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by publication in the FEDERAL REGISTER as provided for in paragraphs (a) and (b) of this section.

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§ 92.22 Subsistence migratory bird species.

You may harvest birds or gather eggs from the following species, listed in taxonomic order, within all included areas except Southeast Alaska, which is restricted to Glaucous-winged gull egg harvesting only. When birds are listed at the species level, all subspecies existing in Alaska are also open to harvest. All bird species not listed are closed to harvesting and egg gathering.

- (a) *Family Anatidae.* (1) Greater White-fronted Goose (*Anser albifrons*).
- (2) Snow Goose (*Chen caerulescens*).
- (3) Lesser Canada Goose (*Branta canadensis parvipes*).
- (4) Taverner's Canada Goose (*Branta canadensis taverneri*).
- (5) Aleutian Canada Goose (*Branta canadensis leucopareia*)—except in the Semidi Islands.
- (6) Cackling Canada Goose (*Branta canadensis minima*)—except no egg gathering is permitted.
- (7) Black Brant (*Branta bernicla nigricans*)—except no egg gathering is permitted in the Yukon/Kuskokwim Delta and the North Slope regions.
- (8) Tundra Swan (*Cygnus columbianus*)—except in Units 9(D) and 10.
- (9) Gadwall (*Anas strepera*).
- (10) Eurasian Wigeon (*Anas penelope*).
- (11) American Wigeon (*Anas americana*).
- (12) Mallard (*Anas platyrhynchos*).
- (13) Blue-winged Teal (*Anas discors*).
- (14) Northern Shoveler (*Anas clypeata*).
- (15) Northern Pintail (*Anas acuta*).
- (16) Green-winged Teal (*Anas crecca*).
- (17) Canvasback (*Aythya valisineria*).
- (18) Redhead (*Aythya americana*).
- (19) Ring-necked Duck (*Aythya collaris*).
- (20) Greater Scaup (*Aythya marila*).
- (21) Lesser Scaup (*Aythya affinis*).
- (22) King Eider (*Somateria spectabilis*).
- (23) Common Eider (*Somateria mollissima*).
- (24) Harlequin Duck (*Histrionicus histrionicus*).

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- (25) Surf Scoter (*Melanitta perspicillata*).
- (26) White-winged Scoter (*Melanitta fusca*).
- (27) Black Scoter (*Melanitta nigra*).
- (28) Long-tailed Duck (*Clangula hyemalis*).
- (29) Bufflehead (*Bucephala albeola*).
- (30) Common Goldeneye (*Bucephala clangula*).
- (31) Barrow's Goldeneye (*Bucephala islandica*).
- (32) Hooded Merganser (*Lophodytes cucullatus*).
- (33) Common Merganser (*Mergus merganser*).
- (34) Red-breasted Merganser (*Mergus serrator*).
- (b) *Family Gaviidae.* (1) Red-throated Loon (*Gavia stellata*).
- (2) Arctic Loon (*Gavia arctica*).
- (3) Pacific Loon (*Gavia pacifica*).
- (4) Common Loon (*Gavia immer*).
- (5) Yellow-billed Loon (*Gavia adamsii*)—In the North Slope Region only, a total of up to 20 yellow-billed loons inadvertently caught in fishing nets may be kept for subsistence purposes.
- (c) *Family Podicipedidae.* (1) Horned Grebe (*Podiceps auritus*).
- (2) Red-necked Grebe (*Podiceps grisegena*).
- (d) *Family Procellariidae.* (1) Northern Fulmar (*Fulmarus glacialis*).
- (2) [Reserved]
- (e) *Family Phalacrocoracidae.* (1) Double-crested Cormorant (*Phalacrocorax auritus*).
- (2) Pelagic Cormorant (*Phalacrocorax pelagicus*).
- (f) *Family Gruidae.* (1) Sandhill Crane (*Grus canadensis*).
- (2) [Reserved]
- (g) *Family Charadriidae.* (1) Black-bellied Plover (*Pluvialis squatarola*).
- (2) Common Ringed Plover (*Charadrius hiaticula*).
- (h) *Family Haematopodidae.* (1) Black Oystercatcher (*Haematopus bachmani*).
- (2) [Reserved]
- (i) *Family Scolopacidae.* (1) Greater Yellowlegs (*Tringa melanoleuca*).
- (2) Lesser Yellowlegs (*Tringa flavipes*).
- (3) Spotted Sandpiper (*Actitis macularia*).
- (4) Bar-tailed Godwit (*Limosa lapponica*).

