

## DEPARTMENT OF THE INTERIOR

## Fish and Wildlife Service

## 50 CFR Part 20

RIN 1018-AC79

**Migratory Bird Hunting: Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 1995-96 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 is in response to tribal requests for Service recognition of their authority to regulate hunting under established guidelines. This rule is necessary to allow establishment of season bag limits and, thus, harvest at levels compatible with populations and habitat conditions.

**EFFECTIVE DATE:** This rule takes effect on September 1, 1995.

**ADDRESSES:** Comments received, if any, on the proposed special hunting regulations and tribal proposals are available for public inspection during normal business hours in Room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, VA. Communications regarding the documents should be sent to: Director (FWS/MBMO), U.S. Fish and Wildlife Service, Room 634-ARLSQ, 1849 C Street, NW, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Ron W. Kokel or Dr. Keith A. Morehouse, 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 17, 1995 **Federal Register** (60 FR 42960), the U.S. Fish and Wildlife Service (Service) proposed special migratory bird hunting regulations for the 1995-96 hunting

season for certain Indian tribes, under the guidelines described in the June 4, 1985, **Federal Register** (50 FR 23467). The guidelines were developed in response to tribal requests for Service recognition of their reserved hunting rights, and for some tribes, recognition of their authority to regulate hunting by both tribal members and nonmembers on their reservations. The guidelines include possibilities for: (1) on-reservation hunting by both tribal members and nonmembers, with hunting by nontribal members on some reservations to take place within Federal frameworks but on dates different from those selected by the surrounding State(s); (2) on-reservation hunting by tribal members only, outside of usual Federal frameworks for season dates and length, and for daily bag and possession limits; and (3) off-reservation hunting by tribal members on ceded lands, outside of usual framework dates and season length, with some added flexibility in daily bag and possession limits. In all cases, the regulations established under the guidelines have to be consistent with the March 10-September 1 closed season mandated by the 1916 Migratory Bird Treaty with Canada.

Tribes that desired special hunting regulations in the 1995-96 hunting season were requested in the March 24, 1995, **Federal Register** (60 FR 15642) to submit a proposal that included details on: (1) requested season dates and other regulations to be observed; (2) harvest anticipated under the requested regulations; (3) methods that will be employed to measure or monitor harvest; (4) steps that will be taken to limit level of harvest, where it could be shown that failure to limit such harvest would impact seriously on the migratory bird resource; and (5) tribal capabilities to establish and enforce migratory bird hunting regulations. No action is required if a tribe wishes to observe the hunting regulations that are established by the State(s) in which an Indian reservation is located. The guidelines have been used successfully since the 1985-86 hunting season, and they were made final beginning with the 1988-89 hunting season (August 18, 1988; 53 FR 31612).

Although the proposed rule includes generalized regulations for both early and late season hunting, this rulemaking addresses only the early season proposals. Late season hunting will be addressed in the rulemaking to follow in September 1995. 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 are those that begin about October 1 or later each year

and have a primary emphasis on waterfowl.

**Comments and Issues Concerning Tribal Proposals**

For the 1995-96 migratory bird hunting season, the Service proposed regulations for seventeen 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 have both early and late season elements. However, as noted earlier, only those with early season proposals are included in this final rulemaking; 9 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 18, 1995, closed on August 28, 1995. Because of the brief comment period that was necessary, any comments received on the proposed rule and/or these early season regulations not responded to herein will be addressed in the late season final rule to be published in September.

**Great Lakes Indian Fish and Wildlife Commission, Odanah, Wisconsin**

To date, the Service has received one letter regarding the proposal of the Great Lakes Indian Fish and Wildlife Commission (GLIFWC). The State of Wisconsin Department of Natural Resources (WIDNR) July 6, 1995 letter to the GLIFWC, was copied to the Service. In this letter, the WIDNR communicated concerns regarding: (1) Canada goose bag limits of 10 per day, and concern for the harvest of local giant Canada geese. With regard to giant Canada geese, WIDNR cited 10 or more years of effort to restore breeding populations that could be jeopardized by overharvest locally; (2) the length of other goose seasons and bag limits for the GLIFWC in comparison to those required for non-tribal hunters by the State of Wisconsin. The WIDNR thought that GLIFWC goose seasons and bag limits should be consistent with those of the State; (3) the September 15 opening of the duck season. The WIDNR continues to oppose the early duck season opener in concern for late nesting hens and their broods that might still be in molt or just recovering from the molt that would make them especially vulnerable to harvest; (4) the proposed duck daily bag limit to 20. The WIDNR believes that the proposed bag limits may negatively impact efforts by the State and others, including the GLIFWC, to restore local duck breeding populations in northern Wisconsin; and (5) honoring the noon

opening for shooting hours for the first day of the State's duck season.

