to health or safety that may
disproportionately affect children.

Executive Order 12630 (Taking of
Private Property)

This rule will not effect a taking of
private property or otherwise have
taking implications under Executive
Order 12630, Governmental Actions and
Interference with Constitutionally
Protected Property Rights.

Executive Order 13132 (Federalism)

This action has been analyzed in
accordance with the principles and
criteria contained in Executive Order
13132 dated August 4, 1999, and it has
been determined this action does not
have a substantial direct effect or
sufficient federalism implications on
States that would limit the
policymaking discretion of the States.
Nothing in this document directly
preempts any State law or regulation.

Executive Order 12372

(Intergovernmental Review)

Catalog of Federal Domestic
Assistance Program Number 20.217,
Motor Carrier Safety. The regulations
implementing Executive Order 12372
regarding intergovernmental
consultation on Federal programs and
activities do not apply to this regulation.

Paperwork Reduction Act

This action does not contain a
collection of information requirement
for the purposes of the Paperwork
3520.

National Environmental Policy Act

The agency has analyzed this
rulemaking for the purpose of the
National Environmental Policy Act of
1969 (42 U.S.C. 4321–4347), and has
determined that this action would not
have any effect on the quality of the
environment.

Regulation Identification Number

A regulation identification number
(RIN) is assigned to each regulatory
action listed in the Unified Agenda of
Federal Regulations. The Regulatory
Information Service Center publishes
the Unified Agenda in April and
October of each year. The RIN
contained in the heading of this document can be
used to cross reference this action with the
Unified Agenda.

List of Subjects
49 CFR Part 375

Advertising, Arbitration, Consumer
protection, Freight, Insurance, Motor
carriers, Moving of household goods,
Reporting and recordkeeping
requirements.

49 CFR Part 386

Administrative procedures, Commercial
motor vehicle safety, Highway safety, Motor
carriers. 

Issued on: September 27, 2000.

Clyde J. Hart, Jr.,
Acting Deputy Administrator.

In consideration of the foregoing, the
FMCSA amends Title 49, Code of
Federal Regulations, Chapter III, parts
375 and 386 as set forth below:

PART 375—TRANSPORTATION
OF HOUSEHOLD GOODS IN
INTERSTATE OR FOREIGN
COMMERCE

1. Revise the authority citation for
part 375 to read as follows:
Authority: 5 U.S.C. 553; 49 U.S.C. 13301
and 14104; and 49 CFR 1.73.

2. Revise § 375.1(b) to read as follows:
§ 375.1 Applicability and definitions.
* * * * *
(b) * * *

(1) Household goods. The term
“household goods” means personal
effects and property used or to be used
in a dwelling when a part of the
equipment or supply of such dwelling
and such other similar property as the
FMCSA may provide by regulation;
except that this definition shall not
include property moving from a factory
or store, other than property that the
householder has purchased with the
intent to use in his or her dwelling and
is transported at the request of, and the
transportation charges are paid to the
carrier by the householder.

* * * * *

PART 386—RULES OF PRACTICE
FOR MOTOR CARRIER SAFETY
AND HAZARDOUS MATERIALS
PROCEEDINGS

3. The authority citation for part 386
is revised to read as follows:
Authority: 49 U.S.C. 113, Chapters 5, 51,
131–141, 145–149, 311 (Subchapter III), 313,
and 315, Pub. L. 104–134, title III, chapter 10,
Sec. 31001, par. (s), 110 Stat. 1321–373, and
49 CFR 1.45 and 1.73.

4. In § 386.72 revise paragraphs (a)
and (b)(1) to read as follows:
§ 386.72 Imminent hazard.

(a) Whenever it is determined that an
imminent hazard exists as a result of the
transportation by motor vehicle of a
particular hazardous material, the Chief
Council or Deputy Chief Counsel of the
FMCSA may bring, or request the
United States Attorney General to bring,
an action in the appropriate United
States District Court for an order
suspending or restricting the
transportation by motor vehicle of the
hazardous material or for such other
order as is necessary to eliminate or
ameliorate the imminent hazard, as
provided by 49 U.S.C. 5122. In this
paragraph, “imminent hazard” means
the existence of a condition that
presents a substantial likelihood that
death, serious illness, severe personal
injury, or a substantial endangerment to
health, property, or the environment
may occur before a notice of
investigation proceeding, or other
administrative hearing or formal
proceeding, to abate the risk of harm can
be completed.

