

published a notice outlining our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244).

#### Paperwork Reduction Act

This rule does not contain any new collections of information other than those already approved under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, and assigned Office of Management and Budget clearance number 1018-0094. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information, unless it displays a currently valid control number. For additional information concerning permit and associated requirements for threatened species, see 50 CFR 17.32.

#### References Cited

A complete list of all references cited herein, as well as others, is available upon request (see **ADDRESSES** section).

#### Authors

The primary authors of this proposed rule are Buddy B. Fazio (614-469-6923) of our Reynoldsburg, Ohio office, and Jennifer Szymanski (612-713-5342) of our Minnesota Regional Office (see **ADDRESSES** section.)

#### List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

#### Regulation Promulgation

Accordingly, amend part 17, subchapter B of chapter I, title 50 of the

Code of Federal Regulations, as set forth below:

#### PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

**Authority:** 16 U.S.C. 1361-1407; 16 U.S.C. 1531-1544; 16 U.S.C. 4201-4245; Pub. L. 99-625, 100 Stat. 3500, unless otherwise noted.

2. Amend § 17.11(h) by adding the following to the List of Endangered and Threatened Wildlife, in alphabetical order under REPTILES:

#### § 17.11 Endangered and threatened wildlife.

\* \* \* \* \*

(h) \* \* \*

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
REPTILES							
*	*	*	*	*	*	*	*
Snake, Lake Erie water.	<i>Nerodia sipedon insularum</i> .	U.S.A. (OH), Canada (Ont.).	Lake Erie offshore Islands and their adjacent waters (located more than 1 mile from mainland)—U.S.A. (OH), Canada (Ont.).	T	665	N/A	N/A
*	*	*	*	*	*	*	*

Dated: August 16, 1999

**John G. Rogers,**

*Acting Director, Fish and Wildlife Service.*

[FR Doc. 99-22459 Filed 8-27-99; 8:45 am]

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#### DEPARTMENT OF THE INTERIOR

#### Fish and Wildlife Service

#### 50 CFR Part 20

#### RIN 1018-AF24

#### Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 1999-2000 Early Season

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** This rule prescribes special early season migratory bird hunting regulations for certain tribes on Federal Indian reservations, off-reservation trust lands and ceded lands. This responds to

tribal requests for U.S. Fish and Wildlife Service (hereinafter Service or we) recognition of their authority to regulate hunting under established guidelines. This rule allows the establishment of season bag limits and, thus, harvest at levels compatible with populations and habitat conditions.

**DATES:** This rule takes effect on September 1, 1999.

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

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

**SUPPLEMENTARY INFORMATION:** The Migratory Bird Treaty Act of July 3,

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

In the August 13, 1999, **Federal Register** (64 FR 44384), we proposed special migratory bird hunting regulations for the 1999-2000 hunting season for certain Indian tribes, under the guidelines described in the June 4, 1985, **Federal Register** (50 FR 23467). The guidelines respond to tribal requests for Service recognition of their reserved hunting rights, and for some tribes, recognition of their authority to regulate hunting by both tribal members and nonmembers on their reservations. The guidelines include possibilities for:

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

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

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

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

In the May 3, 1999, **Federal Register** (64 FR 23742), we requested that tribes desiring special hunting regulations in the 1999–2000 hunting season submit a proposal including details on:

(a) Harvest anticipated under the requested regulations;

(b) Methods that would be employed to measure or monitor harvest (such as bag checks, mail questionnaires, etc.);

(c) Steps that would be taken to limit level of harvest, where it could be shown that failure to limit such harvest would adversely impact the migratory bird resource; and

(d) Tribal capabilities to establish and enforce migratory bird hunting regulations.

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

Although the proposed rule included generalized regulations for both early- and late-season hunting, this rulemaking addresses only the early-season proposals. Late-season hunting will be addressed in late-September. As a general rule, early seasons begin during September each year and have a primary emphasis on such species as mourning and white-winged dove. Late seasons begin about October 1 or later each year and have a primary emphasis on waterfowl.

#### Status of Populations

In the August 13 **Federal Register**, we reviewed the status for various populations for which early seasons were proposed. This information

included brief summaries of the May Breeding Waterfowl and Habitat Survey and population status reports for blue-wing teal, Canada goose populations hunted in September seasons, sea ducks, sandhill cranes, woodcock, mourning doves, white-winged doves, white-tipped doves, and band-tailed pigeons. As a result of these status, we have responded by proposing Flyway frameworks that are essentially the same as those of last season for the 1999–2000 waterfowl hunting season (August 27, 1999, **Federal Register**). The tribal seasons established below are commensurate with the population status.