It is necessary to place this proposal by the GLIFWC in the context of a tribal entity having court established legal rights on ceded lands. Further, it is the policy of the Service to recognize treaty rights wherever there is substantial proof that they occur, e.g., more recently in the Michigan 1836 Treaty area. Thus, the GLIFWC proposal has as its umbrella the recognition by the Federal Government of those reserved rights by bands to an unquantified amount of any harvestable migratory bird surpluses in the ceded areas. Our position derives from the special status that Native Americans have with regard to the Federal Government's trust responsibility, as well as precedent setting court decisions in Wisconsin and elsewhere when these reserved treaty rights have been at issue.

As to the details of the proposal comments, our response continues to be that while the Commission's proposed bag limits are somewhat greater than they were several years ago, we disagree that they are "inconsistent with past FWS harvest and population management strategies" and "excessive" for geese. The Service's position is that the current populations of birds can support the limited harvest of the bands. In past years, the numbers of ducks and geese taken annually by the Commission's member bands have been about 2,000 and 500, respectively. In 1994-95, under nearly identical regulations, 1901 ducks and 719 geese were taken. Under the proposed regulations, the annual harvest is anticipated to be approximately 3,000 ducks and 900 geese. Further, the Commission has proposed specific sex and species considerations, in line with current management concerns. If approved, the Commission will be obligated to monitor the harvest to ensure that local breeding populations of ducks are not being adversely affected.

The September 15 opening date for the GLIFWC meets the framework the Service has established for approval of tribal duck seasons. This date should provide ample time for even late broods and molting ducks to be flighted. These referenced guidelines were originally established by the Service's Region 3 Office in the Twin Cities, Minnesota, for use in the Great Lakes areas but have been generally applied elsewhere in the States, as appropriate. The Service also requests that tribal members honor both the noon opening for shooting hours for the first day of the State's duck season and Wisconsin's open water hunting restrictions.

As these regulations are being approved in this early season final rule, it is incumbent upon the GLIFWC to continue to closely monitor both the duck and goose harvests to ensure that local and/or regional breeding populations are not being negatively impacted by an increased harvest.

In summary, this rule amends section 20.110 of 50 CFR to make current for the early 1995-96 migratory bird hunting season the regulations that will apply on Federal Indian reservations, off-reservation trust lands and ceded lands. These regulations take into account the improved status of ducks and the need to maintain somewhat restrictive regulations to reduce harvest on some migratory bird populations.

#### 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). 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 Service.

#### Endangered Species Act Considerations

Section 7 of the Endangered Species Act (ESA), 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..." Thus, the Service initiated Section 7 consultation for the proposed migratory bird hunting seasons including those which occur on Federally recognized Indian

reservations and ceded lands. The Service's biological opinion resulting from its consultation under Section 7 of the ESA may be inspected by the public in, and will be available from, the Service's address given under the caption **ADDRESSES**.

In an August 1995 finding, the Service concluded that the proposed action is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of their critical habitats. Among other reasons, hunting regulations are designed to remove or alleviate chances of conflict between seasons for migratory game birds and the protection and conservation of endangered and threatened species and their habitats.

#### Regulatory Flexibility Act, Executive Order 12866, and the Paperwork Reduction Act.

In the **Federal Register** dated March 24, 1995 (60 FR 15642), the Service reported measures it had undertaken to comply with requirements of the Regulatory Flexibility Act and the Executive Order. These included preparing an Analysis of Regulatory Effects and an updated Final Regulatory Impact Analysis (FRIA), and publication of a summary of the latter. Although a FRIA is no longer required, the economic analysis contained in the FRIA was reviewed and the Service determined that it met the requirements of E.O. 12866. In addition, the Service prepared a Small Entity Flexibility Analysis, under the Regulatory Flexibility Act (5 U.S.C. 601 et seq), which further document the significant beneficial economic effect on a substantial number of small entities. This rule was not subject to review by the Office of Management and Budget under E.O. 12866.

