



**BILLING CODE 4333–15**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 20**

**[Docket No. FWS–HQ–MB–2019–0004; FF09M21200-201-FXMB1231099BPP0]**

**RIN 1018–BD89**

**Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2020–21 Season**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** This rule prescribes special 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 **[Insert date of publication in *Federal Register*].**

**ADDRESSES:** You may inspect comments received on the migratory bird hunting regulations at

<http://www.regulations.gov> at Docket No. FWS–HQ–MB–2019–0004. You may obtain copies of referenced reports from the Division of Migratory Bird Management’s website at <http://www.fws.gov/migratorybirds/>, or at <http://www.regulations.gov> at Docket No. FWS–HQ–MB–2019–0004.

**FOR FURTHER INFORMATION CONTACT:** Jerome Ford, U.S. Fish and Wildlife Service, Department of the Interior, (202) 208-1050.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Migratory Bird Treaty Act (MBTA) of July 3, 1918 (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 April 2, 2020, *Federal Register* (85 FR 18532), we proposed special migratory bird hunting regulations for the 2020–21 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 October 15, 2019, *Federal Register* (84 FR 55120), we requested that tribes desiring special hunting regulations in the 2020–21 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]).

The final rule described here is the final in the series of proposed and final rulemaking documents for migratory bird hunting regulations on certain Federal Indian reservations and ceded lands for the 2020–21 season. This rule sets hunting seasons, hours, areas, and limits for migratory game bird species on reservations and ceded territories. This final rule is the culmination of the rulemaking process for the Tribal migratory game bird hunting seasons, which started with the October 15, 2019, proposed rule. This final rule sets the migratory bird hunting regulations on certain Federal Indian reservations and ceded lands for the 2020–21 season.

### **Population Status and Harvest**

Each year we publish various species status reports that provide detailed information on the status and harvest of migratory game birds, including information on the methodologies and results. These reports are available from our website at <https://www.fws.gov/birds/surveys-and-data/reports-and-publications/population-status.php>.

We used the following annual reports published in August 2019 in the development of proposed frameworks for the migratory bird hunting regulations: Adaptive Harvest Management, 2020 Hunting Season; American Woodcock Population Status, 2019; Band-tailed Pigeon Population Status, 2019; Migratory Bird Hunting Activity and Harvest During the 2017–18 and 2018–19 Hunting Seasons; Mourning Dove Population Status, 2019; Status and Harvests of Sandhill Cranes, Mid-continent, Rocky Mountain, Lower Colorado River Valley and Eastern Populations, 2019; and Waterfowl Population Status, 2019.

### **Comments and Issues Concerning Tribal Proposals**

For the 2020–21 migratory bird hunting season, we proposed regulations for 32 Tribes or

Indian groups that followed the 1985 guidelines and were considered appropriate for final rulemaking. However, at that time, we noted in the April 2, 2020, proposed rule that we were proposing seasons for six Tribes who submitted proposals in past years but from whom we had not yet received proposals this year. We did not receive final proposals from four of those Tribes and, therefore, have not included them in this final rule.

The comment period for the April 2 proposed rule closed on May 4, 2020. We received 57 comments on our April 2 proposed rule, which announced proposed seasons for migratory bird hunting by American Indian Tribes.

*Written Comments:* Most comments we received opposed allowing any harvest of trumpeter swans or swans in general, because of low swan numbers, the considerable effort already spent to recover swan populations, a lack of Service consultation with the Tribes on harvesting swans, too brief a comment period to adequately address this issue, and probable harvest of trumpeter swans adding to the risk factors for these populations.

*Service Response:* Regarding written comments opposed to swan hunting on a few tribal reservations and ceded territories in the eastern three flyways, the position of the Service is to provide hunting opportunities on game birds where such hunting is compatible with sustainability of the game bird resource and consistent with management objectives. Trumpeter swans are classified as game birds under the Migratory Birds Convention (Treaty) between the United States and Great Britain (for Canada) that was enacted by the MBTA in the United States. The Interior Population (IP) of trumpeter swans, the subject group, has been increasing at an average rate of about 14 percent per year since 1968, as a result of reintroduction efforts and natural reproduction; in 2015, the population numbered about 27,000 white birds (excludes cygnets). The geographic range of these birds also is expanding within the eastern three flyways

as birds pioneer new areas and re-establish migration routes. Because some of those areas include locations where tundra swan hunting has been allowed, the likelihood of hunters encountering trumpeter swans during those hunts is increasing, which also increases the possibility that hunters may shoot a trumpeter swan. Similar to circumstances in the Pacific Flyway, where the take of trumpeter and tundra swans is allowed in some areas, the Service believes allowing a limited take of trumpeter swans, primarily to eliminate the liability of hunters who mistakenly shoot a trumpeter swan, is appropriate. The Service believes this decision will continue to allow trumpeter swans to increase their abundance and range while not imposing an unnecessary burden on hunters to unerringly identify the species of swan while hunting. The harvest of IP trumpeter swans is expected to be low and would not jeopardize the sustainability of the population based on the research we have conducted. Further, the harvest information and other aspects of a general swan season framework are reviewed by the Service annually. If the information suggests harvest is higher than deemed appropriate and could jeopardize the status of the population, the Service could revise the framework or close the season in any year.

The Service manages migratory birds at the population level when information is sufficient to do so. The range of IP trumpeter swans spans portions of the Central, Mississippi, and Atlantic Flyways; thus, that is the geographic scale appropriate for their management. Therefore, the allowable take described in our April 2, 2020, proposed rule (85 FR 18532) spans all three flyways, and we believe any alternative proposed by the Service should include all three flyways. However, the establishment of this framework by the Service does not mean that a general swan season must be implemented in any reservation or ceded territory. The framework provides only that our research indicates such seasons could be supported in those flyways without negatively impacting the sustainability of IP trumpeter swans. Each Tribe has their own

process to determine whether they would allow a general swan season and specifically requested the seasons presented. The Service believes the 30-day comment period on the April 2, 2020, proposed rule (85 FR 18532) was sufficient to review and comment on these tribal proposals.

## **Required Determinations**

### *Executive Order 13771—Reducing Regulation and Controlling Regulatory Costs*

This action is not subject to the requirements of Executive Order (E.O.) 13771 (82 FR 9339, February 3, 2017) because it establishes annual harvest limits related to routine hunting or fishing.