#### Comments and Issues Concerning Tribal Proposals

For the 1999–2000 migratory bird hunting season, we proposed regulations for 22 tribes and/or Indian groups that followed the 1985 guidelines and were considered appropriate for final rulemaking. Some of the proposals submitted by the tribes had both early and late-season elements. However, as noted earlier, only those with early-season proposals are included in this final rulemaking; 15 tribes have proposals with early seasons. Comments and revised proposals received to date are addressed in the following section. The comment period for the proposed rule, published on August 13, 1999, closed on August 23, 1999. Because of the necessary brief comment period, we will respond to any comments received on the proposed rule and/or these early-season regulations not responded to herein in the September late-season final rule.

We received two comments regarding the notice of intent published on May 3, 1999, which announced rulemaking on regulations for migratory bird hunting by American Indian tribal members. Both of these comments were addressed in the August 13 proposed rule.

#### NEPA Consideration

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(C)), the “Final Environmental Statement for the Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (FES–75–74)” was filed with the Council on Environmental Quality on June 6, 1975, and notice of availability was published in the **Federal Register** on June 13, 1975, (40 FR 25241). A supplement to the final environmental statement, the “Final Supplemental Environmental Impact Statement: Issuance of Annual Regulations Permitting the Sport

Hunting of Migratory Birds (SEIS 88–14)” was filed on June 9, 1988, and notice of availability was published in the **Federal Register** on June 16, 1988 (53 FR 22582), and June 17, 1988 (53 FR 22727). Copies of these documents are available from us at the address indicated under the caption **ADDRESSES**. In addition, an August 1985 Environmental Assessment titled “Guidelines for Migratory Bird Hunting Regulations on Federal Indian Reservations and Ceded Lands” is available from the same address.

#### Endangered Species Act Considerations

Section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531–1543; 87 Stat. 884), provides that, “The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act” (and) shall “insure that any action authorized, funded or carried out \* \* \* is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of [critical] habitat \* \* \*.”

Consequently, we conducted consultations to ensure that actions resulting from these regulations would not likely jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of their critical habitat. Findings from these consultations are included in a biological opinion and may have caused modification of some regulatory measures previously proposed. The final frameworks reflect any modifications. Our biological opinions resulting from its Section 7 consultation are public documents available for public inspection in the Service’s Division of Endangered Species and MBMO, at the address indicated under the caption **ADDRESSES**.

#### Regulatory Flexibility Act

These regulations have a significant economic impact on substantial numbers of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). We analyzed the economic impacts of the annual hunting regulations on small business entities in detail and issued a Small Entity Flexibility Analysis (Analysis) in 1998. The Analysis documented the significant beneficial economic effect on a substantial number of small entities. The primary source of information about hunter expenditures for migratory game bird hunting is the National Hunting and Fishing Survey, which is conducted at 5-year intervals. The Analysis was based on the 1996

National Hunting and Fishing Survey and the U.S. Department of Commerce's County Business Patterns from which it was estimated that migratory bird hunters would spend between \$429 and \$1,084 million at small businesses in 1998. Copies of the Analysis are available upon request.

#### **Executive Order (E.O.) 12866**

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

#### **Small Business Regulatory Enforcement Fairness Act**

This rule is a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. For the reasons outlined above, this rule has an annual effect on the economy of \$100 million or more. However, because this rule establishes hunting seasons, we do not plan to defer the effective date under the exemption contained in 5 U.S.C. 808(1) and this rule will be effective immediately.

#### **Paperwork Reduction Act**

We examined these regulations under the Paperwork Reduction Act of 1995. We utilize the various recordkeeping and reporting requirements imposed under regulations established in 50 CFR part 20, Subpart K, in the formulation of migratory game bird hunting regulations. Specifically, OMB has approved the information collection requirements of the Migratory Bird Harvest Information Program and assigned clearance number 1018-0015 (expires 9/30/2001). This information is used to provide a sampling frame for voluntary national surveys to improve our harvest estimates for all migratory game birds in order to better manage these populations. OMB has also approved the information collection requirements of the Sandhill Crane Harvest Questionnaire and assigned clearance number 1018-0023 (expires 9/30/2000). The information from this survey is used to estimate the magnitude, the geographical and temporal distribution of harvest, and the portion it constitutes of the total population. A Federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

#### **Unfunded Mandates Reform Act**

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

#### **Civil Justice Reform—Executive Order 12988**

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

#### **Takings 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. We annually prescribe frameworks from which the States make selections and employ 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 regulations. 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**

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. Thus, 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 on Indian trust resources. However, by virtue of the tribal proposals received in response to the May 3 request for proposals and the August 13 proposed rule, we have consulted with all the tribes affected by this rule.

