

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

RIN 1018-AE93

Migratory Bird Hunting; Proposed Frameworks for Early-Season Migratory Bird Hunting Regulations and Regulatory Alternatives for the 1998-99 Duck Hunting Season; Notice of Meeting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; Supplemental.

SUMMARY: The Fish and Wildlife Service (hereinafter the Service) is proposing to establish the 1998-99 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 regulatory alternatives for the 1998-99 duck hunting season.

DATES: The comment period for proposed early-season frameworks will end on July 31, 1998; and for late-season proposals on September 7, 1998. The Service will hold a public hearing on late-season regulations August 6, 1998, starting at 9 a.m.

ADDRESSES: The Service will hold a public hearing August 6 in the Department of the Interior's South Auditorium, 1951 Constitution Avenue, NW., Washington, DC. This hearing was previously announced in the May 29, 1998 **Federal Register** (63 FR 29518) as taking place at the Main 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 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. On May 29, 1998, the Service published in the **Federal Register** (63 FR 29518) a second document providing supplemental proposals for early- and late-season migratory bird hunting regulations frameworks and the proposed regulatory alternatives for the 1998-99 duck hunting season. The May 29 supplement also provided detailed information on the 1998-99 regulatory schedule and announced the Service Migratory Bird Regulations Committee and Flyway Council meetings.

This document is the third 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 and the regulatory alternatives for the 1998-99 duck hunting season. It will lead to final frameworks from which States may select season dates, shooting hours, and daily bag and possession limits for the 1998-99 season. The Service has considered all pertinent comments received through July 1, 1998, 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 21, 1998.

This supplemental proposed rulemaking consolidates further changes in the original framework proposals published in the March 20 **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.

Mr. James R. Kelley, Jr., Wildlife Biologist, Population and Habitat Assessment Section, provided preliminary information from the May Breeding Waterfowl and Habitat survey conducted each year by the U.S. Fish and Wildlife Service in conjunction with the Canadian Wildlife Service and various State and provincial cooperators. Estimates of ponds and duck abundance that were presented are preliminary and subject to change upon further verification. Palmer drought indices for mid to late May indicated a large area of moderate to severe dryness in the prairie pothole region, especially in western and central areas. Moderate to extreme wetness was indicated in portions of the eastern Dakotas. Breeding habitat conditions as determined by biologists in surveyed areas indicate substantial changes from 1997. In Alaska, there was very little flooding associated with ice break-up this spring, which will favor waterfowl production. Eastern and central portions of Alaska experienced early spring break-up and production will be good to excellent. South-central and western tundra areas had a cool wet spring and production should be fair to good.

Throughout much of Canada and the northern tier of the U.S. spring conditions arrived up to 2 weeks earlier than normal and precipitation was below normal in many regions. Western prairie pothole and parkland areas, as well as Montana, experienced fair to poor habitat conditions, which is a major deterioration from last year's favorable conditions. Numerous forest fires persisted throughout much of May in northern parkland regions of western Canada. Fair to poor conditions extended into southern Manitoba. However, northern Saskatchewan and Manitoba, as well as the Dakotas had mostly good to excellent habitat conditions. In western Ontario, ice-out was very early and the habitat outlook was excellent. In eastern regions, good to excellent conditions extended from Maine to eastern and central Ontario. However, the outlook for southern Ontario was only fair.

The preliminary 1998 estimate of May ponds in the traditional survey area is 4.6 million, which is a 38% decrease from 1997, but is similar to the long-term average. The number of ponds in Prairie Canada is 2.5 million, which is 50% lower than in 1997 and 27% below the long-term average. In the northcentral U.S., May ponds were estimated at 2.1 million, which is 14% below 1997 but is 44% above the long-term average.

The 1998 total duck population estimate for the traditional survey area

is 37.5 million birds. This estimate is 12% lower than that of 1997, but is 15% above the long-term average. For the early season regulations meeting the breeding population estimate for blue-winged teal is of particular interest. This year's preliminary estimate for blue-wing teal is 6.5 million, which would be the highest estimate on record, but is not significantly different from 1997. This estimate is 52% above the long-term average. Unfortunately, harvest estimates from the 1997 September teal season are not available at this time. Updated band-recovery information indicates that direct recovery rates in 1997 remained below 2% for all reference areas, and are similar to recovery rates observed in years in which September teal seasons were held previously. However, until a new band-reporting rate study is conducted, we cannot determine teal harvest rates from banding data.

Dr. Dave 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 1997 population index revealed approximately 21,300 geese, which is significantly greater than the previous year's estimate of 11,200. The Service remains concerned about the continued poor status of this population. The December 1997 survey of Cackling Canada geese revealed 205,000 geese. No comparable survey was conducted in the previous year. However, this population has grown about 11 percent per year since 1988. 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 is surveyed during winter and spring surveys. These surveys indicate an increasing or stable population since 1988. However, results from neither of these surveys are available from the surveys conducted in 1998. The December 1997 composite index of Great Plains and Western Prairie Populations of Canada geese in the Central Flyway was 482,000 birds, which represents a 6 percent increase from 1996. Population estimates obtained from spring surveys increased at an average rate of 4 percent per year since 1988. The population of

Mississippi Flyway giant Canada geese has increased in recent years, and the population estimates for the spring of 1997 was approximately 1 million geese. In some areas, numbers of giant geese have increased to record-high levels. The situation is similar in the northeastern U.S., where the "resident" goose population has more than doubled since 1989 to about 1 million 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. The Service recognizes the challenge facing management agencies which are striving to increase migrant populations, while simultaneously attempting to control resident populations.

Dr. Caithamer also summarized the status of several populations of sea ducks. During 1972–1996, breeding population estimates of oldsquaws declined 5 percent per year, while those of scoters declined 2 percent per year. Christmas Bird Counts conducted along across the continent indicate that white-winged scoters declined 2 percent per year during 1972–95, while no trends were detected for the other species of scoters, common eiders, oldsquaws, and harlequin ducks. In the Atlantic Flyway, indices of trends for oldsquaws were inconsistent. Common eider populations in the U.S. portion of the Atlantic Flyway appear to have increased since 1972. Indices of scoter abundance in the Atlantic Flyway suggest declining or stable populations. In the Pacific Flyway, Christmas Bird Counts of white-winged scoters declined 2 percent per year during 1972–1995.

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 1980's. The Central Platte River Valley 1998 preliminary spring index, uncorrected for visibility, was 335,000. This index is 5 percent lower than the 1997 index of 351,000. The photo-corrected 3-year average for the 1995–97 period was 460,265, which was 4 percent above 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 1997–98; about 46,800 Federal permits were issued and approximately

8,850 permittees hunted one or more times. The number of active hunters were 21 percent higher than the previous year's seasons. About 20,668 cranes were harvested in 1997–98 in the Central Flyway, a 21 percent increase from the previous year's high estimate. Harvests from Pacific Flyway, Canada and Mexico are estimated to be about 10,000 for 1997–98 sport-hunting seasons. The total North American sport harvest including crippling losses was estimated to be about 36,535 for the Mid-Continent Population.