These regulations contain no information collections subject to OMB review under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). However, the Service does utilize information acquired through other various information collections in the formulation of migratory game bird hunting regulations. These information collection requirements have been approved by OMB and assigned clearance numbers 1018-0005, 1018-0006, 1018-0008, 1018-0009, 1018-0010, 1018-0015, 1018-0019, and 1018-0023.

#### Authorship

The primary authors of this early season final rule are Ron W. Kokel and Dr. Keith A. Morehouse, Office of Migratory Bird Management.

**Regulations Promulgation**

The rulemaking process for migratory bird hunting must, by its nature, operate under severe time constraints. However, the Service is of the view that every attempt should be made to give the public the greatest possible opportunity to comment on the regulations. Thus, when the proposed hunting regulations for certain tribes were published on August 18, 1995, the Service established the longest possible period for public comments. In doing this, the Service recognized that time would be of the essence. However, the comment period provided the maximum amount of time possible while ensuring that this final rule would be published before the beginning of the early hunting season beginning on September 1, 1995.

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.), the Service prescribes final hunting regulations for certain tribes on Federal Indian reservations (including off-reservation trust lands) and ceded lands. The regulations specify the species to be hunted and establish season dates, bag and possession limits, season length, and shooting hours for migratory game birds other than waterfowl.

Therefore, for the reasons set out above, the Service finds that "good cause" exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act, and this final rule will take effect on September 1, 1995.

**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:

**AUTHORITY:** 16 U.S.C. 703-711, 16 U.S.C. 712, and 16 U.S.C. 742 a-j. (Editorial Note: The following hunting regulations provided for by §20.110 of 50 CFR Part 20 will not appear in the Code of Federal Regulations because of their seasonal nature).

2. Section 20.110 is revised to read as follows:

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

(a) *Colorado River Indian Tribes, Parker, Arizona (Tribal Members and Nonmembers)*

**Doves**

Season Dates: Open September 1, close September 10, 1995; then open November 25, close January 14, 1996.

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

**Canada Geese**

**Michigan, 1836 Treaty Zone:**

Season Dates: Open September 1, close November 30, 1995, and open January 1, close February 7, 1996.

**Daily Bag Limit:** The daily bag limit is 5.

**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.

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

**Ducks**

**Wisconsin and Minnesota 1837, 1842 and 1854 Zones:**

Season Dates: Open September 15, close November 7, 1995.

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

**Mergansers**

**Wisconsin and Minnesota Zones:**

Season Dates: Open September 15, close November 7, 1995.

**Daily Bag Limit:** The daily bag limit is 5.

**Canada Geese**

**Wisconsin and Minnesota Zones:**  
Season Dates: Open September 15, close December 1, 1995.

**Daily Bag Limit:** The daily bag limit is 10, minus the number of blue, snow or white-fronted geese taken.

**Michigan, 1842 Treaty Zone:**

Season Dates: Open September 1, close September 10, 1995.

**Daily Bag Limit:** The daily bag limit is 5.

**Michigan, 1836 Treaty Zone:**

Season Dates: Open September 1, close September 10, 1995, except for that small portion of the ceded territory which coincides with the State of Michigan's Southern Zone will open September 1 and close on September 15.

**Daily Bag Limit:** The daily bag limit is 5.

**Other Geese (Blue, Snow, and White-fronted)**

**Wisconsin and Minnesota 1837, 1842 and 1854 Zones:**

Season Dates: Open September 15, close December 1, 1995.

**Daily Bag Limit:** The daily bag limit is 10, minus the number of Canada geese taken.

**Coots and Common Moorhens (Gallinule)**

**Wisconsin and Minnesota 1837, 1842 and 1854 Zones:**

Season Dates: Open September 15, close November 7, 1995.

**Daily Bag Limit:** The daily bag limit is 20, singly or in the aggregate.

**Sora and Virginia Rails**

**Wisconsin and Minnesota 1837, 1842 and 1854 Zones:**

Season Dates: Open September 15, close November 7, 1995.

**Daily Bag Limit:** The daily bag limit is 25, singly or in the aggregate. The possession limit is 25.

**Michigan, 1842 and 1836 Zones:**

Season Dates: Open September 15, close November 14, 1995.