(b)(1) Whenever it is determined that a
violation of 49 U.S.C. 31502 or the
Motor Carrier Safety Act of 1984, as
amended, or the Commercial Motor
Vehicle Safety Act of 1986, as amended,
or a regulation issued under such
section or Acts, or a combination of
such violations, poses an imminent
hazard to safety, the Director of the
Office of Enforcement and Compliance
or a State Director, or his or her
delegate, shall order a vehicle or
employee operating such vehicle out of
service, or order an employer to cease
all or part of the employer’s commercial
motor vehicle operations, as provided
by 49 U.S.C. 521(b)(5). In making any
such order, no restrictions shall be
imposed on any employee or employer
beyond that required to abate the
hazard. In this paragraph, “imminent
hazard” means any condition of vehicle,
employee, or commercial motor vehicle
operations which substantially increases
the likelihood of serious injury or death
if not discontinued immediately.
* * * * *

[FR Doc. 00–25260 Filed 9–29–00; 8:45 am]
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DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

50 CFR Part 20

RIN 1018–AG08

Migratory Bird Hunting: Migratory Bird
Hunting Regulations on Certain
Federal Indian Reservations and
Ceded Lands for the 2000–01 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 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 29, 2000.

ADDRESSES: You may inspect comments on the special hunting regulations and tribal proposals during normal business hours in Room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia.


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 18, 2000, Federal Register (65 FR 50483), we proposed special migratory bird hunting regulations for the 2000–01 hunting season for certain Indian tribes, under the guidelines described in the June 4, 1988, 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) Off-reservation hunting by tribal members only, outside of usual framework 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 April 25, 2000, Federal Register (65 FR 24260), we requested that tribes desiring special hunting regulations in the 2000–01 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 the 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 late-season proposals. Early-season proposals were addressed in the September 1 Federal Register (65 FR 53190). 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 18 Federal Register, 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 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 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 2000–01 waterfowl hunting season (August 22, 2000, Federal Register, 65 FR 51174). The tribal seasons established below are commensurate with the population status.

Comments and Issues Concerning Tribal Proposals

For the 2000–01 migratory bird hunting season, we proposed regulations for 25 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 late-season proposals are included in this final rulemaking; 15 tribes have proposals with late seasons. Comments and proposals are addressed in the following section. The comment period for the proposed rule, published on August 18, 2000, closed on August 28, 2000.

We received one comment regarding the notice of intent published on April 25, 2000, which announced rulemaking on regulations for migratory bird hunting by American Indian tribal members. We responded to this comment in the September 1 Federal Register.

NEPA Consideration

Under 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 our Section 7 consultation are public documents available for public inspection in the Service’s Division of Endangered Species and DMBM, 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 birds in order to better manage these populations. OMB has also approved the information collection requirements of the Migratory Bird Harvest Questionnaire 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 7/31/2003). 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 Reform Act, 2 U.S.C. 1502 et seq., that this rulemaking will not “significantly or uniquely” affect small governments, and will not produce a Federal mandate of $100 million or more in any given year on local or State government or private entities. The 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 this rule will not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of E.O. 12988.

Takings Implication Assessment

Under E.O. 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.

For the reasons outlined above, 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 7/31/2003). 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.

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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, under 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 April 25, 2000, request for proposals and the August 18, 2000, 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 Indian reservations in the Code of Federal Regulations. The following hunting regulations appear in the Code of Federal Regulations as set forth below. (Current §20.110 was published at 65 FR 53193, September 1, 2000.)

§20.110 Seasons, limits and other regulations for certain 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, 2000; then open November 17, 2000, close January 7, 2001.

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.

Ducks (Including Mergansers)


Daily Bag and Possession Limits: Seven ducks, including no more than one pintail, two redheads, two hen mallards, four scaup, two goldeneyes, two cinnamon teal, and one canvasback. 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: Four geese, including no more than two dark (Canada) geese and three white (snow, blue, Ross’s) geese. The possession limit is eight.

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


Daily Bag Limit: Three 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.

Ducks


Daily Bag and Possession Limits: Six ducks, including no more than five mallards (including no more than two female mallards), one mottled duck, one canvasback, two redheads, one pintail, two scaup, and two wood ducks. The possession limit is twice the daily bag limit.

Mergansers

Season Dates: Same as ducks.

Daily Bag and Possession Limits: Five mergansers, including no more than one hooded merganser. The possession limit is twice the daily bag limit.

Canada Geese


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

White-Fronted Geese


Daily Bag and Possession Limits: Two and four, respectively.

Light Geese

Season Dates: Begin September 30, end December 24, 2000, then open February 19, close March 10, 2000.

Daily Bag and Possession Limits: 20 geese daily, no possession limit.

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.

* * * * *

(f) Kalispel Tribe, Kalispel Reservation, Usk, Washington (Tribal Members and Non-Tribal Hunters)

Tribal Members

Ducks
Daily Bag and Possession Limits: Seven ducks, including no more than one pintail, two hen mallards, four scaup, and one canvasback.

Geese
Daily Bag and Possession Limits: Four geese, including four dark geese but not more than three 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.