The fall 1997 pre-migration survey for the Rocky Mountain Population was 18,036, which is 6% larger than the 1996 estimate. Limited special seasons were held during 1997 in portions of Arizona, Idaho, Montana, New Mexico, Utah, and Wyoming, and resulted in an estimated harvest of 453 cranes.

Dr. John Bruggink, Eastern Shore and Upland Game Bird Specialist, reported on the 1998 status of the American woodcock. The 1997 recruitment index for the Eastern Region (1.4 immatures per adult female) was 18 percent below the long-term regional average; the recruitment index for the Central Region (1.4 immatures per adult female) also was 18 percent below the long-term regional average. Singing-ground Survey data indicated that the number of displaying woodcock in the Eastern Region was unchanged ($P > 0.1$) from 1997 levels. In the Central Region, there was a 24 percent increase ($P < 0.01$) over 1997 levels in the number of woodcock heard displaying. Trends from the Singing-ground Survey during 1988–98 were negative (-4.3 and -4.2 percent per year for the Eastern and Central regions, respectively; $P < 0.01$). There were long-term (1968–98) declines ($P < 0.01$) of 2.6 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 Biologist, presented the mourning dove population status. The report summarized call-count information gathered over the past 33 years. Trends were calculated for the most recent 2 and 10-year intervals and for the entire 33-year period. Between 1997 and 1998, the average number of doves heard per route increased significantly in the Eastern Management Unit. There was no significant change in doves heard in either the Central or Western Units. Over the 10-year period, a significant decline was indicated in doves heard for both the Eastern and Western Management Units while a decline in the Central Unit was not significant. Between 1966 and 1998, all three management units exhibited significant declines in doves heard.

Mr. Dolton also presented the status of white-winged doves. In Arizona, the 1998 call-count index of 35 doves heard per route was higher than the index of 31 doves per route in 1997. In the Lower Rio Grande Valley of Texas, the total number of whitewings estimated to be breeding was about 424,000, an increase of 9 percent from 1997 and 4 percent above the previous 10-year average. Additionally, about 23,000 whitewings were estimated to be nesting in West Texas, 62,000 in the Lake Corpus Christi area, and 709,000 nesting throughout a 13-county area in Upper South Texas. Whitewings are continuing to increase in density and distribution. For example, in San Antonio, whitewing numbers have gone from 174,000 in 1989 to 279,000 in 1998. The remainder of South Texas has increased from 95,000 in 1989 to 430,000 in 1998. The grand total of 1.2 million whitewings was up slightly from the 1.1 million estimated for 1997. Breeding has now been documented in Wichita Falls and Amarillo.

Next, Mr. Dolton reported on white-tipped doves in Texas. In 1998, an average of 0.41 whitetips were heard per stop on 653 stops, an increase of 17 percent over 1997. The annual harvest of these birds is small; in 1996 it was less than 4,000 birds.

Last, Mr. Dolton presented information on band-tailed pigeons. For the Coastal Population, the Breeding Bird Survey indicated a significant decline between 1968 and 1996. Data for 1997 are not available at this time. There has also been a significant decline over the most recent 10-year period, 1986–96. Late August mineral spring counts conducted in Oregon indicate that the pigeon population increased 16 percent between 1996 and 1997 from 8,874 to 9,075. Washington's call-count survey showed no significant change between 1996 and 1997. No significant trend is evident in the population from 1975–97. However, there has been a significant increase over the most recent 5 years, 1993–97. Two indirect population estimates suggest that the population was somewhere between 2.4 and 3.1 million birds in 1992. Bag limits and season lengths continue to be restricted. In Oregon, the 1996 harvest estimate was 3,300 birds while, in California, it was 13,700. For the Interior population, Breeding Bird Survey data indicated a stable population between 1968 and 1996 with no trend being evident. The same was true for the most recent 10-year period. The combined harvest for the Interior population in 1996 was 723 birds. This was less than the 1,600 taken in 1995

and well below the harvest in earlier years which ranged up to 6,000 birds.

Comments Received at Public Hearing

Mr. Brad Bales, gamebird program coordinator for the Oregon Department of Fish and Wildlife, made two statements on behalf of two separate organizations. The first, on behalf of the National Flyway Council, was an announcement that the National Flyway Council would establish a committee to address the framework question from a national perspective. At their next meeting, the National Flyway Council will determine the composition of the group and establish a time frame for the committee to complete their work and make their recommendations back to the National Flyway Council.

Mr. Bales' second comment was on behalf of the Pacific Flyway Council. He indicated that the Pacific Flyway Council urged the Service not to extend the framework dates for duck hunting in the lower Mississippi Flyway as recently proposed in the **Federal Register**. Further, he offered the support of the Pacific Flyway Council for the effort proposed by the National Flyway Council.

Mr. Robert McDowell, representing the Atlantic Flyway Council thanked the Service for providing more hunting opportunity during the Youth Hunt Day by allowing geese to be included in the bag limit. Also, he thanked the Service for agreeing to clarify the sea duck bag limits. He expressed appreciation for approving Florida's September Duck Season and for authorizing a 9-day September Teal Season in a portion of the Atlantic Flyway. However, he asked the Service to reconsider a 16-day teal season. Also, he asked the Service to reconsider New York's proposal to expand their early Canada goose season in the Montezuma area. He stressed the Flyway's proposal that framework dates remain fixed where they currently are in all Flyways and disapproved of attempts occurring outside the formal regulatory process to change them. He further indicated that if the Service finalized the proposed framework closing date extensions, all States should have the same opportunity. He supported the National Flyway Council efforts to resolve this problem that is divisive among Flyways.

Mr. Charles Kelley, representing the Alabama Department of Conservation and Natural Resources, commented in support of the proposed extension of the framework closing date for duck hunting, stating that the State had been requesting an extension for a number of years because a later hunting season would allow them to take better

advantage of duck abundance in the State.

Written Comments Received

The preliminary proposed rulemaking, which appeared in the March 20 **Federal Register**, opened the public comment period for migratory game bird hunting regulations. The supplemental proposed rule, which appeared in the May 29 **Federal Register**, defined the public comment period for the Service's proposed regulatory alternatives for the 1998–99 duck hunting season. The public comment period for the proposed regulatory alternatives ended July 1, 1998. Early-season comments and comments pertaining to the proposed alternatives are summarized below and numbered in the order used in the March 20 **Federal Register**. Only the numbered items pertaining to early seasons items and the proposed regulatory alternatives 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.

