number of entities requesting to present, in order to ensure adequate time for discussion.

Building entry: For each registrant, the Pentagon Force Protection Agency will send additional instructions to the email address provided at the time of registration. The registrant must follow the instructions in the email in order to be approved for entry to the Mark Center.

One valid government-issued photo identification card (i.e., driver’s license or passport) will be required in order to enter the building.

Attendees are encouraged to arrive at least 45 minutes early to accommodate security procedures. Public parking is not available at the Mark Center.

Presentations: If you wish to make a presentation, please submit an electronic copy of your presentation to osd.dinars@mail.mil by 12 p.m., EST, on October 4, 2018. When submitting a presentation, provide the presenter’s name, organization affiliation, telephone number, and email address on the cover page. Please submit presentations only and cite “Public Meeting, DFARS Case 2017–D019” in all correspondence related to the public meeting. There will be no transcription at the meeting. The submitted presentations will be the only record of the public meeting and will be posted to the following website at the conclusion of the public meeting: https://www.acq.osd.mil/dpap/dars/performance-based_payments_and_progressPayments.html.

Special accommodations: The public meeting is physically accessible to people with disabilities. Requests for reasonable accommodations, sign language interpretation or other auxiliary aids should be directed to Daniel Weinstein at 571–372–6105, by no later than October 1, 2018.

The TTY number for further information is: 1–800–877–8339. When the operator answers the call, let him or her know the agency is the Department of Defense; the point of contact is Daniel Weinstein at 571–372–6105.

Correspondence and comments: Please cite “Public Meeting, DFARS Case 2017–D019” in all correspondence related to this public meeting. The submitted presentations will be the only record of the public meeting. To have a presentation considered as a public comment for the formation of the final rule, the presentation, or pertinent excerpts, must be submitted separately as a written comment as instructed in the paragraph titled “Submission of Comments” in ADDRESSES.
information on the current status of migratory game birds and develop 2019–20 migratory game bird regulations recommendations for these species. In accordance with Departmental policy, these meetings are open to public observation. You may submit written comments to the Service on the matters discussed. See DATES and ADDRESSES, above, for information about these meetings.

Regulatory Schedule for 2019–20
On June 14, 2018, we published a proposal to amend title 50 of the Code of Federal Regulations (CFR) at part 20 (83 FR 27836). The proposal provided a background and overview of the migratory bird hunting regulations process, and addressed the establishment of seasons, limits, and other regulations for hunting migratory game birds under §§ 20.101 through 20.107, 20.109, and 20.110 of subpart K. This document is the second in a series of proposed, supplemental, and final rules for migratory game bird hunting regulations. We will publish additional supplemental proposals for public comment in the Federal Register as population, habitat, harvest, and other information become available. Major steps in the 2019–20 regulatory cycle relating to open public meetings and Federal Register notifications were illustrated in the diagram at the end of the June 14, 2018, proposed rule (83 FR 27836).

All sections of this and subsequent documents outlining hunting frameworks and guidelines are organized under the numbered headings set forth in the June 14, 2018, proposed rule (83 FR 27836). Later sections of this and subsequent documents will refer only to numbered items requiring attention. Therefore, it is important to note that we will omit those items requiring no attention, and remaining numbered items will be discontinuous, thereby making the list appear incomplete.

The regulatory alternatives for the 2019–20 duck hunting seasons are shown at the end of this document. We plan to publish proposed season frameworks in mid-December 2018. We plan to publish final season frameworks in late February 2019.

Review of Public Comments
This proposed rulemaking describes recommended changes to or specific preliminary proposals that vary from the 2018–19 regulations and issues requiring discussion, action, or the attention of the States or tribes. We will publish responses to all proposals and written comments when we develop final frameworks for the 2019–20 season. We seek additional information and comments on this supplemental proposed rule.

New proposals and modifications to previously described proposals are discussed below. Wherever possible, they are discussed under headings corresponding to the numbered items identified in the June 14, 2018, proposed rule (83 FR 27836). Only those categories requiring attention or for which we received Flyway Council recommendations are discussed below.

1. Ducks

Duck harvest management categories are: (A) General Harvest Strategy; (B) Regulatory Alternatives, including specification of framework dates, season length, and bag limits; (C) Zones and Split Seasons; and (D) Special Seasons/Species Management.

