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Part VI

Department of the Interior

Fish and Wildlife Service

50 CFR Part 20
Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2010–11 Late Season; Final Rule
DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

RIN 1018–AX06

Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2010–11 Late Season

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This rule prescribes special late-season migratory bird hunting regulations for certain tribes on Federal Indian reservations, off-reservation trust lands, and ceded lands. This rule 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 24, 2010.

ADDRESSES: You may inspect comments received on the proposed special hunting regulations and tribal proposals during normal business hours in room 4107, Arlington Square Building, 4501 N. Fairfax Drive, Arlington, VA, or at http://www.regulations.gov.


SUPPLEMENTARY INFORMATION:

Background

The Migratory Bird Treaty Act of July 3, 1918 (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 6, 2010, Federal Register (75 FR 47682), we proposed special migratory bird hunting regulations for the 2010–11 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 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 must be consistent with the March 10—September 1 closed season mandated by the 1916 Migratory Bird Treaty with Canada.

In the May 13, 2010, Federal Register (75 FR 27144), we requested that tribes desiring special hunting regulations in the 2010–11 hunting season submit a proposal including details on:

(1) Harvest anticipated under the requested regulations;

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

(3) 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

(4) 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 August 6 proposed rule included generalized regulations for both early- and late-season hunting, this rulemaking addresses only the late-season proposals. Early-season proposals were addressed in a final rule published in the September 1, 2010, Federal Register (75 FR 53374). 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 September 24 or later each year and have a primary emphasis on waterfowl. All the regulations contained in this final rule were either submitted by the tribes or approved by the tribes and follow our proposals in the August 6 proposed rule.

Status of Populations

In the August 6 proposed rule and September 1 final rule, we reviewed the status for various populations for which seasons were proposed. This information included brief summaries of the May Breeding Waterfowl and Habitat Survey; population status reports for blue-winged teal, sandhill cranes, woodcock, mourning doves, white-winged doves, white-tipped doves, and band-tailed pigeons; and the status and harvest of waterfowl. The tribal seasons established below are commensurate with the population status. For more detailed information on methodologies and results, complete copies of the various reports are available at the street address indicated under ADDRESSES or from our Web site at http://www.fws.gov/migratorybirds/ NewsPublicationsReports.html.

Comments and Issues Concerning Tribal Proposals

For the 2010–11 migratory bird hunting season, we proposed regulations for 30 tribes 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 late-season proposals are included in this final rulemaking; 14 tribes have proposals with late seasons. We also noted in the August 6 proposed rule (75 FR 47682) that we were proposing seasons for six Tribes that we usually hear from but that we had not yet received proposals from them. We subsequently received proposals from three of these six Tribes. We have not included the remaining three Tribes in this final rule.

The comment period for the August 6 proposed rule closed on August 16, 2010. We did not receive any comments on our May 13, 2010, proposed rule, which announced rulemaking on regulations for migratory bird hunting by American Indian tribal members, or on our August 6 proposed rule.
National Environmental Policy Act (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 the Environmental Protection Agency on June 9, 1988. We published a notice of availability in the Federal Register on June 16, 1988 (53 FR 22582). We published our Record of Decision on August 18, 1988 (53 FR 31341). In addition, an August 1985 environmental assessment entitled “Guidelines for Migratory Bird Hunting Regulations on Federal Indian Reservations and Ceded Lands” is available from the address indicated under the caption ADDRESSES. In a notice published in the September 8, 2005, Federal Register (70 FR 53376), we announced our intent to develop a new Supplemental Environmental Impact Statement (SEIS) for the migratory bird hunting program. Public scoping meetings were held in the spring of 2006, as detailed in a March 9, 2006, Federal Register (71 FR 12216). We released the draft SEIS on July 9, 2010 (75 FR 39577). The draft SEIS is available by either writing to the address indicated under ADDRESSES or by viewing on our Web site at http://www.fws.gov/migratorybirds.

