by submitting written comments to the Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, ms 634-ARLSQ, 1849 C Street, NW., Washington, DC 20240. The public may inspect comments during normal business hours at the Service's office in room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia. The Service will consider all relevant comments received. The Service will attempt to acknowledge received comments, but substantive response to individual comments may not be provided.

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, hunting regulations are designed, among other things, to remove or alleviate chances of conflict between seasons for migratory game birds 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. It is possible that the findings from the consultations, which will be included in a biological opinion, 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 consultation under Section 7 are public documents and will be available for public inspection in the Division of Endangered Species and the Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia.

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

In the **Federal Register** dated March 20, 1998, the Service reported measures it had undertaken to comply with

requirements of the Regulatory Flexibility Act and the Executive Order. These included preparing a Small Entity Flexibility Analysis (Analysis) in 1996 to document 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. The Service is currently updating the 1996 Analysis with information from the 1996 National Hunting and Fishing Survey.

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 1998-99 hunting season are authorized under 16 U.S.C. 703-712 and 16 U.S.C. 742 a-j.

Dated: May 21, 1998.

Donald J. Barry,

Acting Assistant Secretary for Fish and Wildlife and Parks.

BILLING CODE 4310-55-P

PROPOSED REGULATORY ALTERNATIVES FOR DUCK HUNTING DURING THE 1998-99 SEASON

	ATLANTIC FLYWAY				MISSISSIPPI FLYWAY (a)				CENTRAL FLYWAY (b)				PACIFIC FLYWAY (c)(d)			
	VERY RES	RES	MOD	LIB	VERY RES	RES	MOD	LIB	VERY RES	RES	MOD	LIB	VERY RES	RES	MOD	LIB
	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	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise
Beginning Shooting Time	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset
Ending Shooting Time	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1	Oct. 1
Opening Date	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20	Jan. 20
Closing Date	20	30	45	60	20	30	45	60	25	39	60	74	38	60	86	107
Season Length	3	3	6	6	3	3	6	6	3	3	6	6	4	4	7	7
Daily Bag/Possession	6	6	12	12	6	6	12	12	6	6	12	12	8	8	14	14
Species/Sex Limits within the Overall Daily Bag Limit	3/1	3/1	4/2	4/2	2/1	2/1	4/1	4/2	3/1	3/1	5/1	5/2	3/1	3/1	5/2	7/2
Mallard (Total/Female)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Pintail	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Black Duck	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
H. Merganser	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Canvasback	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Redhead	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Wood Duck	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Whistling Ducks	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Harlequin	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Mottled Duck	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

(a) In the States of Alabama, Arkansas, Kentucky, Louisiana, Mississippi, and Tennessee, the framework closing date is January 31 under the moderate and liberal options. Season length will be determined after the submission of a proposal and further discussions with those States wishing to choose this option.

(b) 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. Additional days would be allowed under the various options as follows:

(c) very restrictive - 8, restrictive - 12, moderate and liberal - 23. Under all options, additional days must be on or after the Saturday nearest December 10.

(d) 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 except the liberal option, an additional 7 days would be allowed. 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 very restrictive and restrictive options, and 8-10 under the moderate and liberal options. There would be no restrictions on pintails, and canvasback limits would 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.