A. General Harvest Strategy

Council Recommendations: The Atlantic Flyway Council recommended that we adopt and implement a multi-stock decision framework for the annual setting of duck hunting seasons in the Atlantic Flyway starting in the 2019–20 season. Derivation of an annual optimal policy would consider a weighting method for each of four species (green-winged teal (Anas crecca), common goldeneye (Bucephala clangula), ring-necked duck (Aythya collaris), and wood duck (Aix sponsa)) utilizing hunter days and relative harvest of each of the four species, by regions within the Flyway. The harvest objective would be no more than 98 percent of maximum sustainable long-term yield for any of the four species.

The Mississippi Flyway Council recommended that regulation changes be restricted to one step per year, both when restricting as well as liberalizing hunting regulations.

Service Response: As we stated in the June 14, 2018, proposed rule (83 FR 27836), we intend to continue use of Adaptive Harvest Management (AHM) to help determine appropriate duck-hunting regulations for the 2019–20 season. AHM is a tool that permits sound resource decisions in the face of uncertain regulatory impacts, as well as providing a mechanism for reducing that uncertainty over time. We use AHM to evaluate four alternative regulatory levels for duck hunting in the Mississippi, Central, and Pacific Flyways based on the population status of mallards (see below). We will use AHM based on the population status of a suite of four species in the Atlantic Flyway (see below). We have specific hunting strategies for species of special concern, such as black ducks, scaup, and pintails.

Mississippi, Central, and Pacific Flyways

The prescribed regulatory alternative for the Mississippi, Central, and Pacific Flyways is based on the status of mallard populations that contribute primarily to each Flyway. In the Central and Mississippi Flyways, we set hunting regulations based on the status and dynamics of mid-continent mallards. Mid-continent mallards are those breeding in central North America (Federal survey strata 13–18, 20–50, and 75–77, and State surveys in Minnesota, Wisconsin, and Michigan). In the Pacific Flyway, we set hunting regulations based on the status and dynamics of western mallards. Western mallards are those breeding in Alaska and the northern Yukon Territory (as based on Federal surveys in strata 1–12, and in California, Oregon, Washington, and British Columbia (as based on State- or Province-conducted surveys).

For the 2019–20 season, we will continue to use independent optimization to determine the optimal regulatory choice for each mallard stock. This means that we would develop regulations for mid-continent mallards and western mallards independently, based upon the breeding stock that contributes primarily to each Flyway. We detailed implementation of this AHM decision framework for western and mid-continent mallards in the July 24, 2018, Federal Register (83 FR 43290).

Atlantic Flyway

Since 2000, the Service has used an AHM protocol based on the status of eastern mallards to establish the annual framework regulations for duck hunting seasons in the Atlantic Flyway. This protocol assumes that the mallard is an appropriate surrogate for other duck species in the Atlantic Flyway. By 2010, it was apparent that the biological models used in the AHM protocol were performing poorly in terms of accurately predicting the following year’s eastern mallard breeding population, and this performance problem led to a comprehensive review of duck harvest management in the Atlantic Flyway.

Following that review, the Atlantic Flyway Council (AFC) determined that eastern mallards do not adequately represent duck harvest dynamics throughout the entire Flyway; they do not represent the breeding ecology and habitat requirements of other important Atlantic Flyway duck species because their breeding range does not overlap with that of other ducks that breed in
the flyway, and their breeding and or
wintering habitat needs differ from
many of the other duck species in the
Flyway. Thus, although mallards
comprise nearly 20 percent of the
Atlantic Flyway’s duck harvest, the
status of eastern mallards does not
necessarily reflect that of other Atlantic
Flyway duck species. For example,
mallards in eastern North America have
dropped at an annual rate of 1 percent
since 1998, whereas over the same
time period all other duck species in eastern
North America for which robust
population estimates are available are
stable or increasing.

The AFC decided that a decision
framework based upon a suite of duck
species that better represents the habitat
needs and harvest distribution of ducks
in the Atlantic Flyway would be
superior to the current eastern mallard
AHM framework, and we concur.
Accordingly, the Service and the AFC
began working in 2013 to develop a
multi-stock AHM protocol for setting
annual duck hunting season frameworks
for the Atlantic Flyway.