### *National Environmental Policy Act (NEPA) Consideration*

The programmatic document, “Second Final Supplemental Environmental Impact Statement: Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (EIS 20130139),” filed with the Environmental Protection Agency (EPA) on May 24, 2013, addresses NEPA compliance by the Service for issuance of the annual framework regulations for hunting of migratory game bird species. We published a notice of availability in the *Federal Register* on May 31, 2013 (78 FR 32686), and our Record of Decision on July 26, 2013 (78 FR 45376). We also address NEPA compliance for waterfowl hunting frameworks through the annual preparation of separate environmental assessments, the most recent being “Duck Hunting Regulations for 2020–21,” with its corresponding June 2020 finding of no significant impact. The programmatic document, as well as the separate environmental assessment, is available on our website at <https://www.fws.gov/birds/index.php>.

### *Endangered Species Act Consideration*

Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), provides that the Secretary 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. Our biological opinions resulting from this section 7 consultation are public documents available for public inspection at <http://www.regulations.gov> at Docket No. FWS–HQ–MB–2019–0004.

### *Regulatory Planning and Review (Executive Orders 12866 and 13563)*

E.O. 12866 provides that the Office of Information and Regulatory Affairs (OIRA) will review all significant rules. OIRA has reviewed this rule and has determined that this rule is significant because it will have an annual effect of \$100 million or more on the economy.

E.O. 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be



based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

An economic analysis was prepared for the 2020–21 season. This analysis was based on data from the 2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation (National Survey), the most recent year for which data are available (see discussion under *Regulatory Flexibility Act*, 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 2019–20 season, (2) issue moderate regulations allowing more days than those in alternative 1, and (3) issue liberal regulations identical to the regulations in the 2019–20 season. For the 2020–21 season, we chose Alternative 3, with an estimated consumer surplus across all flyways of \$334–\$440 million with a mid-point estimate of \$387 million. We also chose alternative 3 for the 2009–10 through 2019–20 seasons. The 2020–21 analysis is part of the record for this rule and is available at <http://www.regulations.gov> at Docket No. FWS–HQ–MB–2019–0004.

### *Regulatory Flexibility Act*

The annual migratory bird hunting 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 through 1995. In 1995, the Service issued a Small Entity Flexibility Analysis (Analysis), which was subsequently updated in 1996, 1998, 2004, 2008, 2013, 2018, and 2019. The primary source

of information about hunter expenditures for migratory game bird hunting is the National Survey, which is generally conducted at 5-year intervals. The 2020 Analysis is based on the 2016 National Survey and the U.S. Department of Commerce's County Business Patterns, from which it was estimated that migratory bird hunters would spend approximately \$1.5 billion at small businesses in 2020. Copies of the analysis are available from <http://www.regulations.gov> at Docket No. FWS-HQ-MB-2019-0004.

#### *Small Business Regulatory Enforcement Fairness Act*

This final 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 will have an annual effect on the economy of \$100 million or more. However, because this rule establishes frameworks for 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*

This rule does not contain any new collection of information that requires approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). OMB has previously approved the information collection requirements associated with migratory bird surveys and the procedures for establishing annual migratory bird hunting seasons under the following OMB control numbers:

- 1018-0019, "North American Woodcock Singing Ground Survey" (expires 6/30/2021).
- 1018-0023, "Migratory Bird Surveys, 50 CFR 20.20" (expires 4/30/2023). Includes Migratory Bird Harvest Information Program, Migratory Bird Hunter Surveys, Sandhill

Crane Survey, and Parts Collection Survey.

- 1018–0171, “Establishment of Annual Migratory Bird Hunting Seasons, 50 CFR Part 20” (expires 6/30/2021).

You may view the information collection request(s) at

<http://www.reginfo.gov/public/do/PRAMain>. An 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 this rule will not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of E.O. 12988.

#### *Takings Implication Assessment*

In accordance with E.O. 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, this rule will allow hunters to exercise otherwise unavailable privileges and, therefore, reduce restrictions on the use of private and public property.

#### *Energy Effects—Executive Order 13211*

E.O. 13211 requires agencies to prepare Statements of Energy Effects when undertaking certain actions. While this rule is a significant regulatory action under E.O. 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), E.O. 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. 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 E.O. 13132, these regulations do not have significant federalism effects and do not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

### **Regulations Promulgation**

The rulemaking process for migratory game bird hunting, by its nature, operates under a time constraint as seasons must be established each year or hunting seasons remain closed. However, we intend that the public be provided extensive opportunity for public input and involvement in compliance with Administrative Procedure Act (5 U.S.C. 551 et seq.) requirements. Thus, when the preliminary proposed rulemaking was published, we established what we concluded were the longest periods possible for public comment and the most opportunities for public involvement. We also provided notification of our participation in multiple Flyway Council meetings, opportunities for additional public review and comment on all Flyway Council proposals for regulatory change, and opportunities for additional public review during the Service Regulations Committee meeting. Therefore, sufficient public notice and opportunity for involvement have been given to affected persons regarding the migratory bird hunting frameworks for the 2020–21 hunting seasons. Further, after establishment of the

final frameworks, States and Tribes need sufficient time to conduct their own public processes 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, if there were a delay in the effective date of these regulations after this final rulemaking, States and Tribes might not be able to meet their own administrative needs and requirements.

For the reasons cited above, we find that “good cause” exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act, and this rule will take effect immediately upon publication.

Accordingly, with each participating Tribe having had an opportunity to participate in selecting the hunting seasons desired for its reservation or ceded territory on those species of migratory birds for which open seasons are now prescribed, and consideration having been given to all other relevant matters presented, certain sections of title 50, chapter I, subchapter B, part 20, subpart K, are hereby amended as set forth below.

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

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

Accordingly, part 20, subchapter B, chapter I of title 50 of the Code of Federal Regulations is amended as follows:

#### **PART 20—MIGRATORY BIRD HUNTING**

1. The authority citation for part 20 continues to read as follows:

AUTHORITY: 16 U.S.C. 703 *et seq.*, and 16 U.S.C. 742a-j.

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. Section 20.110 is revised to read as follows:

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

Unless specifically provided for below, all of the regulations contained in 50 CFR part 20 apply to the seasons listed herein.

(a) *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, 2020, through March 9, 2021.

*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)

*Season Dates:* Open September 26, 2020, through January 10, 2021.

## Scaup

*Season Dates:* Open September 26 through December 20, 2020.

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

## Coots

*Season Dates:* Same as ducks.

*Daily Bag and Possession Limits:* 25 and 25, respectively.

## Geese

### Dark Geese

*Season Dates:* Open September 26, 2020, through January 10, 2021.

*Daily Bag and Possession Limits:* Four Canada geese and brant in the aggregate, and 10 white-



fronted geese. The possession limit is three times the daily bag limit.

#### Light Geese

*Season Dates:* Same as for dark geese.

*Daily Bag and Possession Limits:* 20 and 60, respectively.

*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 one-half hour before sunrise to one-half hour after 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.