#### **Regulations Promulgation**

The rulemaking process for migratory game bird hunting must, by its nature, operate under severe time constraints. However, we intend that the public be given the greatest possible opportunity to comment on the regulations. Thus, when the preliminary proposed rulemaking was published, we established what we believed were the longest periods possible for public comment. In doing this, we recognized that when the comment period closed, time would be of the essence. That is, if there were a delay in the effective date of these regulations after this final rulemaking, the tribes would have insufficient time to communicate these seasons to their member and non-tribal hunters and to establish and publicize the necessary regulations and procedures to implement their decisions.

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

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

#### **List of Subjects in 50 CFR Part 20**

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

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

#### PART 20—[AMENDED]

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

1. **Authority:** 16 U.S.C. 703–712 and 16 U.S.C. 742 a–j.

(Note: The following hunting regulations provided for by 50 CFR 20.110 will not appear in the Code of Federal Regulations because of their seasonal nature).

2. Section 20.110 is revised to read as follows:

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

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

Doves

*Season Dates:* Open September 1, close September 15, 1999; then open November 19, 1999, close January 3, 2000.

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

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

(b) *Crow Creek Sioux Tribe, Crow Creek Indian Reservation, Fort Thompson, South Dakota (Tribal Members and Non-tribal Hunters)*

Sandhill Cranes

*Season Dates:* Open September 18, close October 24, 1999.

*Daily Bag Limit:* 3 sandhill cranes.

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

*General Conditions:* The waterfowl hunting regulations established by this final rule apply only to tribal and trust lands within the external boundaries of the reservation. Tribal and non-tribal hunters must comply with basic Federal

migratory bird hunting regulations in 50 CFR part 20 regarding shooting hours and manner of taking. In addition, each waterfowl hunter 16 years of age or over must carry on his/her person a valid Migratory Bird Hunting and Conservation Stamp (Duck Stamp) signed in ink across the stamp face. Special regulations established by the Crow Creek Sioux Tribe also apply on the reservation.

(c) *Fond du Lac Band of Lake Superior Chippewa Indians, Cloquet, Minnesota (Tribal Members Only) All seasons in Minnesota, 1854 Treaty Zone*

Ducks and Mergansers

*Season Dates:* Open September 11, close November 23, 1999.

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

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

Geese

*Season Dates:* Open September 1, close November 28, 1999.

*Daily Bag Limit:* 10 geese.

Coots and Common Moorhens (Gallinule)

*Season Dates:* Open September 11, close November 23, 1999.

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

Sora and Virginia Rails

*Season Dates:* Open September 1, close November 28, 1999.

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

Common Snipe and Woodcock

*Season Dates:* Open September 1, close November 28, 1999.

*Daily Bag Limit:* 8 snipe and 3 woodcock.

*General Conditions:*

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

2. Except as otherwise noted, tribal members will be required to comply with tribal codes that will be no less restrictive than the provisions of Chapter 10 of the Model Off-Reservation Code. Except as modified by the Service rules adopted in response to this proposal, these amended regulations parallel Federal requirements in 50 CFR part 20 as to hunting methods, transportation, sale, exportation and

other conditions generally applicable to migratory bird hunting.

3. Band members in each zone will comply with State regulations providing for closed and restricted waterfowl hunting areas.

4. Possession limits for each species are double the daily bag limit, except on the opening day of the season, when the possession limit equals the daily bag limit, unless otherwise noted above. Possession limits are applicable only to transportation and do not include birds which are cleaned, dressed, and at a member's primary residence. For purposes of enforcing bag and possession limits, all migratory birds in the possession or custody of band members on ceded lands will be considered to have been taken on those lands unless tagged by a tribal or State conservation warden as having been taken on-reservation. All migratory birds which fall on reservation lands will not count as part of any off-reservation bag or possession limit.

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

*All seasons in Michigan, 1836 Treaty Zone:*

Ducks

*Season Dates:* Open September 20, 1999, close January 20, 2000.

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

Canada Geese

*Season Dates:* Open September 1, close November 30, 1999, and open January 1, 2000, close February 8, 2000.

*Daily Bag Limit:* 5 geese.

Sora Rails, Common Snipe, and Woodcock

*Season Dates:* Open September 1, close November 14, 1999.