Endangered Species Act Consideration

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 formal 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, which concluded that the regulations are not likely to jeopardize the continued existence of any endangered or threatened species. Additionally, these findings may have caused modification of some regulatory measures previously proposed, and the final frameworks reflect any such modifications. Our biological opinions resulting from this section 7 consultation are public documents available for public inspection at the address indicated under ADDRESSES.

Executive Order 12866

The Office of Management and Budget has determined that this rule is significant and has reviewed this rule under Executive Order 12866. OMB bases its determination of regulatory significance upon the following four criteria:

(a) Whether the rule will have an annual effect of $100 million or more on the economy or adversely affect an economic sector, productivity, jobs, the environment, or other units of the government.

(b) Whether the rule will create inconsistencies with other Federal agencies’ actions.

(c) Whether the rule will materially affect entitlements, grants, user fees, loan programs, or the rights and obligations of their recipients.

(d) Whether the rule raises novel legal or policy issues.

An economic analysis was prepared for the 2008–09 season. This analysis was based on data from the 2006 National Hunting and Fishing Survey, the most recent year for which data are available (see discussion in Regulatory Flexibility Act section below). This analysis estimated consumer surplus for three alternatives for duck hunting (estimates for other species are not quantified due to lack of data). The alternatives are (1) Issue restrictive regulations allowing fewer days than those issued during the 2007–08 season, (2) Issue moderate regulations allowing more days than those in alternative 1, and (3) Issue liberal regulations identical to the regulations in the 2007–08 season. For the 2008–09 season, we chose alternative 3, with an estimated consumer surplus across all flyways of $205–$270 million. We proposed no changes to the season frameworks for the 2010–11 season, and as such, we again considered these three alternatives. The final frameworks depended on population status information. For these reasons, we have not conducted a new economic analysis, but the 2008–09 analysis is part of the record for this rule and is available at http://www.fws.gov/migratorybirds/NewReportsPublications/SpecialTopics/SpecialTopics.html#HuntingRegs or at http://www.regulations.gov at Docket No. FWS–R9–MB–2010–0040.

Regulatory Flexibility Act

The 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 as part of the 1981 cost-benefit analysis. This analysis was revised annually from 1990–95. In 1995, the Service issued a Small Entity Flexibility Analysis (Analysis), which was subsequently updated in 1996, 1998, 2004, and 2008. 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 2008 Analysis was based on the 2006 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 approximately $1.2 billion at small businesses in 2008. Copies of the Analysis are available upon request from the address indicated under ADDRESSES or by viewing on our Web site at http://www.fws.gov/migratorybirds/NewReportsPublications/SpecialTopics/SpecialTopics.html#HuntingRegs or at http://www.regulations.gov at Docket No. FWS–R9–MB–2010–0040.

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).

Paperwork Reduction Act

We examined these regulations under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). 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. Specifically, OMB has approved the information collection requirements of our Migratory Bird Surveys and assigned control number 1018–0023 (expires 2/28/2011). 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. 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 Reform 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. Therefore, this rule is not a “significant regulatory action” under the Unfunded Mandates Reform Act.

**Civil Justice Reform—Executive Order 12988**

The Department, in promulgating this rule, has determined that it will not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of Executive Order 12988.

**Takings Implication Assessment**

In accordance with Executive Order 12630, this rule, authorized by the Migratory Bird Treaty Act, does not have significant takings implications and does not affect any constitutionally protected property rights. This rule 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 otherwise unavailable privileges and, therefore, reduce restrictions on the use of private and public property.

**Energy Effects—Executive Order 13211**

Executive Order 13211 requires agencies to prepare Statements of Energy Effects when undertaking certain actions. While this rule is a significant regulatory action under Executive Order 12866, it is not expected to adversely affect energy supplies, distribution, or use. Therefore, this action is not a significant energy action and no Statement of Energy Effects is required.