*(b) Fond du Lac Band of Lake Superior Chippewa Indians, Cloquet, Minnesota (Tribal Members Only).*

#### Ducks

*1854 and 1837 Ceded Territories:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* 18 ducks, including no more than 12 mallards (only three of which may be hens), nine black ducks, nine scaup, nine wood ducks, nine redheads, nine pintails, and nine canvasbacks.

*Reservation:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* 12 ducks, including no more than eight mallards (only two of which may be hens), six black ducks, six scaup, six redheads, six pintails, six wood ducks, and six canvasbacks.

## Mergansers

*1854 and 1837 Ceded Territories:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* 15 mergansers, including no more than six hooded mergansers.

*Reservation:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* 10 mergansers, including no more than four hooded mergansers.

## Canada Geese

*All Areas:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* 20 geese.

## Coots and Common Moorhens (Common Gallinules)

*All Areas:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* 20 coots and common moorhens, singly or in the aggregate.

## Sandhill Cranes

*1854 and 1837 Ceded Territories:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* Two sandhill cranes. Crane carcass tags are required prior to hunting.

### Sora and Virginia Rails

*All Areas:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* 25 sora and Virginia rails, singly or in the aggregate.

### Common Snipe

*All Areas:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* Eight common snipe.

### Woodcock

*All Areas:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* Three woodcock.

### Mourning Doves

*All Areas:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* 30 mourning doves.

## Tundra and Trumpeter Swans

*Reservation Only:*

*Season Dates:* Begin September 1 and end November 30, 2020.

*Daily Bag Limit:* Two swans. A swan carcass tag is required prior to hunting.

*General Conditions:*

1. While hunting waterfowl, a tribal member must carry on his/her person a valid Ceded Territory License.
2. Shooting hours for migratory birds are one-half hour before sunrise to one-half hour after sunset.
3. Except as otherwise noted, tribal members will be required to comply with tribal codes that will be no less restrictive than the provisions of Chapter 10 of the Model Off-Reservation Code. Except as modified by Service rules, these amended regulations parallel Federal requirements in 50 CFR part 20 as to hunting methods, transportation, sale, exportation, and other conditions generally applicable to migratory bird hunting.
4. Band members in each zone will comply with State regulations providing for closed and restricted waterfowl hunting areas.
5. There are no possession limits for migratory birds. For purposes of enforcing bag limits, all migratory birds in the possession or custody of band members on ceded lands will be considered to have been taken on those lands unless tagged by a tribal or State conservation warden as having been taken on-reservation. All migratory birds that fall on reservation lands will not count as part of any off-reservation bag or possession limit.

(c) *Grand Traverse Band of Ottawa and Chippewa Indians, Suttons Bay, Michigan*

*(Tribal Members Only).*

Ducks

*Season Dates:* Open September 1, 2020, through January 20, 2021.

*Daily Bag Limit:* 35 ducks, which may include no more than eight pintail, four canvasback, eight black ducks, five hooded merganser, 10 wood ducks, eight redheads, and 20 mallards (only 10 of which may be hens).

Canada and Snow Geese

*Season Dates:* Open September 1, 2020, through February 15, 2021.

*Daily Bag Limit:* 15 geese.

Other Geese (White-fronted Geese and Brant)

*Season Dates:* Open September 20 through December 30, 2020.

*Daily Bag Limit:* Five geese.

Sora Rails, Common Snipe, and Woodcock

*Season Dates:* Open September 1 through November 14, 2020.

*Daily Bag Limit:* 10 rails, 10 snipe, and five woodcock.

Mourning Doves

*Season Dates:* Open September 1 through November 14, 2020.

*Daily Bag Limit:* 25 mourning doves.

## Sandhill Cranes

*Season Dates:* Open September 1 through November 14, 2020.

*Daily Bag Limit:* Two sandhill cranes, with a season limit of 10.

*General Conditions:* A valid Grand Traverse Band Tribal license is required and must be in possession before taking any wildlife. Shooting hours for migratory birds are one-half hour before sunrise to one-half hour after sunset. All other basic regulations contained in 50 CFR part 20 are valid. Other tribal regulations apply, and may be obtained at the tribal office in Suttons Bay, Michigan.

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

The 2020–21 waterfowl hunting season regulations apply to all treaty areas (except where noted):

## Ducks

*Season Dates:* Begin September 1 and end December 31, 2020.

*Daily Bag Limit:* 50 ducks in the 1837 and 1842 Treaty Area; 30 ducks in the 1836 Treaty Area.

## Mergansers

*Season Dates:* Begin September 1 and end December 31, 2020.

*Daily Bag Limit:* 10 mergansers.

## Geese

*Season Dates:* Begin September 1 and end December 31, 2020. In addition, any portion of the ceded territory that is open to State-licensed hunters for goose hunting outside of these dates will also be open concurrently for tribal members.

*Daily Bag Limit:* 20 geese in aggregate.

## Other Migratory Birds

### Coots and Common Moorhens (Common Gallinules)

*Season Dates:* Begin September 1 and end December 31, 2020.

*Daily Bag Limit:* 20 coots and common moorhens (common gallinules), singly or in the aggregate.

### Sora and Virginia Rails

*Season Dates:* Begin September 1 and end December 31, 2020.

*Daily Bag and Possession Limits:* 20, singly, or in the aggregate, 25.

### Common Snipe

*Season Dates:* Begin September 1 and end December 31, 2020.

*Daily Bag Limit:* 16 common snipe.

### Woodcock

*Season Dates:* Begin September 1 and end December 31, 2020.

*Daily Bag Limit:* 10 woodcock.

Mourning Doves: 1837 and 1842 Ceded Territories Only

*Season Dates:* Begin September 1 and end November 29, 2020.

*Daily Bag Limit:* 15 mourning doves.

Sandhill Cranes

*Season Dates:* Begin September 1 and end December 31, 2020.

*Daily Bag Limit:* Five cranes in the 1837 and 1842 Treaty Area and no season bag limit; three cranes and no season bag limit in the 1836 Treaty Area.

Swans: 1837 and 1842 Ceded Territories Only

*Season Dates:* Begin September 1 and end December 31, 2020.

*Daily Bag/Season Limit:* Five swans. All harvested swans must be registered by presenting the fully-feathered carcass to a tribal registration station or GLIFWC warden, to be identified to species. If the total number of trumpeter swans harvested reaches 20, the swan season will be closed by emergency tribal rule.