*Daily Bag Limit:* 5 rails, 5 snipe, and 5 woodcock.

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

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

**Ducks**

*Wisconsin and Minnesota 1837 and 1842 Zones:*

*Season Dates:* Begin September 15 and end December 1, 1999.

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

*Michigan 1836 and 1842 Treaty Zones:*

*Season Dates:* Begin September 15 and end December 1, 1999.

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

**Mergansers**

*Wisconsin and Minnesota 1837 and 1842 Zones:*

*Season Dates:* Begin September 15 and end December 1, 1999.

*Daily Bag Limit:* 5 mergansers.

*Michigan 1836 and 1842 Treaty Zones:*

*Season Dates:* Begin September 15 and end December 1, 1999.

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

**Geese**

*All Ceded Areas:*

*Season Dates:* Begin September 1 and end December 1, 1999.

*Daily Bag Limit:* 10 geese.

*Other Migratory Birds:* All Ceded Areas.

**Coots and Common Moorhens (Common Gallinules)**

*Season Dates:* Begin September 15 and end December 1, 1999.

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

**Sora and Virginia Rails**

*Season Dates:* Begin September 15 and end December 1, 1999.

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

**Common Snipe**

*Season Dates:* Begin September 15 and end December 1, 1999.

*Daily Bag Limit:* 8 common snipe.

**Woodcock**

*Season Dates:* Begin September 7 and end December 1, 1999.

*Daily Bag Limit:* 5 woodcock.

**General Conditions**

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

2. Except as otherwise noted, tribal members will be required to comply with tribal codes that will be no less restrictive than the provisions of Chapter 10 of the Model Off-Reservation Code. Except as modified by the Service rules adopted in response to this proposal, these amended regulations parallel Federal requirements in 50 CFR Part 20 as to hunting methods, transportation, sale, exportation and other conditions generally applicable to migratory bird hunting.

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

4. Possession limits for each species are double the daily bag limit, except on the opening day of the season, when the possession limit equals the daily bag limit, unless otherwise noted above. Possession limits are applicable only to transportation and do not include birds which are cleaned, dressed, and at a member's primary residence. For purposes of enforcing bag and possession limits, all migratory birds in the possession or custody of tribal members on ceded lands will be considered to have been taken on those lands unless tagged by a tribal or State conservation warden as having been taken on-reservation. In Wisconsin, such tagging will comply with applicable State laws. All migratory birds which fall on reservation lands will not count as part of any off-reservation bag or possession limit.

5. Minnesota and Michigan—Duck Blinds and Decoys. Tribal members hunting in Michigan and Minnesota will comply with tribal codes that contain provisions that parallel applicable State laws concerning duck blinds and/or decoys.

*(f) Kalispel Tribe, Kalispel Reservation, Usk, Washington (Tribal Members Only)*

**Ducks**

*Season Dates:* Open September 15, 1999, close January 31, 2000.

*Daily Bag and Possession Limits:* 7 ducks, including no more than 1 pintail, 2 hen mallards, 4 scaup, and 1 canvasback.

**Geese**

*Season Dates:* Open September 1, 1999, close January 31, 2000.

*Daily Bag and Possession Limits:* 4 geese, including 4 dark geese but not more than 3 light geese. The possession limit is twice the daily bag limit.

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

*(g) Leech Lake Band of Ojibwe, Cass Lake, Minnesota (Tribal Members Only)*

**Ducks**

*Season Dates:* Open September 25, close November 28, 1999.

*Daily Bag Limits:* 10 ducks.

**Geese**

*Season Dates:* Open September 25, close November 28, 1999.

*Daily Bag Limits:* 10 geese.

*General:* Possession limits are twice the daily bag limits. Shooting hours are one-half hour before sunrise to one-half hour after sunset.

*(h) Navajo Indian Reservation, Window Rock, Arizona (Tribal Members and Nonmembers)*

**Band-tailed Pigeons**

*Season Dates:* Open September 1, close September 30, 1999.

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

**Mourning Doves**

*Season Dates:* Open September 1, close September 30, 1999.

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

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

*(i) Oneida Tribe of Indians of Wisconsin, Oneida, Wisconsin (Tribal Members)*

**Ducks**

*Season Dates:* Open September 18, close November 19, 1999.

*Daily Bag and Possession Limits:* 6 ducks, including no more than 5 mallards (only 1 of which may be a hen), 5 wood ducks, 1 canvasback, 1 redhead, 2 pintails, and 1 hooded merganser. Possession limit is twice the daily bag limit.

**Geese and Brant**

*Season Dates:* Open September 1, close November 19, open November 29, close December 31, 1999.