The development of multi-stock
protocols has now been completed, and
we adopt multi-stock AHM as a
replacement for eastern mallard AHM.
The protocols are based on a suite of
four species that represents the
 dynamics of duck harvest in the
Atlantic Flyway and the various habitat
types used by waterfowl throughout the
Atlantic Flyway: Green-winged teal
(Anas crecca), common goldeneye
(Bucephala clangula), ring-necked duck
(Aythya collaris), and wood duck (Aix
sponsa). These species comprise more
than 40 percent of the Atlantic Flyway’s
total duck harvest, and they reflect
regional variation in harvest
composition. The selected species
represent upland nesters in boreal and
southern Canada (green-winged teal),
over-water nesters in boreal Canada
(ring-necked duck), cavity nesters in the
United States and southern Canada
(wood duck), and cavity nesters in boreal Canada (goldeneye). The most
important winter waterfowl habitats in
the Atlantic Flyway (salt marsh,
freshwater marsh, tidal waters,
freshwater ponds and lakes, rivers and
streams) are important to at least one of
these four species.

Species selection was also influenced
by our need for sufficient time series of
estimates of annual abundance and
estimates of harvest rate or annual
harvest. The protocol has a harvest
objective of no more than 98 percent of
maximum sustainable long-term yield
for any of the four species. Regulatory
alternatives would be the same as those
used in the eastern mallard AHM,
except that the mallard bag limit would
not be prescribed by the optimal
regulatory alternative as determined by
the multi-stock AHM protocol. Further
details on biological models used in the
protocol, data sources, optimization
methods, and simulation results are
available at http://www.regulations.gov
and on our website at https://

Although season length in the
Atlantic Flyway would be determined
by the proposed multi-stock protocol,
the daily bag limit for black ducks will
still be determined by the international
black duck AHM harvest strategy. The
mallard bag limit in the Atlantic Flyway
will be based on a separate assessment of
the harvest potential of eastern
mallards.

Regarding the Mississippi Flyway
Council recommendation to limit
regulatory changes to one step per year,
we recognize the longstanding interest
by the Council to impose a one-step
constraint on regulatory changes. We
note that the Atlantic and Mississippi
Flyways have worked with Service staff
during the past 3 years to revisit the
AHM protocol for managing harvest of
mid-continent mallards. This effort has
included a discussion of appropriate
management objectives, regulatory
debate, and management of
non-mallard stocks. These discussions are
the appropriate venue to discuss what
role, if any, a one-step constraint might
play in management of waterfowl in the
Central and Mississippi Flyways. Such
discussions should include the potential
impact of a one-step constraint on the
frequency of when the liberal, moderate,
and restrictive packages would be
recommended. On a final note, while we
recognize the Council’s concern
about potentially communicating a large
regulatory change to hunters, we have
concerns about the appropriateness of a
one-step constraint in situations when
the status of waterfowl resource may
warrant a regulatory change larger than
one-step. Furthermore, it is unclear how
the AHM protocol can accommodate a
one-step constraint in the Mississippi
Flyway if the Atlantic Flyway does not
impose a similar constraint. Technical
work on the double-looping process
tentatively should be completed by
March 2019, with any potential changes
to regulatory packages and harvest
strategy approved in June 2019 for the
2020–21 season. We look forward to
continued work with the Flyway
Councils on this issue.

B. Regulatory Alternatives

Council Recommendations: The
Atlantic Flyway Council recommended
that the AHM regulations packages used
in 2018–19 be used in 2019–20, with the
exception that mallards be removed
from the prescribed daily bag limit
(addressed above) and that the ending
framework date be moved from the last
Sunday in January to January 31 for the
“moderate” and “liberal” alternatives.

The Mississippi and Central Flyway
Councils recommended that regulatory
alternatives for duck hunting seasons
remain the same as those used in 2017–
18. Service Response: We support the
Atlantic Flyway’s new multi-stock AHM
protocol, including removal of mallards
from the prescribed daily bag limits.
The multi-stock AHM protocol incorporates the harvest rate increases
expected to result from extending the
ending framework date to January 31;
therefore, we support that change to the
Atlantic Flyway’s regulatory
alternatives.