*General Conditions*

- A. All tribal members are required to obtain a valid tribal waterfowl hunting permit.
- B. Except as otherwise noted, tribal members are required to comply with tribal codes that are no less restrictive than the model ceded territory conservation codes approved by Federal courts in the *Lac Courte Oreilles v. State of Wisconsin (Voigt)* and *Mille Lacs Band v. State of*



*Minnesota* cases. Chapter 10 in each of these model codes regulates ceded territory migratory bird hunting. Both versions of Chapter 10 parallel Federal requirements as to hunting methods, transportation, sale, exportation, and other conditions generally applicable to migratory bird hunting. They also automatically incorporate by reference the Federal migratory bird regulations.

C. Particular regulations of note include:

1. Nontoxic shot is required for all waterfowl hunting by tribal members.
2. Tribal members in each zone must comply with tribal regulations providing for closed and restricted waterfowl hunting areas. These regulations generally incorporate the same restrictions contained in parallel State regulations.
3. There are no possession limits, with the exception of 25 rails (in the aggregate). For purposes of enforcing bag limits, all migratory birds in the possession and custody of tribal members on ceded lands are considered to have been taken on those lands unless tagged by a tribal or State conservation warden as taken on reservation lands. All migratory birds that fall on reservation lands do not count as part of any off-reservation bag or possession limit.
4. There are no shell limit restrictions.
5. Hunting hours are from 30 minutes before sunrise to 30 minutes after sunset, except that, within the 1837 and 1842 ceded territories, hunters may use non-mechanical nets or snares that are operated by hand to take those birds subject to an open hunting season at any time. Hunters shall be permitted to capture, without the aid of other devices (i.e., by hand) and immediately kill birds subject to an open season, regardless of time of day. See 7., below, for further explanation.
6. An experimental application of electronic calls (e-calls) will be continued in the 1837 and 1842 ceded territories. Up to 50 tribal hunters will be allowed to use e-calls. Individuals using e-

calls will be required to obtain a special permit; they will be required to complete a hunt diary for each hunt where e-calls are used; and they will be required to submit the hunt diary to the Commission within two (2) weeks of the end of the season in order to be eligible to obtain an e-call permit for the following year. Required information will include the date, time, and location of the hunt; number of hunters; the number of each species harvested per hunting event; if other hunters were in the area, any interactions with other hunters; and other information deemed appropriate. Diary results will be summarized and documented in a Commission report, which will be submitted to the Service. Barring unforeseen results, this experimental application would be replicated for three (3) years, after which a full evaluation would be completed.

7. Within the 1837 and 1842 ceded territories, tribal members will be allowed to use non-mechanical, hand-operated nets (i.e., throw/cast nets or hand-held nets typically used to land fish) and/or hand-operated snares, and may chase and capture migratory birds without the aid of hunting devices (i.e., by hand). At this time, unattended nets or snares shall not be authorized under this regulation. Tribal members using nets or snares to take migratory birds, or taking birds by hand, will be required to obtain a special permit; they will be required to complete a hunt diary for each hunt where these methods are used; and they will be required to submit the hunt diary to the Commission within two (2) weeks of the end of the season in order to be eligible to obtain a permit to net migratory birds for the following year. Required information will include the date, time, and location of the hunt; number of hunters; the number of each species harvested per hunting event; and other information deemed appropriate. Diary results will be summarized and documented in a Commission report, which will be submitted to the Service. Barring unforeseen results, this experimental application would be replicated for three (3) years, after which a full evaluation would be completed.

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

Ducks (Including Mergansers)

*Season Dates:* Open October 3 through November 30, 2020.

*Daily Bag and Possession Limits:* The daily bag limit is seven, including no more than two hen mallards, one pintail, two redheads, two canvasback, and two scaup. The possession limit is three times the daily bag limit.

Canada Geese

*Season Dates:* Open October 3 through November 30, 2020.

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

*General Conditions:* Tribal and 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 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.

*(f) Kalispel Tribe, Kalispel Reservation, Usk, Washington (Tribal Members and Nontribal Hunters).*

Nontribal Hunters on Reservation and Ceded Lands

Geese

*Season Dates:* Open September 19 through September 20, 2020; open September 26 through September 27, 2020; and open October 1, 2020, through January 8, 2021 (through December 15, 2020, for brant). During these periods, days to be hunted are specified by the Kalispel Tribe.

Nontribal hunters should contact the Tribe for more detail on hunting days.

*Daily Bag and Possession Limits:* Five Canada geese for the early season, and 20 light geese, 10 white-fronted geese, and four Canada geese, for the late season. The daily bag limit is two 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.

#### Ducks

*Season Dates:* Open September 19 through September 20, 2020; open September 26 through September 27, 2020; and open October 1, 2020, through January 8, 2021.

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

#### Scaup

*Season Dates:* Open October 1 through December 25, 2020.

*Daily Bag and Possession Limits:* Two scaup. Scaup count towards the daily bag limit for ducks; see entry "Ducks." The possession limit is twice the daily bag limit.

#### Tribal Members on Reservation and Ceded Lands

#### Geese

*Season Dates:* Open October 1, 2020, through January 31, 2021.

*Daily Bag and Possession Limits:* Six light geese and four dark geese. The daily bag limit is two brant and is in addition to dark goose limits for the late season. The possession limit is twice the daily bag limit.

#### Ducks

*Season Dates:* Open October 1, 2020, through January 31, 2021.

*Daily Bag and Possession Limits:* Seven ducks, including no more than two female mallards, two pintail, two canvasback, three scaup, and two redheads. 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.

*(g) Klamath Tribe, Chiloquin, Oregon (Tribal Members Only).*

#### Ducks and Coots

*Season Dates:* Open October 5, 2020, through January 31, 2021.

*Daily Bag and Possession Limits:* Nine and 18, respectively.

#### Geese

*Season Dates:* Open October 5, 2020, through January 31, 2021.

*Daily Bag and Possession Limits:* Nine and 18, respectively.

*General:* 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.

Shooting hours are one-half hour before sunrise to one-half hour after sunset.

(h) *Leech Lake Band of Ojibwe, Cass Lake, Minnesota (Tribal Members Only).*

Ducks

*Season Dates:* Open September 12 through December 31, 2020.

*Daily Bag Limits:* 10 ducks, including no more than five pintail, five canvasback, and five black ducks.

Geese

*Season Dates:* Open September 12 through December 31, 2020.

*Daily Bag Limits:* 10 geese.

*General:* 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.

(i) *Little River Band of Ottawa Indians, Manistee, Michigan (Tribal Members Only).*

1836 Ceded Territory and Tribal Reservation:

Ducks

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limits:* 12 ducks, including no more than six mallards (two of which may be hens), three black ducks, three redheads, three wood ducks, two pintail, one bufflehead, one hooded merganser, and two canvasback.

#### Coots and Gallinules

*Season Dates:* Open September 14, 2020, through January 31, 2021.

*Daily Bag Limits:* Five coots and five gallinules.

#### Canada Geese

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limit:* Five.