General

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. On May 29, 1998, the Service published for public comment the proposed regulatory alternatives for the 1998–99 duck hunting season (63 FR 29518). The proposed regulatory alternatives were identical to the alternatives utilized in 1997–98 except for the proposal to offer an extension of the framework closing date to no later than January 31 in those States in the Lower Region of the Mississippi Flyway (Arkansas, Alabama, Kentucky, Louisiana, Mississippi, and Tennessee). Further discussion of the framework issue can be found in B. Framework Dates.

Council Recommendations: All four Flyway Councils generally endorsed continuation of the 1997–98 regulatory alternatives. Modifications recommended by the Councils were identified and discussed in the May 29, 1998, **Federal Register**. The recommendations are reiterated below and modified where necessary based on subsequent comments received from the Flyway Councils.

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: For the 1998–99 regular duck hunting season, the Service will utilize 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 is convinced that these alternatives will be successful at providing maximum hunting opportunity, while not jeopardizing the ability of duck species to attain population goals when habitat conditions are adequate. The Service will propose a specific regulatory alternative when survey data on waterfowl population and habitat status are available.

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 Adaptive Harvest Management (AHM) this year.

In a subsequent letter, the Council opposed the Service’s May 29, 1998, framework extension proposal because the proposal was developed outside the normal Flyway meeting schedule which prohibited Flyway Council review. The Council voiced concerns regarding the impact on the AHM process, adverse impacts on hunting opportunities across all Flyways to accommodate desires of a small region which already enjoys very high hunter success, negative biological impacts on mallard pairing and hen body condition, and impacts on eastern mallard stocks, black ducks, and wood ducks. They believe the proposal calls into question the fair allocation of a shared resource and mechanisms used to achieve that allocation. The Council warned that allowing extensions without using existing Flyway Council protocol would fracture the existing Flyway system and politicize the system. The Council recommended delaying action on frameworks for at least one year to allow appropriate State and Flyway review.

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. In a subsequent letter, the Council opposed the Service’s May 29, 1998, proposal because it was developed outside the normal Flyway Council/Service review process. They believe the proposal’s adoption will create animosity among States and erode the cooperative framework the Council system has provided for the past fifty years, and threaten the success of AHM. The Council perceives the extension issue as one of fair allocation of harvest opportunity. The Council is concerned that other States are not being offered

the extension and may be held to a more stringent criteria for future changes. The Council urged the Service to work with Flyways to continue development of the AHM program, which the Council believes will promote enhanced hunting opportunities in the future. The Council stated that both early and late framework issues should be addressed when AHM packages are next revised and that they look forward to working with the other Flyways and the Service towards an agreement on 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.

Written Comments: The Mississippi Department of Wildlife, Fisheries, and Parks commented in favor of extending the framework closing date to January 31 and submitted an analysis of data based on the most recent two years. Although their analysis indicated an appropriate reduction in season length of 3 days, they proposed to reduce the season length 8 days, based on a more liberal estimate of harvest increases.

The Kentucky Department of Fish and Wildlife Resources communicated their interest in having the option of a January 31 framework closing date. While the State had no specific data related to an appropriate penalty for the extension, they believed Mississippi’s analysis was applicable for the Lower Region at this time, unless more appropriate analyses had been conducted elsewhere. Kentucky urged the Service to develop final framework packages based on the information that most accurately reflects the anticipated impacts.

The Arkansas Game and Fish Commission expressed concern that the framework issue had been pursued largely outside the Flyway Council process and threatened the long-term waterfowl management process, but believed a component of its hunters was interested in the extended opportunity. Arkansas expressed concern over the potential for the extensions to result in more restrictive harvest regulations in the future, and the inability to accurately measure harvest rates and assess impacts of the extensions.

The Tennessee Wildlife Resources Agency stated that the recent warmer-than-normal conditions had renewed sportsmen’s interest in framework extensions. The State pledged the assistance of its personnel to help resolve the framework issue in a fair, equitable, and non-divisive manner. An Agency resolution called for the Service and the Mississippi Flyway Council to

work towards extending season frameworks in a fair and equitable manner for the 1998–99 season and beyond.

The Louisiana Department of Wildlife and Fisheries supported a framework extension to January 31 as long as the State's participation does not require a reduction in hunting days or bag limits. Louisiana was disappointed by the proposed rule and hoped the Service would develop a practical resolution to this contentious issue. A 1997 opinion survey of Louisiana hunters indicated a large majority preferred a January 31 closing date and State waterfowl survey data indicate that more ducks are in Louisiana during December and January. The State was unable to develop, in the allotted period, an estimate of the impact on harvest rates that they would consider reliable.

The Alabama Department of Conservation and Natural Resources stated that they had supported framework extensions in Alabama for many years and support maximizing hunting opportunities as long as the resource is not negatively impacted. The Department stated that Alabama hunter success is near or below the Mississippi Flyway average as shown by seasonal duck harvest per hunter and that an increased proportion of mallards harvested in Alabama may help offset the long-term decline in Canada goose harvest opportunity in Alabama. Alabama had no data regarding an offset penalty and would rely on the analysis from Mississippi.

The Pennsylvania Game Commission opposed the extension proposal. Pennsylvania stated the proposal was developed without consultation with the other Flyway Councils, it conflicted with cooperatively developed AHM packages, and would confound attempts to assess impacts of season length on harvest. Concern was expressed about the potential for increased harvest of eastern duck stocks and the potential for more restrictive harvest opportunities on a broad scale if frameworks were extended in southern States. Pennsylvania believed that, at the very least, consideration of this proposal should be delayed until Flyway Councils and the AHM working group had assessed its ramifications.

The South Carolina Department of Natural Resources objected to the proposal to limit the extension of the framework closing date to the southern portion of the Mississippi Flyway. They stated that waterfowl hunters in South Carolina have been dissatisfied with the framework dates for a very long time, and the proposal to restrict the extension is arbitrary and capricious

and violates the tenet of "fairness" that we have operated under for so many years as relates to the nationwide management of migratory birds through the regulatory process administered by the Service. They recommended that the same option for extension of the framework closing date be offered to States in the southern portion of the Atlantic Flyway.

The Georgia Department of Natural Resources did not support the extension proposal because it undermined the primary goals of the AHM process which had been adopted by all Flyways. They believed adoption of the proposal would serve as a catalyst for additional regional campaigns leading to increased regulatory inconsistency. Many of Georgia's hunters strongly desire a framework extension to January 31; however, until current packages are tested over a longer period, it was not in the long-term interest of waterfowl to extend frameworks. If changes are to be made now, extensions should be available to all States. The Lower Mississippi Flyway proposal has triggered discussions regarding a southern coalition within the Atlantic Flyway, intended to pursue southern issues and framework extensions in that region.