Consistent with Flyway recommendations, the regulatory
alternatives proposed for the
Mississippi, Central, and Pacific
Flyways in the June 14, 2018, Federal
Register (83 FR 27836) will be used for
the 2019–20 hunting season (see
accompanying table at the end of this
document for specific information). In
2005, the AHM regulatory alternatives
were modified to consist only of the
maximum season lengths, framework
dates, and bag limits for total ducks and
mallards. Restrictions for certain species
within these frameworks that are not
covered by existing harvest strategies
will be addressed in the proposed
frameworks rule in early December 2018.
For those species with specific harvest strategies (pintails, black ducks, scaup, and
mallards in the Atlantic Flyway), those strategies will again be
used for the 2019–20 hunting season.

D. Special Seasons/Species

Management

i. September Teal Seasons

Council Recommendations: The
Atlantic Flyway Council recommended
that Florida be granted operational
status for the 4-day, teal only season,
beginning with the 2019 season.

The Mississippi Flyway Council
recommends that Tennessee be
granted operational 4-day, teal only
seasons when 16-day teal seasons are
offered for the 2019–20 season and
beyond.

Service Response: In 2014, the States of Florida, Kentucky, and Tennessee
initiated an experimental teal-only season comprised of 4 additional days
of teal hunting that would follow the States’ operational September wood
duck/teal seasons. Memorandums of
agreement (MOAs) were cooperatively developed between each State and the Service to specify criteria for annual and total sample sizes (number of non-target shooting opportunities each year for 3 years and overall for the experiment), non-target attempt rates (must not be greater than 25 percent [0.25]), and non-target kill rates (must not be greater than 10 percent [0.10]). Criteria for non-target attempt rates and kill rates were the same for all States; however, sample sizes among States were based on prior information for each State and thus could vary among States. Kentucky was granted operational status in 2017, after successfully meeting the above criteria. However, Florida and Tennessee failed to meet sample size requirements and requested an additional year of data collection in 2017.

In Florida, non-target attempt rates were similar for the pre- and post-sunrise periods (average 0.06), as were non-target kill rates (average 0.03). However, annual sample size requirements for non-target opportunities \( n = 25 \) year were not met for the pre-sunrise period in any year \( n = 4, 14, 17, \text{ and } 12 \). For the post-sunrise period, annual sample size requirements were met in 3 of the 4 years \( n = 12, 44, 34, \text{ and } 39 \). Thus, annual and total sample size requirements specified in the MOA for the experiment were met for the post-sunrise period, but not for the pre-sunrise period.

In Tennessee, non-target attempt rates for the pre- and post-sunrise periods were 0.0 and 0.03, respectively. Non-target kill rates for pre- and post-sunrise periods were 0.0 and 0.04, respectively. Annual sample size requirements for non-target opportunities \( n = 20 \) year were met in only 2 of 4 years during both the pre-sunrise period \( n = 14, 10, 23 \text{ and } 24 \) and the post-sunrise period \( n = 21, 4, 14, 30 \). However, total sample size requirements specified in the MOA for the experiment were met for both the pre- and post-sunrise periods. As such, and seeing no biological concerns, we recommend that Tennessee’s additional 4 days of teal-only hunting be granted operational status.

In the case of Florida, although no biological concerns for non-target species have been raised during these experiments, the MOAs governing harvest management experiments have not been met. Sample sizes outlined in the MOA have not been met for multiple years despite an additional experimental year to attempt to meet sample size requirements. When years are pooled, Florida does meet total sample size requirements for the post-sunrise period, but not the pre-sunrise period. We have concerns about the role of MOAs in the conduct of harvest management experiments, and situations in which MOA requirements are not met. If MOAs are to have any meaningful role in the conduct of harvest management experiments, the consequences of not meeting MOA requirements need to be upheld. Further, not adhering to the MOA criteria has potential ramifications beyond the issue of teal and beyond the Atlantic Flyway. Therefore, we do not grant operational status to the Florida 4-day, teal-only season for the pre-sunrise period.

8. Swans

**Council Recommendations:** The Atlantic Flyway Council recommended that Delaware be allowed to implement an experimental tundra swan hunt beginning with the 2019–20 season. The Council recommends a reallocation of existing permits to Delaware from within the wintering zone per the guidelines included in the Eastern Population Tundra Swan Hunt Plan. All other requirements for experimental seasons (e.g., hunter reporting, harvest and population monitoring) specified in the Plan also will be met.