#### White-fronted Geese, Brant, and Snow Geese

*Season Dates:* Open September 7 through December 9, 2020.

*Daily Bag Limit:* Five.

#### Woodcock, Mourning Doves, Snipe, and Sora and Virginia Rails

*Season Dates:* Open September 1 through November 11, 2020.

*Daily Bag Limit:* Five woodcock and 10 each of the other species.

#### Sandhill Cranes

*Season Dates:* Open September 1 through December 31, 2020.

*Daily Bag Limit:* Two.

*General conditions are as follows:*

- A. All tribal members will be required to obtain a valid tribal resource card and 2020–21 hunting license.
- B. Except as modified by Service rules, these regulations parallel all Federal regulations contained in 50 CFR part 20. Shooting hours will be from one-half hour before sunrise to sunset.
- C. Particular regulations of note include:
  - (1) Nontoxic shot will be required for all waterfowl hunting by tribal members.
  - (2) Tribal members in each zone will comply with tribal regulations providing for closed and restricted waterfowl hunting areas. These regulations generally incorporate the same restrictions contained in parallel State regulations.
- D. Tribal members hunting in Michigan will comply with tribal codes that contain provisions parallel to Michigan law regarding duck blinds and decoys.
- E. Possession limits are twice the daily bag limits.

*(j) The Little Traverse Bay Bands of Odawa Indians, Petoskey, Michigan (Tribal Members Only).*

Ducks

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limits:* 20 ducks, including no more than five hen mallards, five black ducks, five redheads, five wood ducks, five pintail, five scaup, and five canvasback.

Mergansers



*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limits:* 10 mergansers, including no more than five hooded mergansers.

#### Coots and Gallinules

*Season Dates:* Open September 15 through December 31, 2020.

*Daily Bag Limit:* 20.

#### Canada Geese

*Season Dates:* Open September 1, 2020, through February 8, 2021.

*Daily Bag Limit:* 20 in the aggregate.

#### Sora and Virginia Rails

*Season Dates:* Open September 1 through December 31, 2020.

*Daily Bag Limit:* 20.

#### Snipe

*Season Dates:* Open September 1 through December 31, 2020.

*Daily Bag Limit:* 15.

#### Mourning Doves

*Season Dates:* Open September 1 through November 14, 2020.

*Daily Bag Limit:* 15.

## Woodcock

*Season Dates:* Open September 1 through December 1, 2020.

*Daily Bag Limit:* 10.

## Sandhill Cranes

*Season Dates:* Open September 1 through December 1, 2020.

*Daily Bag Limit:* Two.

*General:* Possession limits are twice the daily bag limits.

(k) *Lower Brule Sioux Tribe, Lower Brule Reservation, Lower Brule, South Dakota*  
(*Tribal Members and Nontribal Hunters*).

## Tribal Members

### Ducks, Mergansers, and Coots

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* Six ducks, including no more than two hen mallard and five mallards total, one pintail, two redheads, two canvasback, three wood ducks, three scaup, two bonus teal during September 1 through 16, 2020, and one mottled duck. Coot daily bag limit is 15. Merganser daily bag limit is five, including no more than two hooded mergansers. The possession limit is three times the daily bag limit.

## Canada Geese

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* Six and 18, respectively.

#### White-fronted Geese

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* Two and six, respectively.

#### Light Geese

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag Limit:* 20.

#### Doves

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limit:* 15.

#### Nontribal Hunters

##### Ducks (Including Mergansers and Coots)

*Season Dates:* Open October 3, 2020, through January 7, 2021.

*Daily Bag and Possession Limits:* Six ducks, including five mallards (no more of which can be two hen mallards), one scaup, two canvasback, two redheads, three wood ducks, one mottled duck, one pintail, and two bonus blue-winged teal during October 3 through October 18, 2020.

Coot daily bag limit is 15. Merganser daily bag limit is five, including no more than two hooded mergansers. The possession limit is three times the daily bag limit.

### Canada Geese

*Season Dates:* Open October 26, 2020, through February 9, 2021.

*Daily Bag and Possession Limits:* Six and 18, respectively.

### White-fronted Geese

*Season Dates:* Open October 26, 2020, through January 21, 2021.

*Daily Bag and Possession Limits:* Two and six, respectively.

### Light Geese

*Season Dates:* Open October 26, 2020, through February 9, 2021; and open February 11 through March 10, 2021.

*Daily Bag and Possession Limits:* 50 and no possession limit.

### Doves

*Season Dates:* Open September 1 through November 29, 2020.

*Daily Bag Limit:* 15.

*General Conditions:* All hunters must comply with the basic Federal migratory bird hunting regulations in 50 CFR part 20, including the use of steel shot and shooting hours. Nontribal hunters must possess a validated Migratory Bird Hunting and Conservation Stamp. The Lower Brule Sioux Tribe has an official Conservation Code that hunters must adhere to when hunting in areas subject to control by the Tribe.

(l) [Reserved]

(m) [Reserved]

(n) *Makah Indian Tribe, Neah Bay, Washington (Tribal Members).*

#### Band-tailed Pigeons

*Season Dates:* Open September 15 through December 31, 2020.

*Daily Bag Limit:* Two band-tailed pigeons.

#### Ducks and Coots

*Season Dates:* Open September 26, 2020, through January 31, 2021.

*Daily Bag Limit:* Seven ducks including no more than five mallards (only two of which can be a hen), one redhead, one pintail, three scaup, and one canvasback. The seasons on wood duck and harlequin are closed. The coot daily bag limit is 25.

#### Geese

*Season Dates:* Open September 26, 2020, through January 31, 2021.

*Daily Bag Limit:* Four. The season on dusky Canada geese is closed.

#### Brant

*Season Dates:* Open September 26, 2020, through January 24, 2021.

*Daily Bag Limit:* Two per day.

*General Conditions:*

All other Federal regulations contained in 50 CFR part 20 apply. The following restrictions also apply:

1. As per Makah Ordinance 44, only shotguns may be used to hunt any species of waterfowl. Additionally, shotguns must not be discharged within 300 feet of an occupied area.
2. Hunters must be eligible, enrolled Makah tribal members and must carry their Indian Treaty Fishing and Hunting Identification Card while hunting. No tags or permits are required to hunt waterfowl.
3. The use of live decoys and/or baiting to pursue any species of waterfowl is prohibited.
4. Only Service-approved nontoxic shot is allowed; the use of lead shot is prohibited.
5. The use of dogs is permitted to hunt waterfowl.
6. Shooting hours for all species of waterfowl are one-half hour before sunrise to sunset.
7. Open hunting areas are: Makah Reservation except for designated wilderness areas and within one mile of the Cape Flattery and Shi-shi Trails. Off-Reservation Hunting Areas are specified in the General Hunting Regulations.