**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), Executive Order 13175, 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. In the May 13 Federal Register, we solicited proposals for special migratory bird hunting regulations for certain Tribes on Federal Indian reservations, off-reservation trust lands, and ceded lands for the 2010–11 migratory bird hunting season. The resulting proposals were contained in a separate proposed rule (75 FR 47681, August 6, 2010). By virtue of these actions, we have consulted with Tribes affected by this rule.

**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 regarding the hunting of migratory birds, and we 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 Indian 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 process 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 13132, these regulations do not have significant federalism effects and do not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

**Rulemaking Process**

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. 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, States and Tribes would have insufficient time to select season dates and limits; to communicate those selections to us; and to establish and publicize the necessary regulations and procedures to implement their decisions. Thus, that “good cause” exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act, and these seasons will, therefore, take effect immediately upon publication.

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

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

**Regulations Promulgation**

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:


   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. Amend §20.110 by revising paragraphs (a), (b), (f) through (i), (l), (o), (s), (v) through (aa), and (cc), to read as set forth below. (Current §20.110 was published at 74 FR 51507, September 2, 2009, and amended at 75 FR 42094, September 25, 2009, and 75 FR 53774, September 1, 2010.)

**§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 Nontribal Hunters).

**Doves**

*Season Dates:* Open September 1 through 15, 2010; then open November 12 through December 26, 2010.

*Daily Bag and Possession Limits:* For the early season, daily bag limit is 10 mourning or 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 after the first day of the season.

**Ducks (including mergansers)**

*Season Dates:* Open October 9, 2010, through January 23, 2011.

*Daily Bag and Possession Limits:* Seven ducks, including two hen mallards, two redheads, two Mexican ducks, two goldeneye, two cinnamon teal, three scaup, and one pintail. The season on canvasback is closed. The possession limit is twice the daily bag limit.
Coots and Common Moorhens

Season Dates: Same as ducks.
Daily Bag and Possession Limits: 25 coots and common moorhens, singly or in the aggregate.

Geese

Daily Bag and Possession Limits: Three geese, including no more than three dark (Canada) geese and three white (snow, blue, Ross’s) geese. The possession limit is six dark geese and six white geese.

General Conditions: All persons 14 years and older must be in possession of a valid Colorado River Indian Reservation hunting permit 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) Confederated Salish and Kootenai Tribes, Flathead Indian Reservation, Pablo, Montana (Tribal Members and Nontribal Hunters).

Tribal Members Only

Ducks (including mergansers)
Season Dates: Open September 1, 2010, through March 9, 2011.
Daily Bag and Possession Limits: The Tribe does not have specific bag and possession restrictions for Tribal members. The season on harlequin duck is closed.

Coots
Season Dates: Same as ducks.
Daily Bag and Possession Limits: Same as ducks.

Geese
Season Dates: Same as ducks.
Daily Bag and Possession Limits: Same as ducks.

Nontribal Hunters

Ducks (including mergansers)

Scaup Season Dates: Open October 2 through December 26, 2010.
Daily Bag and Possession Limits: Seven ducks, including no more than two hen mallards, two pintail, three scaup (when open), one canvasback, and two redheads. The possession limit is twice the daily bag limit.

Coots
Season Dates: Same as ducks.
Daily Bag and Possession Limits: The daily bag and possession limit is 25.

Geese

Dark Geese
Daily Bag and Possession Limits: Four and eight geese, respectively.

Light Geese
Daily Bag and Possession Limits: 10 and 20 geese, respectively.

Youth Waterfowl Hunt
Daily Bag and Possession Limits: Same as ducks.

General Conditions: Tribal and nontribal hunters must comply with all basic Federal migratory bird hunting regulations contained in 50 CFR part 20 regarding manner of taking. In addition, shooting hours are sunrise to sunset, and each waterfowl hunter 16 years of age or older 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 Confederated Salish and Kootenai Tribes also apply on the reservation.

(f) Jicarilla Apache Tribe, Jicarilla Indian Reservation, Dulce, New Mexico (Tribal Members and Nontribal Hunters).