The New York State Department of Environmental Conservation requested that the proposed framework extension be deferred for one year to allow adequate review by all Flyway Councils and the AHM working group. New York expressed concerns that the proposal was developed without Flyway Council review, was counter to AHM principles, that efforts on framework extensions would delay the incorporation of eastern mallards into the decision process, future harvest opportunity for all Flyways could be adversely affected, eastern duck stocks could be impacted, and that adoption of the proposal would spawn additional requests from special interest groups. The Department stated that when regulation packages were set and agreed to by all Councils, it was understood that they would be stable for several years. New York recommended that the Flyway Councils and the AHM working group work this year to devise a strategy for 1999.

The North Dakota Game and Fish Department stressed that waterfowl harvest management should be based on sound scientific information and objectives established through the Flyway Council process. North Dakota expressed great concern over the unfairness of extending southern frameworks when northern States have benefitted little from special teal seasons and recently lengthened

seasons. They believed if an extension is offered to southern States similar opportunity must be offered to all States.

The South Dakota Department of Game, Fish and Parks urged the Service to not extend the framework closing date in the southern part of the Mississippi Flyway, since all other Flyway Councils and the Upper-Region Regulations Committee of the Mississippi Flyway Council recommended that framework dates not be changed. Such action would be totally unfair to all other States that are willing to use the AHM process to fairly and biologically determine the framework issue.

The Kansas Department of Wildlife & Parks strongly opposed the proposal to offer extended duck hunting season framework dates to States in the lower region of the Mississippi Flyway, stating that it is blatantly unfair to other States that may be interested in such changes, and that it will establish an undesirable precedent regarding how we implement harvest regulations.

The Delaware Department of Natural Resources opposed a framework extension for the southern Mississippi Flyway because it conflicted with recommendations from all Flyways Councils (1997) to maintain consistency in regulatory packages and it could negatively affect other States through redistribution of harvest. Delaware urged all four Councils and the AHM working group work to recommend a specific strategy for 1999 to address all concerns.

The Missouri Department of Conservation opposed the framework extension due to concerns regarding biological impacts on the waterfowl resource including changes in harvest timing and composition (age, species, and sex), the inequitable provision of the extension opportunities, and conflicts with the AHM process. Missouri believes adopting this proposal would set an unfortunate precedent and have negative implications for the future of cooperative waterfowl and wetland management.

The Michigan Department of Natural Resources strongly opposed the extension proposal on the basis of its conflict with previous recommendations of the Upper-Region Regulations Committee. Michigan believed if extensions were implemented, both early and late extensions should be offered to all States.

The Connecticut Department of Environmental Protection opposed the extension proposal and requested the Service defer action until full review by all Flyways is possible. Connecticut

voiced concern over reduced hunting opportunity across the nation and impacts to black ducks which are more vulnerable in late winter.

The Minnesota Department of Natural Resources continued to support recommendations of the Upper-Region Regulations Committee of the Mississippi Flyway Council and the other 3 Flyway Councils for no change in framework dates. They believe the extension proposal is extremely divisive and threatens the future of the Flyway Council system and AHM. They stated that the potentially negative physiological impacts on ducks of extensions have not been addressed and should be evaluated by States and the Service prior to implementing extensions. Minnesota believed northern States have the strongest argument for framework extensions because of weather-related limitations to long duck seasons. The extension proposal was contrary to the cooperative process of establishing migratory bird regulations; however, if it is offered, it should be offered to all States.

The Wisconsin Department of Natural Resources supported no change in framework dates. Wisconsin found the extension proposal completely unacceptable because it increases inequity, citing the current higher hunter success rates in southern States, frequently truncated season length in northern States due to freeze-up, and differences in special-teal-season availability. Wisconsin expressed concern about the possible impacts of late-winter hunting on mallard pair formation and nutrient-reserve accumulation. Wisconsin opposed offering southern States an extension, but believed if the extension was granted to southern States, northern States must be offered an extension on season opening dates.

The Illinois Department of Natural Resources stated the extension proposal was patently unfair because it was not available to all States in all Flyways. The State remains concerned about biological impacts on duck pair formation and acquisition of body reserves. Illinois believed this is an issue of national consequence and without time for a full public debate and analysis before the 1998 season, the Service should postpone implementation of any framework extensions until at least the 1999 season. However, if extensions are implemented, the offset penalty should be determined by the Service or third party and Illinois should be allowed to split the duck season in their three zones.

The Oklahoma Department of Wildlife Conservation was strongly opposed to the extension proposal. Oklahoma believed that the proposal seriously undermines the long-standing cooperative Flyway and Service process for establishing waterfowl hunting regulations and calls into question the Service's commitment to the AHM process. Oklahoma further recommended that the Service deny the framework extension until such time as the issue can be addressed through the AHM process and all States' interests are fairly and objectively considered.

The Wyoming Game and Fish Department opposed the framework extension because they believe that season recommendations should be based on Flyway/Service review and approval and not political considerations, the proposed extension threatens AHM, other States are not offered a similar opportunity, and the proposal creates animosity between States and erodes the cooperative framework of the Flyway Council system. They further encourage the Service to work with the Flyways to continue to develop and enhance AHM and believe that early and late framework issues should be addressed when the next round of AHM packages are developed.

The New Jersey Division of Fish, Game and Wildlife opposed implementation of framework extensions due to their commitment to the AHM process, concern regarding impacts on migrating wood ducks, and the potential to divide the flyway system.

The Wisconsin Conservation Congress opposed the framework extension proposal stating that it was in direct conflict with the principles of the Service to manage the resource for the benefit of all people.

The Delta Waterfowl Foundation did not support the framework extension proposal. While supporting the Service's goal of ensuring that nonparticipating States will not be impacted, they believed that reductions in bag limits and species restrictions should also be considered. They further stated that the Service should entertain other framework date extensions, such as opening dates.

The Alabama Waterfowl Association requested a January 31 extension in Alabama be experimental beginning in the 1998 season. The Association would accept a 10% penalty in hunting days. They cite conflicts between farmers and hunting-lease holders or hunters in mid-November when incomplete crop harvest prevents flooding of agricultural fields. The Association believed an

extended framework would allow improved habitat management and availability at the start of the season and would have less impact on the resource than the additional hen in the bag recently offered.

Two individuals from Michigan, 45 from Wisconsin, 30 from Minnesota, 1 from Arkansas, 1 from Iowa, 1 from Florida, and 3 from Tennessee commented in opposition to the proposed extension of the framework closing date.

Three individuals from Alabama, 1 from Florida, 5 from Arkansas, 2 from Georgia, 31 from Tennessee, and 110 from Mississippi commented in favor of extending the framework closing date.