*(o) Muckleshoot Indian Tribe, Auburn, Washington (Tribal Members Only)*

Band-tailed Pigeons, Mourning Doves, and Snipe

*Season Dates:* Open September 1 through December 31, 2020.

*Daily Bag Limits:* Two, 15, and eight, respectively.

Ducks (Including Coots)

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag Limits:* Seven ducks, including no more than two hen mallards, one mottled duck, two canvasback, three scaup, two redheads, two scoter, two long-tailed ducks, two goldeneye, and two pintail. Coot daily bag limit is 25. The Tribe has a limit on harlequin ducks of one per season.

## Geese

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag Limits:* Four Canada geese, six light geese, 10 white-fronted geese, and two brant.

There is a year-round closure on dusky Canada geese.

All other Federal regulations contained in 50 CFR part 20 apply. The following restrictions also apply:

1. Hunting can occur on reservation and off reservation on lands where the Tribe has treaty-reserved hunting rights, or has documented traditional use.
2. Shooting hours for all species of waterfowl are one-half hour before sunrise to one-half after sunset.
3. Hunters must be eligible, enrolled Muckleshoot Tribal members and must carry their Tribal identification while hunting.
4. Tribal members hunting migratory birds must also have a combined Migratory Bird Hunting Permit and Harvest Report Card.
5. The use of live decoys and/or baiting to pursue any species of waterfowl is prohibited.
6. Hunting for migratory birds is with shotgun only. Only steel, tungsten-iron, tungsten-polymer, tungsten-matrix, and tin shot are allowed for hunting waterfowl. It is unlawful to

use or possess lead shot while hunting waterfowl.

(p) *Navajo Nation, Navajo Indian Reservation, Window Rock, Arizona (Tribal Members and Nontribal Hunters).*

#### Band-tailed Pigeons

*Season Dates:* Open September 1 through September 30, 2020.

*Daily Bag and Possession Limits:* Five and 10 pigeons, respectively.

#### Mourning Doves

*Season Dates:* Open September 1 through September 30, 2020.

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

#### Ducks (Including Mergansers and Coots)

*Season Dates:* Open September 26, 2020, through January 31, 2021, for 107 days total.

*Daily Bag and Possession Limits:* Seven ducks, including no more than two hen mallards, one mottled duck, two canvasback, two scaup (when open; see “Scaup” entry), two redheads, and one pintail. Coot daily bag limit is 25. Merganser daily bag limit is seven. The possession limit is three times the daily bag limit.

#### Scaup

*Season Dates:* Open September 26, 2020, through January 31, 2021, for 86 days total.

*Daily Bag and Possession Limits:* Two scaup. Scaup count towards the daily bag limit for ducks and mergansers; see entry “Ducks (Including Mergansers and Coots).” The possession limit is



three times the daily bag limit.

#### Canada Geese

*Season Dates:* Open September 26, 2020, through January 31, 2021, for 107 days total.

*Daily Bag and Possession Limits:* Four and 12, 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 older 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.

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

#### Ducks (Including Mergansers)

*Season Dates:* Open September 12 through December 6, 2020.

*Daily Bag and Possession Limits:* Six, including no more than six mallards (three hen mallards), two redhead, two pintail, and one hooded merganser. The possession limit is twice the daily bag limit.

#### Geese

*Season Dates:* Open September 1 through December 31, 2020.

*Daily Bag and Possession Limits:* Five Canada geese and five white geese, with a possession limit of 10. A seasonal quota of 500 birds is adopted. If the quota is reached before the season

concludes, the season will be closed at that time.

#### Brant

*Season Dates:* Open September 1 through December 31, 2020.

*Daily Bag and Possession Limits:* Five brant, with a possession limit of 10.

#### Woodcock

*Season Dates:* Open September 1 through November 1, 2020.

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

#### Doves

*Season Dates:* Open September 1 through November 1, 2020.

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

*General Conditions:* Tribal member shooting hours are one-half hour before sunrise to one-half hour after sunset. Nontribal members hunting on the Reservation or on lands under the jurisdiction of the Tribe must comply with all State of Wisconsin regulations, including season dates, shooting hours, and bag limits, which differ from tribal member seasons. Tribal members and nontribal members hunting on the Reservation or on lands under the jurisdiction of the Tribe will observe all basic Federal migratory bird hunting regulations found in 50 CFR part 20, with the following exceptions: Tribal members are exempt from the purchase of the Migratory Waterfowl Hunting and Conservation Stamp (Duck Stamp); and shotgun capacity is not limited to three shells.

(r) *Point No Point Treaty Council, Kingston, Washington (Tribal Members Only).*

#### Jamestown S'Klallam Tribe

##### Ducks

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* Seven ducks, including no more than one harlequin duck per season.

##### Geese

*Season Dates:* Open September 7, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* The daily bag limits for Canada geese, light geese, and white-fronted geese are five, three, and 10, respectively. There is a year-round closure on dusky Canada geese. Possession limit is twice the daily bag limit.

##### Brant

*Season Dates:* Open January 11 through January 26, 2021.

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

##### Coots

*Season Dates:* Open September 7, 2020, through February 2, 2021.

*Daily Bag and Possession Limits:* 25 and 50 coots, respectively.

##### Mourning Doves

*Season Dates:* Open September 7, 2020, through January 20, 2021.

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

### Snipe

*Season Dates:* Open September 7, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* Eight and 16 snipe, respectively.

### Band-tailed Pigeons

*Season Dates:* Open September 7, 2020, through January 20, 2021.

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

### Port Gamble S'Klallam Tribe

#### Ducks

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* Seven ducks, including no more than two hen mallards, one canvasback, one pintail, two redhead, four scoters, and no more than one harlequin duck per season.

#### Geese

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* The daily bag limits for Canada geese, light geese, and white-fronted geese are Five, three, and 10, respectively. There is a year-round closure on dusky Canada geese. Possession limit is twice the daily bag limit.

## Brant

*Season Dates:* Open November 9, 2020, through January 31, 2021.

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

## Coots

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* Seven and 14 coots, respectively.

## Mourning Doves

*Season Dates:* Open September 1, 2020, through January 31, 2021.

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

## Snipe

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* Eight and 16 snipe, respectively.

## Band-tailed Pigeons

*Season Dates:* Open September 1, 2020, through March 10, 2021.

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

*General:* Tribal members must possess a tribal hunting permit from the Point No Point Tribal Council pursuant to tribal law. Hunting hours are from one-half hour before sunrise to sunset.

Hunters must observe all other basic Federal migratory bird hunting regulations in 50 CFR part 20.