Ducks
Season Dates: Open September 1, 2010, through January 31, 2011. During this period, days to be hunted are specified by the Kalispel Tribe as weekends, holidays, and for a continuous period in the months of October and November, not to exceed 107 days total. Nontribal hunters should contact the Tribe for more detail on hunting days.

Daily Bag and Possession Limits: Seven ducks, including no more than two female mallards, two pintail, one canvasback, three scaup (when open), and two redheads. The possession limit is twice the daily bag limit.

Geese
Season Dates: Open September 1, 2010, through January 31, 2011. During this period, days to be hunted are specified by the Kalispel Tribe as weekends, holidays, and for a continuous period in the months of October and November, not to exceed 107 days total. Nontribal hunters should contact the Tribe for more detail on hunting days.

Daily Bag and Possession Limits: 5 Canada geese for the early season, and 6 light geese and 4 dark geese, for the late season. The daily bag limit is 2 brant (when the State’s season is open) and is in addition to dark goose limits for the late season. The possession limit is twice the daily bag limit.

Tribal Hunters Within Kalispel Ceded Lands

Ducks
Daily Bag and Possession Limits: 7 ducks, including no more than 2 female mallards, 2 pintail, 1 canvasback, 3 scaup, and 2 redheads. The possession limit is twice the daily bag limit.

Geese
Daily Bag Limits: 6 light geese and 4 dark geese. The daily bag limit is 2 brant and is in addition to dark goose limits. General Conditions: Tribal members must possess a validated Migratory Bird Hunting and Conservation Stamp and a tribal ceded lands permit.

(h) Klamath Tribe, Chiloquin, Oregon (Tribal Members Only).

Ducks
Daily Bag and Possession Limits: 9 and 18 ducks, respectively.
Coots
Season Dates: Same as ducks.
Daily Bag and Possession Limits: 25 coots.

Geese
Season Dates: Same as ducks.
Daily Bag and Possession Limits: 9 and 18 geese, respectively.
General Conditions: The Klamath Tribe provides its game management officers, biologists, and wildlife technicians with regulatory enforcement authority, and has a court system with judges that hear cases and set fines. Nontoxic shot is required. Shooting hours are one-half hour before sunrise to one-half hour after sunset.

Ducks
Season Dates: Open September 18, through December 31, 2010.
Daily Bag and Possession Limits: 10 ducks, including no more than 5 pintail, 5 canvasback, and 5 black ducks. The possession limit is twice the daily bag limit.

Geese
Season Dates: Open September 4, through December 31, 2010.
Daily Bag and Possession Limits: 10 and 20 geese, respectively.
General Conditions: Possession limits are twice the daily bag limits. Shooting hours are one-half hour before sunrise to one-half hour after sunset. Nontoxic shot is required. Use of live decoys, bait, and commercial use of migratory birds are prohibited. Waterfowl may not be pursued or taken while using motorized craft.

White-fronted Geese
Season Dates: Open October 2, 2010, through March 10, 2011.
Daily Bag and Possession Limits: Two and four, respectively.

Light Geese
Season Dates: Open October 2, 2010, through March 10, 2011.
Daily Bag and Possession Limits: 20 and 40, respectively.

Nontribal Hunters
Ducks (including mergansers and coots)
Daily Bag and Possession Limits: Seven ducks, including no more than two hen mallards, three scaup (when open), one mottled duck, one canvasback, two redheads, and two pintail. Coot daily bag limit is 25. Merganser daily bag limit is seven. The possession limit is twice the daily bag limit.

Canada Geese
Daily Bag and Possession Limits: Four and eight, respectively.
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.
(s) Shoshone-Bannock Tribes, Fort Hall Indian Reservation, Fort Hall, Idaho (Nontribal Hunters).

Ducks and Mergansers
Daily Bag and Possession Limits: Seven ducks, including no more than two hen mallards, three scaup (when open), one mottled duck, one canvasback, two redheads, and two pintail. Coot daily bag limit is 25. Merganser daily bag limit is seven. The possession limit is twice the daily bag limit.