Non-Tribal Hunters

Ducks
Season Dates: Open September 30, 2000, close January 21, 2001. 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 December and January. Non-tribal hunters should contact the tribe for more detail on hunting days.
Daily Bag and Possession Limits: Seven ducks, including no more than one pintail, two hen mallards, two redheads, four scaup, and one canvasback.

Geese
Season Dates: Begin September 30, 2000, and close January 21, 2001. Daily Bag and Possession Limits: Six ducks, including no more than four mallards (only one of which may be a hen), three scaup, one black duck, two redheads, two wood ducks, one pintail, and one canvasback.

Mergansers
Season Dates: Same as ducks.
Daily Bag and Possession Limits: Five mergansers, including no more than one hooded merganser. The possession limit is twice the daily bag limit.

Coots and Common Moorhens (Common Gallinules)
Season Dates: Same as for ducks. Daily Bag Limit: 15 coots and common moorhens (common gallinules), singly or in the aggregate.

Canada Geese

General: Possession limits are twice the daily bag limit, except for rails, which are equal to the daily bag limit.

* * * * *

(j) Little River Band of Ottawa Indians, Manistee, Michigan (Tribal Members Only)

Ducks
Daily Bag Limits: Five geese in the first portion and two geese thereafter.

Other Geese
Season Dates: Same as for ducks. Daily Bag Limits: Ten geese, including no more than two whitefronts or two brant.

Rails, Snipe, and Woodcock

General: Possession limits are twice the daily bag limit, except for rails.

Band-Tailed Pigeons
Season Dates: Open September 1, close September 30, 2000. Daily Bag and Possession Limits: 5 and 10 pigeons, respectively.

Mourning Doves
Season Dates: Open September 1, close September 30, 2000. Daily Bag and Possession Limits: 10 and 20 doves, respectively.

Ducks (Including Mergansers)

Daily Bag and Possession Limits: Seven ducks, including no more than two hen mallards, one pintail, one canvasback, four scaup, and two redheads. The possession limit is twice the daily bag limit.

Dark Geese

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

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 stamp face. Special regulations established by the Navajo Nation also apply on the reservation.

* * * * *

(o) Tulalip Tribes of Washington, Tulalip Indian Reservation, Marysville, Washington (Tribal Members and Non-Tribal Hunters)

Tribal Members

Ducks/Coot
Season Dates: Open September 15, 2000, and close February 1, 2001. Daily Bag and Possession Limits: 6 and 12 birds, 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, 2000, and close February 1, 2001. 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 under 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.

Non-Tribal Hunters

Ducks
Season Dates: Begin October 7, 2000, and close February 1, 2001. Daily Bag and Possession Limits: Seven ducks, including no more than two hen mallards, one pintail, one canvasback, four scaup, and two redheads. The possession limit is twice the daily bag limit.
Daily Bag and Possession Limits: Seven ducks, including no more than two hen mallards, one pintail, one canvasback, four scaup, and two redheads. The possession limit is twice the daily bag limit.

Coots
Season Dates: Same as ducks.
Daily Bag and Possession Limits: 25 coots.

Geese
Daily Bag and Possession Limits: Four geese, including four dark geese but no more than three light geese. The possession limit is twice the daily bag limit.

Brant
Daily Bag and Possession Limits: Two and four brant, respectively.
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 under Tulalip Tribes’ Ordinance No. 67, must possess a validated Federal Migratory Bird Hunting and Conservation Stamps. A valid State of Washington Migratory Waterfowl Stamp. All Tulalip tribal members must have in their possession while hunting, or accompanying another, their valid tribal membership 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.

Coots, Moorhens and Gallinules
Season Dates: Same as geese.
Daily Bag and Possession Limits: 25 coots, moorhens, and gallinules, singly or in the aggregate. The possession limit is twice the daily bag limit.

Canada Geese
Bag and Possession Limits: Three and six, respectively.
General Conditions: 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. In addition:
1. The area open to waterfowl hunting in the above seasons consists of:  the entire length of the Black River west of the Bonito Creek and Black River confluence and the entire length of the Salt River forming the southern boundary of the reservation; the White River, extending from the Canyon Day Stockman Station to the Salt River; and all stock ponds located within Wildlife Management Units 4, 5, 6, and 7. Tanks located below the Mogollon Rim, within Wildlife Management Units 2 and 3 will be open to waterfowl hunting during the 2000–01 season. All other waters of the reservation will be closed to waterfowl hunting for the 2000–01 season.
2. Tribal and non-tribal hunters must comply with all basic Federal migratory bird hunting regulations in 50 CFR part 20 regarding shooting hours and manner of taking.
3. See other special regulations established by the White Mountain Apache Tribe that apply on the reservation, available from the reservation Game and Fish Department.