Service Response: The Service appreciates the extensive comments it received regarding the May 29 proposal (63 FR 29518) to extend the framework closing date to January 31 in the six States of the southern Mississippi Flyway (AL, AR, KY, LA, MS, TN). In the proposal, the southern Mississippi Flyway would be permitted a framework-date extension, provided it was accompanied by a reduction in season length sufficient to offset the expected increase in harvest. The Service's goal was to provide hunting opportunity that had been requested by southern Mississippi Flyway States, without expanding overall harvest in those States or affecting hunting opportunities in other States and Flyways. The Service will establish a final framework closing date for the 1998-99 duck hunting season in these six States in conjunction with the late-season regulations process.

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.

Written Comments: One individual from Wisconsin and 1 from Minnesota urged the Service to consider a special teal season for the production States.

Service Response: The Service supports the Atlantic Flyway Council's proposal for an experimental 9-day special September teal season in those States that derive 80% of their harvest from the mid-continent blue-winged teal populations (to include States from Pennsylvania and Delaware southward). These States would be required to evaluate the impacts to non-target waterfowl species by conducting hunter performance surveys. The Service remains concerned with the definition of production and non-production States, but will work with the Flyway to establish decision criteria based on historic harvests of non-target species in other Flyways. The Service strongly encourages as many of the States as possible to participate in the evaluation, as sampling requirements will be based on the number of States involved. This season will be experimental for a 3-year period but must include a pre-sunrise evaluation in order to have shooting hours begin 1/2-hour before sunrise. The Service will develop a Memorandum of Agreement to stipulate the guidelines and implementation of this season.

The Service also supports the Central Flyway Council's proposal for a September-teal-season harvest strategy that would provide a 16-day special season in those States that currently have operational special September teal seasons when blue-winged teal

populations are above 4.7 million. The evaluation plan submitted by the Council appears adequate for annual monitoring and assessment of this expanded opportunity. Although current changes in band-reporting rates make interpretation of band-recovery data difficult, the Service believes that the 4.7 million breeding population trigger is an adequate threshold for conducting these expanded seasons. The expanded season also will be offered to those States in the Mississippi Flyway that currently are offered a special teal season, under the same stipulations as for the Central Flyway. An annual evaluation of pertinent population, habitat, and harvest information will be required, with a final report due after the seasons have been conducted for 3 years. Continuation of the season is conditional upon the completion of the annual and final reports.

The Service believes that a comprehensive review of blue-winged teal biology, an assessment of the cumulative effects of all teal harvest, and an evaluation of possible expansion of hunting opportunity in production States is needed. In order to facilitate such an evaluation the Service proposes to host a meeting this fall. The Service asks Flyway Councils to designate two representatives from each of the three involved Flyways to meet with Office of Migratory Bird Management staff to design a comprehensive evaluation of blue-winged teal biology and harvest management.

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.

Written Comments: Representatives John S. Tanner, John J. Duncan, Harold Ford, Jr., William Jenkins, Van Hilleary, Zach Wamp, Ed Bryant, Bob Clement, Bart Cordon, and Senators Fred Thompson and Bill Frist from Tennessee requested that the Service not close Tennessee's early wood duck season. The commenters state that a decision by the Service to close the

season would appear to be one based on administrative rationale, rather than sound biology. Further, facts that support continuation of the season are that: the season has been approved for 17 years, that the Tennessee Wildlife Resources Agency has met its preseason banding obligations, that no downward trends in the wood duck populations have been recorded in stream-float surveys, summer bandings, or the Breeding Bird Survey. Finally, survival rates for Tennessee wood ducks are similar to, or higher, than rates observed prior to 1981. Roughly one third of Tennessee's waterfowlers participate in the early wood duck season. The commenters believe that closing the season would discourage their active involvement in wood duck management.

The Tennessee Wildlife Resources Agency (Tennessee) expressed disappointment that the Service intended to suspend the September wood duck season. They pointed out the Tennessee hunters have never complained about decreased wood duck numbers, and that empirical evidence demonstrates that the wood duck population is not experiencing any long-term declines. Further, Tennessee stated that closing the popular 5-day season would be hard to justify because the evaluation of the season could not conclude whether the season is good or bad. Tennessee mentioned that the high costs associated with regional wood duck population monitoring will discourage most States from participating in any monitoring programs beyond what is currently being done. They pointed out that eliminating the September season without a clearly stated harvest alternative would stymie any new data collection efforts. Thus, they requested that Tennessee's September wood duck season be granted operational status and be grandfathered into the existing frameworks.

The Kentucky Department of Fish and Wildlife Resources (Kentucky) also expressed disappointment that the Service would recommend suspending the September wood duck season in Kentucky. They stated that evaluation of the season indicated that it met the objective of limiting harvest to local wood ducks without negatively impacting southern wood duck populations. They recognized that the conclusions of the evaluation were based on data where the level of precision was questionable, but that the data were the best available and should not be discarded. Kentucky emphasized that data collected by their agency indicated no negative impacts on local

wood duck populations and therefore requested that Kentucky's September season be granted operational status and grandfathered into the existing frameworks.

The Florida Game and Fresh Water Fish Commission opposed suspension of the September Wood Duck Seasons based on the Service's contention that adequate population monitoring was lacking. They maintained that their monitoring programs have not detected any undue negative effects on local wood duck populations after 17 years. They believe that if the Service is comfortable with the regular-season harvest pressure on wood ducks caused by several changes in season lengths, then concern over Florida's September season hardly seem warranted. They believe the Service has continued to raise the standard for evaluation long after these seasons were initiated and did not provide specific criteria. They maintain that there is no evidence that Florida's season is negatively influencing their local wood populations and it appeared as though the reason for suspending the seasons was unjustly based on administrative convenience rather than biological concern.

The Minnesota Department of Natural Resources opposed hunting opportunities that are not offered to hunters in all States within a flyway. If the September wood duck seasons are suspended, they would not support non-production States in the Lower Region taking up to 5 days from the regular season in September.

The Alabama Waterfowl Association indicated that they do not see any reason to suspend the early wood duck season and maintain that southern States provide habitat enhancement projects and deserve to have harvest opportunities on locally reared wood ducks.

A petition letter signed by 110 individuals from Tennessee stress the fact that to do away with the wood duck September season would deplete a lot of interest among several organizations who get involved with nest box programs and habitat improvement projects.

Thirty-two individuals from Tennessee, 13 from Florida, and 5 from Kentucky expressed support for continuing with the September wood duck seasons to provide hunting opportunities and opposed any action by the Service to discontinue these seasons.