Canada Geese
Daily Bag and Possession Limits: Four and eight, respectively.
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.

(s) Shoshone-Bannock Tribes, Fort Hall Indian Reservation, Fort Hall, Idaho (Nontribal Hunters).

Ducks and Mergansers
Daily Bag and Possession Limits: Seven ducks, including no more than two hen mallards, three scaup (when open), one mottled duck, one canvasback, two redheads, and two pintail. Coot daily bag limit is 25. Merganser daily bag limit is seven. The possession limit is twice the daily bag limit.

Coots
Season Dates: Same as ducks.
Daily Bag and Possession Limits: 25 coots. The possession limit is twice the daily bag limit.

Band-tailed Pigeons
Season Dates: Open September 1 through March 30, 2010.
Daily Bag and Possession Limits: 5 and 10 pigeons, respectively.

Common Snipe
Season Dates: Same as ducks.
Daily Bag and Possession Limits: 8 and 16 snipe, respectively.
Dark Geese  
**Season Dates:** Open October 2, 2010, through January 16, 2011.  
**Daily Bag and Possession Limits:** Four and eight, respectively.

Brant  
**Season Dates:** Open October 2 through November 1, 2010.  
**Daily Bag and Possession Limits:** Two and four, respectively.

Light Geese  
**Season Dates:** Open October 2, 2010, through January 16, 2011.  
**Daily Bag and Possession Limits:** Ten and 20, respectively.

General Conditions: Nontribal hunters must 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 older must possess a valid Migratory Bird Hunting and Conservation Stamp (Duck Stamp) signed in ink across the stamp face. Other regulations established by the Shoshone-Bannock Tribes also apply on the reservation.

* * * * *

(v) [Reserved.]

(w) Stillaguamish Tribe of Indians, Arlington, Washington (Tribal Members Only).

Band-tailed Pigeon  
**Season Dates:** Open September 1 through December 31, 2010.  
**Daily Bag and Possession Limits:** Four and eight, respectively.

Mourning Dove  
**Season Dates:** Open September 1 through December 31, 2010.  
**Daily Bag and Possession Limits:** Ten and 20, respectively.

Ducks (including mergansers)  
**Season Dates:** Open October 1, 2010, through February 15, 2011.  
**Daily Bag and Possession Limits:** Ten ducks, including no more than 7 mallards of which only 3 may be hen mallards, 3 pintail, 3 canvasback, 3 scaup, and 3 redheads. The possession limit is twice the daily bag limit.

Coot  
**Season Dates:** October 1, 2010, through January 31, 2011.  
**Daily Bag and Possession Limits:** 25 and 50, respectively.

Geese  
**Season Dates:** Same as ducks.  
**Daily Bag and Possession Limits:** 6 and 12, respectively.

Brant  
**Season Dates:** Open October 1, 2010, through January 31, 2011.  
**Daily Bag and Possession Limits:** Three and six, respectively.

Snipe  
**Season Dates:** Open October 1, 2010, through January 31, 2011.  
**Daily Bag and Possession Limits:** Ten and 20, respectively.  
**General Conditions:** Tribal members hunting on lands will observe all basic Federal migratory bird hunting regulations found in 50 CFR part 20, which will be enforced by the Stillaguamish Tribal Law Enforcement. Tribal members are required to use steel shot or a nontoxic shot as required by Federal regulations.

(x) [Reserved.]  
(y) Tulalip Tribes, Tulalip, Washington (Tribal and Nontribal Members Only).

Tribal Members

Ducks  
**Season Dates:** Open September 8, 2010, through February 28, 2011.  
**Daily Bag and Possession Limits:** Seven ducks, including no more than two hen mallards, two pintail, one canvasback, three scaup, and two redheads. Possession limit is twice the daily bag limit.

Geese  
**Season Dates:** Open September 8, 2010, through February 28, 2011.  
**Daily Bag and Possession Limits:** Seven geese. Possession limit is twice the daily bag limit.