(s) *The Saginaw Chippewa Indian Tribe of Michigan, Isabella Reservation, Mt.*

*Pleasant, Michigan (Tribal Members Only)*

Mourning Doves

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limit:* 25 doves.

Ducks

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limits:* 20, including no more than five hen mallards, five wood ducks, five black ducks, five pintails, five redheads, five scaup, and five canvasbacks.

Mergansers

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limit:* 10, including no more than five hooded mergansers.

Canada Geese

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limit:* 20 in the aggregate.

Coots and Gallinule

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limit:* 20 in the aggregate.

#### Woodcock and Mourning Doves

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limits:* 10 woodcock and 25 doves.

#### Common Snipe

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limits:* 16.

#### Sora and Virginia Rails

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limits:* 20 in the aggregate.

#### Sandhill Cranes

*Season Dates:* Open September 1, 2020, through January 31, 2021.

*Daily Bag Limit:* One.

*General:* Possession limits are twice the daily bag limits except for rails, of which the possession limit equals the daily bag limit (20). Tribal members must possess a tribal hunting permit from the Saginaw Tribe pursuant to tribal law. Shooting hours are one-half hour before sunrise until one-half hour after sunset. Hunters must observe all other basic Federal migratory bird hunting regulations in 50 CFR part 20.

(t) *Sauk-Suiattle Indian Tribe, Darrington, Washington (Tribal Members Only)*

Mourning Doves

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag Limits:* 10 doves.

Band-tailed Pigeons

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag Limits:* 10 pigeons.

Ducks

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag Limits:* 20.

Geese

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag Limit:* 10 geese.



## Coots

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag Limit:* 25 coots.

## Brant

*Season Dates:* Open September 1, 2020, through March 10, 2021.

*Daily Bag Limits:* Five brant.

*General:* Shooting hours are one-half hour before sunrise until one-half hour after sunset.

Hunters must observe all other basic Federal migratory bird hunting regulations in 50 CFR part 20.

(u) *Sault Ste. Marie Tribe of Chippewa Indians, Sault Ste. Marie, Michigan (Tribal Members Only).*

## Mourning Doves

*Season Dates:* Open September 1 through November 14, 2020.

*Daily Bag Limit:* 10 doves.

## Teal

*Season Dates:* Open September 1 through December 31, 2020.

*Daily Bag Limits:* 20 in the aggregate.

## Ducks

*Season Dates:* Open September 15 through December 31, 2020.

*Daily Bag Limits:* 20, including no more than 10 mallards (only five of which may be hens), five canvasback, five black ducks, and five wood ducks.

#### Mergansers

*Season Dates:* Open September 15 through December 31, 2020.

*Daily Bag Limit:* 10 in the aggregate.

#### Geese

*Season Dates:* Open September 1 through December 31, 2020.

*Daily Bag Limit:* 20 in the aggregate.

#### Coots and Gallinule

*Season Dates:* Open September 1 through December 31, 2020.

*Daily Bag Limit:* 20 in the aggregate.

#### Woodcock

*Season Dates:* Open September 2 through December 1, 2020.

*Daily Bag Limits:* 10.

#### Common Snipe

*Season Dates:* Open September 15 through December 31, 2020.

*Daily Bag Limits:* 16.

## Sora and Virginia Rails

*Season Dates:* Open September 1 through December 31, 2020.

*Daily Bag Limits:* 20 in the aggregate.

*General:* Possession limits are twice the daily bag limits except for rails, of which the possession limit equals the daily bag limit (20). Tribal members must possess a tribal hunting permit from the Sault Ste. Marie Tribe pursuant to tribal law. Shooting hours are one-half hour before sunrise until one-half hour after sunset. Hunters must observe all other basic Federal migratory bird hunting regulations in 50 CFR part 20.

(v) *Shoshone–Bannock Tribes, Fort Hall Indian Reservation, Fort Hall, Idaho (Nontribal Hunters).*

## Ducks, Including Mergansers

*Duck Season Dates:* Open October 3, 2020, through January 19, 2021.

*Scaup Season Dates:* Open October 3 through December 28, 2020.

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

## Coots

*Season Dates:* Same as ducks.

*Daily Bag and Possession Limits:* 25 coots. The possession limit is three times the daily bag

limit.

#### Common Snipe

*Season Dates:* Same as ducks.

*Daily Bag and Possession Limits:* Eight and 24 snipe, respectively.

#### Canada Geese

*Season Dates:* Open October 3, 2020, through January 19, 2021.

*Daily Bag and Possession Limits:* Four and 12, respectively.

#### White-fronted Geese

*Season Dates:* Open October 3, 2020, through January 19, 2021.

*Daily Bag and Possession Limits:* 10 and 30, respectively.

#### Light Geese

*Season Dates:* Open October 3, 2020, through January 19, 2021.

*Daily Bag and Possession Limits:* 20 and 60, 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.

(w) *Skokomish Tribe, Shelton, Washington (Tribal Members Only)*.

#### Ducks

*Season Dates:* Open September 16, 2020, through February 28, 2021.

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

#### Geese

*Season Dates:* Open September 16, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* Four, including no more than three light geese. The season on Aleutian Canada geese is closed. The possession limit is twice the daily bag limit.

#### Brant

*Season Dates:* Open November 1, 2020, through February 15, 2021.

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

#### Coots

*Season Dates:* Open September 16, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* 25 and 50 coots, respectively.

#### Mourning Doves

*Season Dates:* Open September 16, 2020, through February 28, 2021.

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

#### Band-tailed Pigeons

*Season Dates:* Open September 16, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* Two and four band-tailed pigeons, respectively.

#### Snipe

*Season Dates:* Open September 16, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* Eight and 16 snipe, respectively.

*General Conditions:* Tribal members must possess a tribal hunting permit from the Skokomish Indian Tribe pursuant to tribal law. Shooting hours are one-half hour before sunrise until sunset. Hunters must observe all other basic Federal migratory bird hunting regulations in 50 CFR part 20.

*(x) Spokane Tribe of Indians, Wellpinit, Washington (Tribal Members Only).*

#### Ducks

*Season Dates:* Open September 2, 2020, through January 31, 2021.

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

#### Geese

*Season Dates:* Open September 2, 2020, through January 31, 2021.

*Daily Bag and Possession Limits:* Four Canada geese, 10 white-fronted geese, and 20 light geese. The possession limit is twice the daily bag limit.

*General Conditions:* Tribal members must possess a tribal hunting permit from the Spokane Indian Tribe pursuant to tribal law. Shooting hours are one-half hour before sunrise until sunset. Hunters must observe all other basic Federal migratory bird hunting regulations in 50 CFR part 20.