**Service Response:** We support the establishment of an experimental tundra swan season in Delaware beginning with the 2019–20 season. The proposed hunt request follows the guidelines provided in the Eastern Population Tundra Swan Hunt Plan and is not expected to interfere with overall harvest of tundra swans. Rather, the existing allowable harvest will be reallocated among the States that hunt them.

14. Woodcock

**Council Recommendations:** The Atlantic and Mississippi Flyway Councils recommended that the Woodcock Harvest Strategy Working Group, who developed this strategy, be re-convened to discuss a comprehensive review of the harvest strategy and evaluate any proposed changes. The Working Group should involve the Service and the Atlantic Flyway Councils that are current signatories to the existing harvest strategy.

**Public Comments**

The Department of the Interior’s policy is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, we invite interested persons to submit written comments, suggestions, or recommendations regarding the proposed regulations. Before promulgation of final migratory game bird hunting regulations, we will take into consideration all comments we receive. Such comments, and any additional information we receive, may lead to final regulations that differ from these proposals.

You may submit your comments and materials concerning the proposed rule by one of the methods listed in ADDRESSES. We will not accept comments sent by email or fax or to an address not listed in ADDRESSES. Finally, we will not consider hand-delivered comments that we do not receive, or mailed comments that are not postmarked, by the date specified in DATES. We will post all comments in their entirety—including your personal identifying information—on http://www.regulations.gov. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Comments and materials we receive, as well as supporting documentation we used in preparing the proposed rule, will be available for public inspection on http://www.regulations.gov, or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Division of Migratory Bird Management, 5275 Leesburg Pike, Falls Church, VA.

We will consider, but possibly may not respond in detail to, each comment. As in the past, we will summarize all comments we receive during the comment period and respond to them after the closing date in any final rules.
Required Determinations

Based on our most current data, we are affirming our required determinations made in the June 14, 2018, proposed rule (83 FR 27836); see that document for descriptions of our actions to ensure compliance with the following statutes and Executive Orders:

- National Environmental Policy Act;
- Endangered Species Act;
- Regulatory Flexibility Act;
- Small Business Regulatory Enforcement Fairness Act;
- Paperwork Reduction Act;
- Unfunded Mandates Reform Act; and
- Executive Orders 12630, 12866, 12988, 13132, 13175, 13211, 13563, and 13771.

List of Subjects in 50 CFR Part 20

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

Authority

The rules that eventually will be promulgated for the 2019–20 hunting season are authorized under 16 U.S.C. 703–711, 712, and 742 a–j.

Dated: September 6, 2018.

Andrea Travnicek, Principal Deputy Assistant Secretary—Water and Science, Exercising the Authority of the Assistant Secretary for Fish and Wildlife and Parks.

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### Final Regulatory Alternatives for Duck Hunting During the 2019-20 Season

<table>
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<tr>
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<th>Atlantic Flyway</th>
<th>Mississippi Flyway</th>
<th>Central Flyway (a)</th>
<th>Pacific Flyway (b)(c)</th>
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<td></td>
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<td>LIB</td>
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### Species/Sex Limits within the Overall Daily Bag Limit

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<th>Mallard (Total/Female)</th>
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(a) In the High Plains Mallard Management Unit, all regulations would be the same as the remainder of the Central Flyway, with the exception of season length. Additional days would be allowed under the various alternatives as follows: restrictive - 12, moderate and liberal - 23. Under all alternatives, additional days must be on or after the Saturday nearest December 10.

(b) In the Columbia Basin Mallard Management Unit, all regulations would be the same as the remainder of the Pacific Flyway, with the exception of season length. Under all alternatives except the liberal alternative, an additional 7 days would be allowed.

(c) In Alaska, framework dates, bag limits, and season length would be different from the remainder of the Pacific Flyway. The bag limit (depending on the area) would be 5-8 under the restrictive alternative, and 7-10 under the moderate and liberal alternatives. Under all alternatives, season length would be 107 days and framework dates would be Sep. 1 - Jan. 26.

(d) Under the proposed multi-stock AHM protocol for the Atlantic Flyway, the mallard bag limit would not be prescribed by the regulatory alternative.