Brant  
**Season Dates:** Open September 8, 2010, through February 28, 2011.  
**Daily Bag and Possession Limits:** Two and four brant, respectively.

Snipe  
**Season Dates:** Open October 16, 2010, through January 30, 2011.  
**Daily Bag and Possession Limits:** Eight and 20, respectively.

General Conditions: All tribal hunters must have a valid Tribal ID card on his or her person while hunting. Shooting hours are one-half hour before sunrise to sunset, and steel shot is required for all migratory bird hunting. Hunters must observe all other basic Federal migratory bird hunting regulations in 50 CFR part 20.

(z) Upper Skagit Indian Tribe, Sedro Woolley, Washington (Tribal Members Only).

Ducks  
**Season Dates:** Open October 1, 2010, through February 28, 2011.  
**Daily Bag and Possession Limits:** 15 and 20, respectively. The season on canvasbacks is closed.

Coots  
**Season Dates:** Open October 15, 2010, through February 28, 2011.  
**Daily Bag and Possession Limits:** 20 and 30, respectively.

Geese  
**Season Dates:** Open October 15, 2010, through February 28, 2011.  
**Daily Bag and Possession Limits:** Seven and ten geese, respectively.

Brant  
**Season Dates:** Open November 1 through 10, 2010.
Daily Bag and Possession Limits: Two and two, respectively.

Mourning Dove

Season Dates: Open September 1 through December 31, 2010.

Daily Bag and Possession Limits: 12 and 15 mourning doves, respectively.

General Conditions: Tribal members must have the tribal identification and harvest report card on their person to hunt. Tribal members hunting on the Reservation will observe all basic Federal migratory bird hunting regulations found in 50 CFR part 20, except shooting hours would be one-half hour before official sunrise to one-half hour after official sunset.

(aa) Wampanoag Tribe of Gay Head, Aquinnah, Massachusetts (Tribal Members Only).

Teal


Daily Bag Limits: Ten teal.

Ducks


Daily Bag Limits: Six ducks, including no more than four of any one species (only one of which may be a hen eider), one fulvous whistling duck, four mergansers, three scaup, one hooded merganser, three wood ducks, one canvasback, two redheads, and one pintail. The season is closed for harlequin ducks.

Sea Ducks


Daily Bag Limits: Seven ducks including no more than four of any one species (only one of which may be a hen eider).

Woodcock

Season Dates: Open October 12 through November 27, 2010.

Daily Bag Limits: Three woodcock.

Canada Geese


Daily Bag Limits: Eight Canada geese during the first period and three during the second.

Snow Geese

Season Dates: Open September 8 through 22, 2010.

Daily Bag Limits: 15 snow geese.

General Conditions: Shooting hours are one-half hour before sunrise to sunset. Nontoxic shot is required. All other basic Federal migratory bird hunting regulations contained in 50 CFR part 20 will be observed.

(cc) White Mountain Apache Tribe, Fort Apache Indian Reservation, Whiteriver, Arizona (Tribal Members and Nontribal Hunters).

Band-tailed Pigeons (Wildlife Management Unit 10 and areas south of Y–70 and Y–10 in Wildlife Management Unit 7, only)

Season Dates: Open September 1 through 15, 2010.

Daily Bag and Possession Limits: Three and six pigeons, respectively.

Mourning Doves (Wildlife Management Unit 10 and areas south of Y–70 and Y–10 in Wildlife Management Unit 7, only)

Season Dates: Open September 1 through 15, 2010.

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

Ducks

Scaup, Canvasback, and Pintail

Season Dates: Open October 16 through December 5, 2010.


Daily Bag Limits: Seven ducks, including no more than two hen mallards, three scaup (when open), two redheads, one canvasback (when open), and two pintail (when open).

Canada Geese


Daily Bag Limits: Three Canada geese per day.

General Conditions: All nontribal 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 nontribal 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.


Thomas L. Strickland,
Assistant Secretary for Fish and Wildlife and Parks.

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