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- (5) Ruddy Turnstone (*Arenaria interpres*).
- (6) Semipalmated Sandpiper (*Calidris pusilla*).
- (7) Western Sandpiper (*Calidris mauri*).
- (8) Least Sandpiper (*Calidris minutilla*).
- (9) Baird's Sandpiper (*Calidris bairdii*).
- (10) Sharp-tailed Sandpiper (*Calidris acuminata*).
- (11) Dunlin (*Calidris alpina*).
- (12) Long-billed Dowitcher (*Limnodromus scolopaceus*).
- (13) Common Snipe (*Gallinago gallinago*).
- (14) Red-necked phalarope (*Phalaropus lobatus*).
- (15) Red phalarope (*Phalaropus fulicaria*).
- (j) *Family Laridae*. (1) Pomarine Jaeger (*Stercorarius pomarinus*).
- (2) Parasitic Jaeger (*Stercorarius parasiticus*).
- (3) Long-tailed Jaeger (*Stercorarius longicaudus*).
- (4) Bonaparte's Gull (*Larus philadelphia*).
- (5) Mew Gull (*Larus canus*).
- (6) Herring Gull (*Larus argentatus*).
- (7) Slaty-backed Gull (*Larus schistisagus*).
- (8) Glaucous-winged Gull (*Larus glaucescens*).
- (9) Glaucous Gull (*Larus hyperboreus*).
- (10) Sabine's Gull (*Xema sabini*).
- (11) Black-legged Kittiwake (*Rissa tridactyla*).
- (12) Red-legged Kittiwake (*Rissa brevirostris*).
- (13) Ivory Gull (*Pagophila eburnea*).
- (14) Arctic Tern (*Sterna paradisaea*).
- (15) Aleutian Tern (*Sterna aleutica*).
- (k) *Family Alcidae*. (1) Common Murre (*Uria aalge*).
- (2) Thick-billed Murre (*Uria lomvia*).
- (3) Black Guillemot (*Cepphus grylle*).
- (4) Pigeon Guillemot (*Cepphus columba*).
- (5) Cassin's Auklet (*Ptychoramphus aleuticus*).
- (6) Parakeet Auklet (*Aethia psittacula*).
- (7) Least Auklet (*Aethia pusilla*).
- (8) Whiskered Auklet (*Aethia pygmaea*).
- (9) Crested Auklet (*Aethia cristatella*).
- (10) Rhinoceros Auklet (*Cerorhinca monocerata*).

- (11) Horned Puffin (*Fratercula corniculata*).
- (12) Tufted Puffin (*Fratercula cirrhata*).
- (1) *Family Strigidae*. (1) Great Horned Owl (*Bubo virginianus*).
- (2) Snowy Owl (*Nyctea scandiaca*).

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§§ 92.23–92.29 [Reserved]

Subpart D—Annual Regulations Governing Subsistence Harvest

§ 92.30 General overview of regulations.

These regulations establish a spring/summer migratory bird subsistence harvest in Alaska. The regulations list migratory bird species that are authorized for harvest, species that are not authorized for harvest, season dates, and dates for a 30-day closure to protect nesting birds. The Co-management Council will review and, if necessary, recommend modifications to these harvest regulations on an annual basis, working within the schedule of the Federal late-season regulations for migratory game bird hunting.

(a) The taking, possession, transportation, and other uses of migratory birds are generally prohibited unless specifically authorized by regulation developed in accordance with the Migratory Bird Treaty Act. Therefore, harvesting migratory birds is prohibited unless regulations are established ensuring the protection of the various populations of migratory birds. Migratory bird population levels, production, and habitat conditions vary annually. These conditions differ within Alaska and throughout North America. Therefore, the regulations governing migratory bird hunting may include annual adjustments to keep harvests within acceptable levels.

(b) The development of the regulations in this part, like the development of the annual migratory game bird hunting regulations in part 20 of this chapter, involves annual data gathering programs to determine migratory bird population status and trends, evaluate habitat conditions, determine harvests, and consider other factors having an impact on the anticipated size of annual populations.