*Daily Bag and Limits:* 5 brant, 3 Canada geese, and 5 snow geese. Geese must be tagged after harvest with tribal tags. The tribe will reissue tags upon registration of the daily bag limit. A season quota of 150 birds is adopted. If the quota is reached before the season concludes, the season will be closed at that time.

#### Woodcock

*Season Dates:* Open September 11, close November 19, 1999.

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

*General Conditions:* Tribal members and non-tribal members hunting on the Oneida Indian Reservation or on lands under the jurisdiction of the Oneida Nation will observe all basic Federal migratory bird hunting regulations found in 50 CFR part 20. Tribal hunters are exempt from the requirement to purchase a Migratory Waterfowl Hunting and Conservation Stamp (Duck Stamp) and the plugging of shotgun to limit capacity to 3 shells.

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

#### Ducks

*Season Dates:* Open September 15, 1999, close January 15, 2000.

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

#### Geese

*Season Dates:* Open September 15, 1999, close January 15, 2000.

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

#### Brant

*Season Dates:* Open September 15, 1999, close January 15, 2000.

*Daily Bag and Possession Limits:* 2 brant. Possession limit is twice the daily bag limit.

#### Coots

*Season Dates:* Open September 15, 1999, close January 15, 2000.

*Daily Bag Limits:* 25 coots.

#### Mourning Doves

*Season Dates:* Open September 1, close September 30, 1999.

*Daily Bag and Possession Limits:* 30 and 20 doves, respectively.

#### Snipe

*Season Dates:* Open September 15, close January 15, 2000.

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

*General Conditions:* All hunters authorized to hunt migratory birds on the reservation must obtain a tribal hunting permit from the respective tribe. Hunters are also required to adhere to a number of special regulations available at the tribal office.

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

#### Mourning Dove

*Season Dates:* September 18, 1999, through January 20, 2000.

*Daily Bag Limit:* 15 doves.

*General Conditions:* Hunting is on Saturdays only. All other Federal regulations contained in 50 CFR part 20 apply.

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

#### Ducks

*Season Dates:* Open September 15, 1999, close January 15, 2000.

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

#### Geese

*Season Dates:* Open September 15, 1999, close January 15, 2000.

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

#### Brant

*Season Dates:* Open September 15, close December 31, 1999.

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

#### Coots

*Season Dates:* Open September 15, 1999, close January 15, 2000.

*Daily Bag Limits:* 25 coots.

#### Snipe

*Season Dates:* Open September 15, 1999, and close January 15, 2000.

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

#### Band-tailed Pigeons

*Season Dates:* Open September 15, close December 1, 1999.

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

*General Conditions:* All tribal hunters must obtain a Tribal Hunting Tag and

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

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

#### Ducks/Coot

*Season Dates:* Open September 15, 1999, and close February 1, 2000.

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

#### Geese

*Season Dates:* Open September 15, 1999, and close February 1, 2000.

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

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

*(n) White Earth Band of Chippewa, White Earth, Minnesota (Tribal Members Only)*

#### Ducks and Mergansers

*Season Dates:* Open September 18, close November 30, 1999.

*Daily Bag Limit for Ducks:* 7 ducks, including no more than 2 mallards and

1 canvasback through September 24 and no more than 2 hen mallards and 2 canvasbacks thereafter.

*Daily Bag Limit for Mergansers:* 5 mergansers, including no more than 2 hooded mergansers.

#### Geese

*Season Dates:* Open September 1, close November 30, 1999.

*Daily Bag Limit:* 5 geese.

#### Coots

*Season Dates:* Open September 18, close November 30, 1999.

*Daily Bag Limit:* 20 coots.

#### Sora and Virginia Rails

*Season Dates:* Open September 11, close December 1, 1999.

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

#### Common Snipe and Woodcock

*Season Dates:* Open September 11, close December 1, 1999.

*Daily Bag Limit:* 10 snipe and 10 woodcock.

#### Mourning Dove

*Season Dates:* Open September 11, close December 1, 1999.

*Daily Bag Limit:* 25 doves.

*General Conditions:* Shooting hours are one-half hour before sunrise to one-half hour after sunset. Non-toxic shot is required.

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

#### Band-tailed Pigeons

*Season Dates:* Open September 1, close September 12, 1999.

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

#### Mourning Doves

*Season Dates:* Open September 1, close September 12, 1999.

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

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

Dated: August 24, 1999.

**Donald J. Barry,**

*Assistant Secretary for Fish and Wildlife and Parks.*

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