(y) [Reserved]

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

Common Snipe

*Season Dates:* Open October 1, 2020, through January 31, 2021.

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

Ducks

*Season Dates:* Open October 1, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* 10 ducks, including no more than seven mallards (only three of which may be hens), three pintails, three redheads, three scaup, and three canvasback. The possession limit is twice the daily bag limit.

Coots

*Season Dates:* Open October 1, 2020, through January 31, 2021.

*Daily Bag and Possession Limits:* 25 coots. The possession limit is twice the daily bag limit.

## Geese

*Season Dates:* Open October 1, 2020, through March 10, 2021.

*Daily Bag and Possession Limits:* Six Canada geese, 12 white-fronted geese, and eight snow geese. The possession limit is three times the daily bag limit. The season on brant is closed.

## Swans

*Season Dates:* Open October 1, 2020, through January 31, 2021.

*Bag Limit:* Two per year.

*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. The swan season is by special draw permit only.

(aa) *Swinomish Indian Tribal Community, LaConner, Washington (Tribal Members Only).*

## Ceded Territory and Swinomish Reservation

### Ducks and Mergansers

*Season Dates:* Open September 1, 2020, through March 9, 2021.

*Daily Bag and Possession Limits:* 20 and 40, respectively.



## Canada Geese

*Season Dates:* Open September 1, 2020, through March 9, 2021.

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

## Brant

*Season Dates:* Open September 1, 2020, through March 9, 2021.

*Daily Bag and Possession Limits:* Five and 10 brant, respectively.

## Coots

*Season Dates:* Open September 1, 2020, through March 9, 2021.

*Daily Bag and Possession Limits:* 25 and 75 coots, respectively.

## Mourning Doves

*Season Dates:* Open September 1, 2020, through March 9, 2021.

*Daily Bag and Possession Limits:* 15 and 30 mourning doves, respectively.

## Band-tailed Pigeons

*Season Dates:* Open September 1, 2020, through March 9, 2021.

*Daily Bag and Possession Limits:* Three and six band-tailed pigeons, respectively.

## Snipe

*Season Dates:* Open September 1, 2020, through March 9, 2021.

*Daily Bag and Possession Limits:* 15 and 30 snipe, respectively.

*General Conditions:* Shooting hours are from 30 minutes before sunrise until 30 minutes after sunset. Tribal members are required to use steel shot or a nontoxic shot as required by Federal regulations.

(bb) *The Tulalip Tribes of Washington, Tulalip Indian Reservation, Marysville, Washington (Tribal Members Only).*

Ducks and Mergansers

*Season Dates:* Open September 1, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* 15 ducks, including no more than one pintail and two canvasback. Possession limit is twice the daily bag limit.

Sea Ducks

*Season Dates:* Open September 1, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* 15 sea ducks, including no more than four harlequin. Possession limit is twice the daily bag limit.

Geese

*Season Dates:* Open September 1, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* 15 geese, including no more than 10 cackling Canada geese or 10 dusky Canada geese. Possession limit is twice the daily bag limit.

## Brant

*Season Dates:* Open September 1, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* Five and 10 brant, respectively.

## Coots

*Season Dates:* Open September 1, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* 25 and 25 coots, respectively.

## Snipe

*Season Dates:* Open September 1, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* Eight and 16 snipe, respectively.

*General Conditions:* All tribal hunters must have a valid Tribal identification card on his or her person while hunting. All nontribal hunters must obtain and possess while hunting a valid Tulalip Tribe hunting permit and be accompanied by a Tulalip Tribal member. Shooting hours are one-half hour before sunrise to sunset, and steel or federally approved nontoxic shot is required for all migratory bird hunting. Hunters must observe all other basic Federal migratory bird hunting regulations in 50 CFR part 20.

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

## Mourning Doves

*Season Dates:* Open September 1 through December 31, 2020.

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

## Ducks

*Season Dates:* Open October 1, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* 15 and 20, respectively.

## Coots

*Season Dates:* Open October 1, 2020, through February 15, 2021.

*Daily Bag and Possession Limits:* 20 and 30, respectively.

## Geese

*Season Dates:* Open October 1, 2020, through February 28, 2021.

*Daily Bag and Possession Limits:* Seven and 10 geese, respectively.

## Brant

*Season Dates:* Open November 1 through 10, 2020.

*Daily Bag and Possession Limits:* Two and two, 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 15 minutes before official sunrise to 15 minutes after official sunset.

(dd) [Reserved]

(ee) *White Earth Band of Ojibwe, White Earth, Minnesota (Tribal Members Only).*

#### Ducks

*Season Dates:* Open September 12 through December 13, 2020.

*Daily Bag Limit:* 10 ducks, including no more than two female mallards, two pintails, and two canvasback.

#### Mergansers

*Season Dates:* Open September 12 through December 13, 2020.

*Daily Bag Limit:* Five mergansers, including no more than two hooded mergansers.

#### Geese

*Season Dates:* Open September 1 through December 13, 2020.

*Daily Bag Limit:* 10 geese through September 20, and five thereafter.

#### Coots

*Season Dates:* Open September 1 through November 30, 2020.

*Daily Bag Limit:* 20 coots.

#### Snipe

*Season Dates:* Open September 1 through November 30, 2020.

*Daily Bag Limit:* 10 snipe.

Mourning Doves

*Season Dates:* Open September 1 through November 30, 2020.

*Daily Bag Limit:* 25 mourning doves.

Woodcock

*Season Dates:* Open September 1 through November 30, 2020.

*Daily Bag Limit:* 10 woodcock.

Rail

*Season Dates:* Open September 1 through November 30, 2020.

*Daily Bag Limit:* 25 rail.

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

(ff) *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, 2020.

*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, 2020.

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

Ducks and Mergansers

*Season Dates:* Open October 17, 2020, through January 24, 2021.

*Daily Bag Limits:* Seven, including no more than two redheads, one pintail, two scaup (when open; see entry “Scaup”), seven mallards (including no more than two hen mallards), and two canvasback.

*Possession Limits:* Twice the daily bag limit.

Scaup

*Season Dates:* Open November 7, 2020, through January 24, 2021.

*Daily Bag Limits:* Two scaup. Scaup count towards the daily bag limit for ducks and mergansers; see entry “Ducks and Mergansers.”

*Possession Limits:* Twice the daily bag limit.

Coots

*Season Dates:* Open October 17, 2020, through January 24, 2021.

*Daily Bag and Possession Limits:* 25 and 50, respectively.

Canada Geese

*Season Dates:* Open October 17, 2020, through January 24, 2021.

*Daily Bag and Possession Limits:* Three and six Canada geese, respectively.

*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.

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**George Wallace**

*Assistant Secretary for Fish and Wildlife and Parks.*

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