Service Response: The Service notes that after many years of trying to develop regional wood duck population-monitoring programs,

attempts to evaluate the experimental September wood duck seasons have been unsuccessful. Without adequate regional monitoring, special seasons that target regional wood duck populations should be discontinued. Instead, wood duck harvest management should be approached at the flyway level during the regular season. The recently-completed Wood Duck Population Monitoring Initiative showed that managers have much of the capability needed to monitor wood ducks at the flyway level. The Service recognizes that improvements in the way we develop regular season approaches to wood duck harvest management are possible. These improvements should incorporate information about the status and dynamics of wood ducks. However, there is a need to conduct additional technical assessments in order to develop flyway harvest strategies. The Service will coordinate with Flyway Councils and Technical Sections to develop such strategies.

During the interim period, the Service proposes to allow Florida, Kentucky, and Tennessee to hold September wood duck seasons for a maximum of 3 more years. After September 2000, the seasons in Florida, Kentucky, and Tennessee will be discontinued. Flyway harvest strategies will then be implemented for the 2001/02 hunting season. Should the technical assessment be completed sooner, and a flyway strategy be implemented, the September seasons would be suspended at that time.

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.

Written Comments: Senator John T. Traynor of the North Dakota Senate expressed his support for the youth

hunt and urged the Service to expand the special season to 2 days and include geese in the bag limit.

The Delta Waterfowl Foundation supported the expansion of the special youth hunt to 2 days and the inclusion of geese in the bag limit.

Service Response: The Service appreciates the recommendations from the Flyway Councils regarding the continuation of a youth waterfowl hunting day. Upon establishment of the special youth hunting day, the Service viewed it as a unique educational opportunity which would help ensure safe, high-quality hunting for future generations of Americans. The Service's intent was not to recruit youth hunters, but to provide the best and safest learning environment for those of our youth who are interested in hunting. Further, the Service believes that establishing such a day was consistent with our responsibility to provide general education and training in the wise use of our nation's valuable wildlife resources. The Service believes the long-term conservation of North America's migratory bird resources depends on the future attitudes and actions of today's youth and that the special youth day assists in the formation and development of a conservation ethic in future generations. The Service's intent in establishing this special day is to introduce youth to the concepts of ethical utilization and stewardship of waterfowl and other natural resources, encourage youngsters and adults to experience the outdoors together, and contribute to the long-term conservation of the migratory bird resource. With these intents in mind, there is not a compelling reason to extend the opportunity an additional day.

Additionally, the Service has not conducted an extensive national evaluation of the effects of the special youth hunt day to date, nor does the Service plan to conduct such an evaluation due to cost/benefit considerations. Because the special 1-day hunt is limited to youths, the Service believes that waterfowl populations can support the limited additional harvest. However, an additional day would potentially double the effect, which would result in increased uncertainty.

With regard to geese, the Service supports the inclusion of the regular-season daily bag limit for geese in the special youth-hunt bag limit. However, there are two considerations that States must be aware of regarding the inclusion of geese in the youth hunt: (1) in many cases, States already use the legal limit of 107 goose hunting days

and the inclusion of geese in the youth day bag will require a 1-day reduction in the regular season length, and (2) all area/species restrictions would apply, thus complicating the regulations in areas with species restrictions or area closures.

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.

Service Response: The Service will continue to work with the Atlantic Flyway Council as they prepare their management plan for common eiders, and encourages the Flyway to develop management goals for other populations of sea ducks. The Service believes that a conservative approach to sea duck hunting is warranted, especially if management plans or goals have not been adopted. The Service will assess the appropriateness of current sea duck hunting regulations after finalizing a report on the status of sea duck populations; changes will be considered for the 1999 hunting season.

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 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.

Service Response: In accordance with the criteria established for early seasons on resident Canada geese, the harvest of migrant geese cannot exceed 10%. Collar observations provided by New York for 1995–97 exceed this level. Thus, the Service does not support this request. The criteria only address the ratio of collar observations without regard to the area size or number of collars or geese observed. Based on the evidence provided by New York, the

potential to harvest AP geese increases substantially in late September. The Service recognizes that in some cases a single observation of a potential migrant may exceed the 10% criterion, but at this fine scale, it is very difficult to fully assess the impacts of expanding the season to September 25.

The criteria for special Canada goose seasons are designed to provide additional harvest of locally nesting Canada geese without additional impact on migrant populations. The Service believes that to date they have accomplished that objective; however, the Service will continue to monitor harvest information with reference to the provisions of the special-season criteria and objectives for migrant Canada goose populations.

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.

Service Response: The Service concurs with the recommendation.

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.

Service Response: The Service concurs with the Central and Pacific Flyway Council recommendations for removal of experimental status of the RMP greater sandhill crane hunt in Big Horn and Park Counties of Wyoming. The third year of monitoring and data collection will 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.

Service Response: The Service does not support Louisiana's request at this time and asks that the issue be incorporated into the mourning dove management plan for the Eastern Management Unit which is currently being prepared.

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.

Service Response: The Service supports the Council's recommendation for increased Canada goose bag limits within the overall dark goose bag limit and the limited season for Canada Geese on Middleton Island with all of the conditions recommended by the Pacific Flyway Council except the limitation of the method of take to only archery. The Service has received no rationale for limiting the method of take and believes to do so without reason would establish an undesirable precedent.

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.

E.O. 12866 requires each agency to write regulations that are easy to understand. The Service invites comments on how to make this rule easier to understand, including answers to questions such as the following: (1)

Are the requirements in the rule clearly stated? (2) Does the rule contain technical language or jargon that interferes with its clarity? (3) Does the format of the rule (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity? (4) Would the rule be easier to understand if it were divided into more (but shorter) sections? (5) Is the description of the rule in the "Supplementary Information" section of the preamble helpful in understanding the proposed rule? What else could the Service do to make the rule easier to understand?

Send a copy of any comments that concern how this rule could be made easier to understand to: Office of Regulatory Affairs, Department of the Interior, Room 7229, 1849 C Street, N.W., Washington, D.C. 20240. Comments may also be e-mailed to: Exsec@ios.doi.gov

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 Considerations

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 and will be 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

In the March 20, 1998, **Federal Register**, the Service reported measures it took to comply with requirements of the Regulatory Flexibility 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. 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.

Executive Order (E.O.) 12866

This proposed rule is economically significant and will be reviewed by the Office of Management and Budget (OMB) under E.O. 12866.

Paperwork Reduction Act

The Service examined these proposed regulations under the Paperwork Reduction Act of 1995. The various recordkeeping and reporting requirements imposed under regulations established in 50 CFR Part 20, Subpart K, are utilized in the formulation of migratory game bird hunting regulations. OMB has approved these information collection requirements and assigned clearance numbers 1018-0015 (expires 08/31/1998) and 1018-0023 (expires 09/30/2000).