(5) White Mountain Apache Tribe, Fort Apache Indian Reservation, Whiteriver, Arizona (Tribal Members and Non-Tribal Hunters)
Band-Tailed Pigeons
Season Dates: Open September 6, close September 20, 2000.
Daily Bag and Possession Limits: Three and six pigeons, respectively.

Mourning Doves
Season Dates: Open September 6, close September 20, 2000.
Daily Bag and Possession Limits: 10 and 20 pigeons, respectively.

Ducks (Including Mergansers)
Daily Bag and Possession Limits: Four ducks, including no more than three mallards (including no more than one hen mallard), two redheads or one canvasback and one redhead, and one pintail. The possession limit is twice the daily bag limit.

Sea Ducks

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

Chukars
Daily Bag and Possession Limits: Three and six geese, respectively.
General Conditions: Non-tribal 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.

(t) Jicarilla Apache Tribe, Jicarilla Indian Reservation, Dulce, New Mexico (Tribal Members and Non-Tribal Hunters)

Ducks (Including Mergansers)

Daily Bag and Possession Limits: Six, including no more than two hen mallards, one pintail, two redheads, four scaup, and one canvasback. The possession limit is twice the daily bag limit.

Canada Geese

Daily Bag and Possession Limits: Two and four, respectively.
General Conditions: Tribal and non-tribal 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 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 Jicarilla Tribe also apply on the reservation.

(u) 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: 6 and 12 geese, respectively.
General: The Klamath Tribe provides its game management officers, biologists and wildlife technicians with regulations enforcement authority, and has a court system with judges that hear cases and set fines.

(v) Lower Brule Sioux Tribe, Lower Brule Reservation, Lower Brule, South Dakota (Tribal Members and Non-Tribal Hunters)

Ducks (Including Mergansers)

Daily Bag and Possession Limits: Six ducks, including no more than five mallards (only one of which may be a hen), one pintail, three scaup, one mottled duck, two redheads, one canvasback, two wood ducks, and one hooded merganser. The possession limit is twice the daily bag limit.

Canada Geese

Daily Bag and Possession Limits: Three geese. The possession limit is twice the daily bag limit.

White-Fronted Geese

Season Dates: Same as ducks.

Light Geese

Season Dates: Same as ducks.

Coots

Season Dates: Same as ducks.

Geese

Season Dates: Same as ducks.

(x) Swinomish Indian Tribal Community, LaConner, Washington (Tribal Members Only)

Ducks (Including Mergansers)

Daily Bag and Possession Limits: 10 ducks, including no more than 2 hen mallards, 1 pintail, 1 canvasback, 4 scaup, and 2 redheads. The possession limit is twice the daily bag limit.

Coots
Season Dates: Same as ducks.
Daily Bag and Possession Limits: 25 coots.

Geese

Season Dates: Same as ducks.
Daily Bag and Possession Limits: Seven geese, including seven dark geese but no more than six light geese. The possession limit is twice the daily bag limit.

Common Snipe

Season Dates: Same as ducks.
Daily Bag and Possession Limits: 8 and 16 snipe, respectively.

General Conditions: Non-tribal 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.

(y) Shoshone-Bannock Tribes, Fort Hall Indian Reservation, Fort Hall, Idaho (Non-Tribal Hunters)

Ducks (Including Mergansers)

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

Mergansers
Season Dates: Same as ducks.
Daily Bag and Possession Limits: 5 and 10 mergansers, respectively.

Coots
Season Dates: Same as ducks.
Daily Bag and Possession Limits: 10 and 20 coots, respectively.

Brant
Season Dates: Same as ducks.
Daily Bag and Possession Limits: 5 and 10 brant, respectively.

General Conditions: The Swinomish Tribal Community has established additional special regulations for reservation hunting. Tribal hunters should consult the tribal office for additional information.
(y) Yankton Sioux Tribe, Marty, South Dakota (Tribal Members and Non-Tribal Hunters)

**Ducks (Including Mergansers)**

Season Dates: Begin October 14, end December 26, 2000.
Daily Bag and Possession Limits: Six ducks, including no more than five mallards (no more than two hen mallards), two redheads, one pintail, one hooded merganser, one canvasback, three scaup, and two wood ducks. The possession limit is twice the daily bag limit.

**Coots**

Season Dates: Same as ducks.
Daily Bag and Possession Limits: 15 and 30 coots, respectively.

**Dark Geese**

Daily Bag and Possession Limits: Three geese, including no more than one white-fronted goose (or brant). The possession limit is twice the daily bag limit.

**Light Geese**

Daily Bag and Possession Limits: 20 geese, no possession limit.

General Conditions:
1) The waterfowl hunting regulations established by this final rule apply to tribal and trust lands within the external boundaries of the reservation.

2) Tribal and non-tribal 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 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 Yankton Sioux Tribe also apply on the reservation.


Stephen C. Saunders,
Acting Assistant Secretary for Fish and Wildlife and Parks.

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