**Daily Bag and Possession Limits:** The daily bag limit is 25, singly or in aggregate. The possession limit is 25.

**Common Snipe**

**Wisconsin and Minnesota 1837, 1842 and 1854 Zones:**

Season Dates: Open September 15, close November 7, 1995.

**Daily Bag Limit:** The daily bag limit is 8.

**Michigan, 1842 and 1836 Zones:**

Season Dates: Open September 15, close November 14, 1995.

**Daily Bag Limit:** The daily bag limit is 8.

## Woodcock

*Wisconsin and Minnesota 1837, 1842 and 1854 Zones:*

*Season Dates:* Open September 5, close November 30, 1995.

*Daily Bag Limit:* The daily bag limit is 5.

*Michigan, 1842 and 1836 Zones:*

*Season Dates:* Open September 15, close November 14, 1995.

*Daily Bag Limit:* The daily bag limit is 5.

*General Conditions:*

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

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

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

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

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

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

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

## Band-tailed Pigeons

*Season Dates:* Open September 1, close September 30, 1995.

*Daily Bag and Possession Limits:* The daily bag limit is 5 and the possession limit is 10.

## Mourning Doves

*Season Dates:* Open September 1, close September 30, 1995.

*Daily Bag and Possession Limits:* The daily bag limit is 10 and the possession limit is 20.

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

*(e) Oneida Tribe of Indians of Wisconsin, Oneida, Wisconsin (Tribal Members).*

## Ducks

*Season Dates:* Open September 15, close November 30, 1995.

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

## Geese

*Season Dates:* Open September 1, close November 30, 1995.

*Daily Bag and Possession Limits:* Daily bag limit is 2 Canada geese, that must be tagged after harvest with tribal tags. The tribe will reissue tags upon registration of the daily bag limit. A season quota of 150 birds is adopted. If the quota is reached before the season concludes, the season will be closed at that time.

## Mourning Dove

*Season Dates:* Open September 1, close November 30, 1995.

*Daily Bag and Possession Limits:* Daily bag limit is 10, and the possession limit is 20.

## Woodcock

*Season Dates:* Open September 1, close November 30, 1995.

*Daily Bag and Possession Limits:*

Daily bag limit is 6, and the possession limit is 12.

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

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

## Mourning Doves

*Season Dates:* Open September 20, 1995, close January 15, 1996.

*Daily Bag and Possession Limits:* The daily bag limit is 12 and the possession limit is 24.

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

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

## Ducks

*Season Dates:* Open September 15, 1995, close January 15, 1996.

*Daily Bag and Possession Limits:* Daily bag limit is 5, 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, 1995, close January 15, 1996.

*Daily Bag and Possession Limits:* Daily bag limit is 4 birds per day and can 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, 1995.

*Daily Bag and Possession Limits:* Daily bag limit is 2, and the possession limit is 4.

## Coots

*Season Dates:* Open September 15, 1995, close January 15, 1996.

*Daily Bag and Possession Limits:* Daily bag limit is 25.

Snipe

*Season Dates:* Open September 15, 1995, and close January 15, 1996.

*Daily Bag and Possession Limits:* The daily bag limit is 8, with 16 in possession.

Band-tailed Pigeons

*Season Dates:* Open September 15, close December 1, 1995.

*Daily Bag and Possession Limits:* Daily bag limit is 2, and the possession limit is 4.

*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.

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

Ducks/Coot

*Season Dates:* Open September 15, 1995, and close February 1, 1996.

*Daily Bag and Possession Limits:* The daily bag limit is 6, with 12 in possession; 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, 1995, and close February 1, 1996.

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

Snipe

*Season Dates:* Open September 1, 1995, and close February 1, 1996.

*Daily Bag and Possession Limits:* The daily bag limit is 6, with 12 in possession.

*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.

*(i) White Mountain Apache Tribe, Fort Apache Indian Reservation, Whiteriver, Arizona (Tribal Members and Nonmembers).*

Band-tailed Pigeons

*Season Dates:* Open September 1, close September 10, 1995.

*Daily Bag and Possession Limits:* The daily bag limit is 3 and the possession limit is 6.

Mourning Doves

*Season Dates:* Open September 1, close September 10, 1995.

*Daily Bag and Possession Limits:* The daily bag limit is 8 and the possession limit is 16.

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

Dated: August 29, 1995

**George T. Frampton, Jr.,**  
*George T. Frampton, Jr., Assistant Secretary for Fish and Wildlife and Parks.*

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