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

Taking Implication Assessment

In accordance with Executive Order 12630, these rules, authorized by the Migratory Bird Treaty Act, do not have significant takings implications and do not affect any constitutionally protected property rights. These rules will not result in the physical occupancy of property, the physical invasion of property, or the regulatory taking of any property. In fact, these rules allow hunters to exercise privileges that would be otherwise unavailable; and, therefore, reduce restrictions on the use of private and public property.

Federalism Effects

Due to the migratory nature of certain species of birds, the Federal government has been given responsibility over these species by the Migratory Bird Treaty Act. The Service annually prescribes frameworks from which the States make selections and employs guidelines to establish special regulations on Federal Indian reservations and ceded lands. This process preserves the ability of the States and Tribes to determine which seasons meet their individual needs. Any State or Tribe may be more restrictive than the Federal frameworks at any time. The frameworks are developed in a cooperative process with the States and the Flyway Councils. This allows States to participate in the development of frameworks from which they will make selections, thereby having an influence on their own regulation. These rules do not have a substantial direct effect on fiscal capacity, change the roles or responsibilities of Federal or State governments, or intrude on State policy or administration. Therefore, in accordance with Executive Order 12612, these regulations do not have significant federalism effects and do not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Government-to-Government Relationship With Tribes

In accordance with the President's memorandum of April 29, 1994, "Government-to-Government Relations with Native American Tribal Governments" (59 FR 22951) and 512

DM 2, we have evaluated possible effects on Federally recognized Indian tribes and have determined that there are no effects.

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: July 7, 1998.

William Leary,

Acting Deputy Assistant Secretary for Fish and Wildlife and Parks.

Proposed Regulations Frameworks for 1998–99 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, 1998, and March 10, 1999.

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.

Flyways and Management Units

Atlantic Flyway—includes Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia.

Mississippi Flyway—includes Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Tennessee, and Wisconsin.

Central Flyway—includes Colorado (east of the Continental Divide), Kansas, Montana (Counties of Blaine, Carbon, Fergus, Judith Basin, Stillwater, Sweetgrass, Wheatland, and all counties east thereof), Nebraska, New Mexico (east of the Continental Divide except the Jicarilla Apache Indian Reservation), North Dakota, Oklahoma, South Dakota, Texas, and Wyoming (east of the Continental Divide).

Pacific Flyway—includes Alaska, Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, and those

portions of Colorado, Montana, New Mexico, and Wyoming not included in the Central Flyway.

Mourning Dove Management Units

Eastern Management Unit—All States east of the Mississippi River, and Louisiana.

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

Western Management Unit—Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

Woodcock Management Regions

Eastern Management Region—Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia.

Central Management Region—Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

Other geographic descriptions are contained in a later portion of this document.

Compensatory Days in the Atlantic Flyway: In the Atlantic Flyway States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, North Carolina, Pennsylvania, Virginia, and West Virginia, where Sunday hunting is prohibited statewide by State law, all Sundays are closed to all take of migratory waterfowl (including mergansers and coots).

Special September Teal Season

Outside Dates: Between September 1 and September 30, an open season on all species of teal may be selected by the following States in areas delineated by State regulations:

Atlantic Flyway—Delaware, Georgia, Maryland, North Carolina, Pennsylvania, South Carolina, Virginia, and West Virginia. All seasons are experimental.

Mississippi Flyway—Alabama, Arkansas, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Ohio, and Tennessee.

Central Flyway—Colorado (part), Kansas, New Mexico (part), Oklahoma, and Texas.

Hunting Seasons and Daily Bag Limits: Not to exceed 9 consecutive days in the Atlantic Flyway and 16 consecutive days in the Mississippi and Central Flyways. The daily bag limit is 4 teal.

Shooting Hours

Atlantic Flyway—One-half hour before sunrise to sunset, if evaluated; otherwise sunrise to sunset.

Mississippi and Central Flyways—One-half hour before sunrise to sunset, except in the States of Arkansas, Illinois, Indiana, Missouri, and Ohio, where the hours are from sunrise to sunset.

Special September Duck Seasons

Florida: A 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, a 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 19). The daily 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. The remainder of the regular duck season may not begin before October 10.

Special Youth Waterfowl Hunting Day

Outside Dates: States may select 1 day per duck-hunting zone, designated as "Youth Waterfowl Hunting Day," in addition to their regular duck seasons. The day must be held outside any regular duck season on a weekend, holiday, or other non-school day when youth hunters would have the maximum opportunity to participate. The day may be held up to 14 days before or after any regular duck-season frameworks or within any split of a regular duck season, or within any other open season on migratory birds.

Daily Bag Limits: The daily bag limit may include ducks, geese, mergansers, coots, moorhens, and gallinules and would be the same as that allowed in the regular season. Flyway species and area restrictions would remain in effect.

Shooting Hours: One-half hour before sunrise to sunset.

Participation Restrictions: Youth hunters must be 15 years of age or younger. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult could not duck hunt but may participate in

other seasons that are open on the special youth day.

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 are part of the regular duck season daily bag (not to exceed 4 scoters) 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 Eastern Unit of 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, New York (Long Island Zone), North Carolina (except in the Northeast Hunt Unit), and South Carolina. Experimental Canada goose seasons of up to 25 days during September 1–25 may be selected in Crawford County, Pennsylvania. 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, except in the Upper Peninsula in Michigan, where the season may not extend beyond September 10, and in the Michigan Counties of Huron, Saginaw and Tuscola, where no special season may be held. 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. 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 4 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. In addition, in the NW goose management zone, a 15-day season may be selected during the period September 1–20. Any portion of the season selected between September 16 and 20 will be considered experimental. Daily bag limits may not

exceed 5 Canada geese. In the NW goose zone, at a minimum, Oregon must provide an annual evaluation of the number of dusky Canada geese present in the hunt zone during the period September 16–20 and agree to adjust seasons as necessary to avoid any potential harvest of dusky Canada geese.

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

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.

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.

California may select a 9-day season in Humboldt County during the period September 1–15. The daily bag limit is 2.

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 may open as early as September 19 in Wisconsin and September 26 in the Upper Peninsula of Michigan. 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 Idaho 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 17) 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 Eastern Management Region may select hunting seasons between October 6 and January 31. States in the Central Management Region may select hunting seasons between the Saturday nearest September 22 (September 19) and January 31.

Hunting Seasons and Daily Bag Limits: Seasons may not exceed 30 days in the Atlantic Flyway and 45 days in the Central and Mississippi Flyways. The daily bag limit is 3. 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 24 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.

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.

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

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

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 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

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 doves (15 under the alternative) in the aggregate, of which 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-geese seasons are subject to the following exceptions:

1. In Units 9(e) and 18, the limits for dark geese are 3 daily and 6 in possession.

2. In Units 5 and 6, the taking of Canada geese is permitted from September 28 through December 16. A special, permit only Canada goose season may be offered on Middleton Island. No more than 10 permits can be issued. A mandatory goose identification class is required. Hunters must check-in and check-out. Bag limit of 1 daily and 1 in possession. Season to close if incidental harvest includes 5 dusky Canada geese. A dusky Canada goose is any dark-breasted Canada goose (Munsell 10 YR color value five or less) with a bill length between 40 and 50 millimeters.

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

4. In Unit 9(D) and the Unimak Island portion of Unit 10, the limits for dark geese are 6 daily and 12 in possession.

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. All seasons are by registration permit only.

2. All season framework dates are September 1–October 31.

3. In GMU 18, no more than 500 permits may be issued during the

operational season. No more than 3 tundra swans permits may be issued per hunter and permits must be issued sequentially one at a time, upon filing a harvest report.

4. In GMU 22, no more than 300 permits may be issued during the operational season authorizing each permittee to take 1 tundra swan per season.

5. In GMU 23, no more than 300 permits may be issued during the experimental season. No more than 3 tundra swans permits may be issued per hunter and permits must be issued sequentially, one at a time, upon filing a harvest report. The experimental season evaluation must adhere to the guidelines for experimental seasons as described in the Pacific Flyway Management Plan for the Western Population of (Tundra) Swans.

Hawaii

Outside Dates: Between October 1 and January 31.

Hunting Seasons: Not more than 65 days (75 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 6.

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 6.

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

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 Ochoopee 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 Hebbronville; 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 Canada Goose Seasons

Atlantic Flyway

Connecticut

North Zone—That portion of the State north of I-95.

Maryland

Eastern Unit—Anne Arundel, Calvert, Caroline, Cecil, Charles, Dorchester, Harford, Kent, Queen Annes, St. Marys, Somerset, Talbot, Wicomico, and Worcester Counties, and those portions of Baltimore, Howard, and Prince George's Counties east of I-95.

Western Unit—Allegany, Carroll, Frederick, Garrett, Montgomery, and Washington Counties, and those portions of Baltimore, Howard, and Prince George's Counties east of I-95.

Massachusetts

Western Zone—That portion of the State west of a line extending south from the Vermont border on I-91 to MA 9, west on MA 9 to MA 10, south on MA 10 to U.S. 202, south on U.S. 202 to the Connecticut border.

Central Zone—That portion of the State east of the Berkshire Zone and west of a line extending south from the New Hampshire border on I-95 to U.S. 1, south on U.S. 1 to I-93, south on I-93 to MA 3, south on MA 3 to U.S. 6, west on U.S. 6 to MA 28, west on MA 28 to I-195, west to the Rhode Island

border; except the waters, and the lands 150 yards inland from the high-water mark, of the Assonet River upstream to the MA 24 bridge, and the Taunton River upstream to the Center St.-Elm St. bridge shall be in the Coastal Zone.

Coastal Zone—That portion of Massachusetts east and south of the Central Zone.

New Hampshire

Early-season Hunt Unit—Cheshire, Hillsborough, Rockingham, and Strafford Counties.

New York

Lake Champlain Zone—The U.S. portion of Lake Champlain and that area east and north of a line extending along NY 9B from the Canadian border to U.S. 9, south along U.S. 9 to NY 22 south of Keesville; south along NY 22 to the west shore of South Bay, along and around the shoreline of South Bay to NY 22 on the east shore of South Bay; southeast along NY 22 to U.S. 4, northeast along U.S. 4 to the Vermont border.

Long Island Zone—That area consisting of Nassau County, Suffolk County, that area of Westchester County southeast of I-95, and their tidal waters.

Western Zone—That area west of a line extending from Lake Ontario east along the north shore of the Salmon River to I-81, and south along I-81 to the Pennsylvania border, except for the Montezuma Zone.

Montezuma Zone—Those portions of Cayuga, Seneca, Ontario, Wayne, and Oswego Counties north of U.S. Route 20, east of NYS Route 14, south of NYS Route 104, and west of NYS Route 34.

Northeastern Zone—That area north of a line extending from Lake Ontario east along the north shore of the Salmon River to I-81, south along I-81 to NY 49, east along NY 49 to NY 365, east along NY 365 to NY 28, east along NY 28 to NY 29, east along NY 29 to I-87, north along I-87 to U.S. 9 (at Exit 20), north along U.S. 9 to NY 149, east along NY 149 to U.S. 4, north along U.S. 4 to the Vermont border, exclusive of the Lake Champlain Zone.

Southeastern Zone—The remaining portion of New York.

North Carolina

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

South Carolina

Early-season Hunt Unit—Clarendon County and those portions of Orangeburg County north of SC Highway 6 and Berkeley County north of SC Highway 45 from the Orangeburg

County line to the junction of SC Highway 45 and State Road S-8-31 and west of the Santee Dam.

Mississippi Flyway

Illinois

Northeast Canada Goose Zone—Cook, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, and Will Counties.

North Zone: That portion of the State outside the Northeast Canada Goose Zone and north of a line extending east from the Iowa border along Illinois Highway 92 to Interstate Highway 280, east along I-280 to I-80, then east along I-80 to the Indiana border.

Central Zone: That portion of the State outside the Northeast Canada Goose Zone and south of the North Zone to a line extending east from the Missouri border along the Modoc Ferry route to Modoc Ferry Road, east along Modoc Ferry Road to Modoc Road, northeasterly along Modoc Road and St. Leo's Road to Illinois Highway 3, north along Illinois 3 to Illinois 159, north along Illinois 159 to Illinois 161, east along Illinois 161 to Illinois 4, north along Illinois 4 to Interstate Highway 70, east along I-70 to the Bond County line, north and east along the Bond County line to Fayette County, north and east along the Fayette County line to Effingham County, east and south along the Effingham County line to I-70, then east along I-70 to the Indiana border.

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.

Five 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.

Central Flyway

South Dakota

September Canada Goose Unit—Brookings, Clark, Codington, Day, Deuel, Grant, Hamlin, Kingsbury, Lake, McCook, Moody Counties, and Miner County east of SD 25, and that portion of Minnehaha County north and west of a line beginning at the junction of County 130 (Renner Road) and the Minnesota border, then west on County 130 to I-29 and along I-29 to the Lincoln County line.

Pacific Flyway

Idaho

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

Oregon

Northwest Zone—Benton, Clackamas, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Polk, Multnomah, Tillamook, Washington, 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, Cowlitz, 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-P

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																				
Mallard (Total/Female)	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	
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	Closed	Closed	Closed	Closed		Closed	Closed	Closed	Closed		Closed	Closed	Closed	Closed		Closed	Closed	Closed	Closed	
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 season length and framework closing date under the moderate and liberal packages will be determined in the late-season regulations process.

(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:

very restrictive - 8, restrictive - 12, moderate and liberal - 23. 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 except the liberal option, 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 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.