

in key tundra swan hunting areas, i.e., Montana (Pacific Flyway portion) - Freezeout Lake and currently hunted areas east of U.S. Highway 287 between Augusta and Choteau and east of U.S. Highway 89 between Choteau and the Blackfeet Indian Reservation; Utah - Great Salt Lake Basin, specifically those portions of Box Elder, Weber, Davis, Salt Lake and Tooele Counties that lie south of Utah State Highway 30 and Interstate 84, west of Interstate 15, and north of Interstate 80; Nevada - same as in 1994 because swan hunting is currently restricted to concentration areas in western Nevada; and (3) identifying specific hunt management actions and prohibitions on the Bear River Migratory Bird Refuge in Utah.

Should the above three recommendations regarding tundra swan hunting be fully implemented, TTSS would not object to the Service authorizing an accidental harvest quota of not more than 25 trumpeter swans for the Pacific Flyway States and, thereby, removing liability from tundra swan hunters mistakenly shooting a trumpeter swan. The quota would be subject to the following: (1) the quota would be allocated prior to the season, (2) a State could optionally zone and allocate the quota among zones before the season, but the zone or entire Statewide hunt area will close immediately if the quota is attained, (3) require that swans be tagged immediately and brought in to be checked and measured within 3 days, and (4) each permittee must either check a tagged bird or submit an unused tag at the end of the season, with penalties for noncompliance. Specific efforts to monitor RMP trumpeter swans and to educate hunters were recommended.

Service Response: During 1994, the Service restricted the tundra swan season and hunt areas in Utah and required Montana, Utah, and Nevada to measure the accidental take, if any, of trumpeter swans during the tundra swan seasons. Pending reports on the occurrence and take of trumpeter swans in the hunt areas last year, possible additional changes may be warranted. The Service believes continued tundra swan hunting in these three States is warranted but that seasons may be modified to minimize, but not preclude, the accidental take of trumpeter swans. A general swan season with a limited, biologically acceptable, but very controlled take of trumpeter swans may be a feasible approach to accommodate management objectives for both species. Final decision on such an approach, however, will be deferred until the late-season final frameworks, when all public comment has been considered.

9. Sandhill Cranes

The Central Flyway Council recommended that the Wyoming sandhill crane hunting season be expanded to Park and Bighorn Counties.

The Pacific Flyway Council recommended following the management plan with respect to seasons on the Rocky Mountain Population of greater sandhill cranes. Pending final results of the March 1995 survey which should be available in June 1995, harvest guidelines would allow an open season in the States of Arizona, Colorado, Idaho, Montana, New Mexico, Utah, and Wyoming if the population is above 16,000 cranes; otherwise, there would be no open season. With an open season, there would be no change in frameworks.

14. Woodcock

The Atlantic Flyway Council recommended that woodcock season frameworks remain unchanged in the Eastern Region for 1995-96 unless adverse weather substantially depresses the breeding populations as measured by the 1995 Singing Ground Survey. The Council believes that population declines are attributed to habitat loss and degradation rather than due to current harvest levels.

18. Alaska

The Pacific Flyway Council recommended changes in bag and possession limits for ducks in Alaska. Specifically, the Council requested for the framework set and the combined moderate-liberal framework set, respectively, the following bag and possession limits: North Zone 8/24 or 10/30, Gulf Coast Zone 6/18 or 8/24, and Southeast, Pribilof/Aleutian, and Kodiak zones 5/15 or 7/21; pintail limits 2/4; and canvasback limits 2/4. Sea duck limits of 15/30 would be separate, with seasons to remain closed on spectacled and Steller's eiders.

20. Puerto Rico

Puerto Rico recommended that the daily bag limit for ducks be increased from 3 to 4 birds and that the daily bag limit for snipe be increased from 6 to 8 birds.

Public Comment Invited

The Service intends that adopted final rules be as responsive as possible to all concerned interests, and therefore desires to obtain for consideration the comments and suggestions of the public, other concerned governmental agencies, non-governmental organizations, and other private interests on these proposals. Such comments, and any

additional information received, may lead to final regulations that differ from these proposals.

Special circumstances are involved in the establishment of these regulations which limit the amount of time that the Service can allow for public comment. Specifically, two considerations compress the time in which the rulemaking process must operate: (1) the need to establish final rules at a point early enough in the summer to allow affected State agencies to appropriately adjust their licensing and regulatory mechanisms; and (2) the unavailability, before mid-June, of specific, reliable data on this year's status of some waterfowl and migratory shore and upland game bird populations. Therefore, the Service believes that to allow comment periods past the dates specified is contrary to the public interest.

Comment Procedure

It is the policy of the Department of the Interior, whenever practical, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may participate by submitting written comments to the Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, ms 634—ARLSQ, 1849 C Street, NW., Washington, DC 20240. Comments received will be available for public inspection during normal business hours at the Service's office in room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia. All relevant comments received during the comment period will be considered. The Service will attempt to acknowledge received comments, but substantive response to individual comments may not be provided.

NEPA Consideration

NEPA considerations are covered by the programmatic document, "Final Supplemental Environmental Impact Statement: Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (FSER 88-14)," filed with EPA on June 9, 1988. Notice of Availability was published in the **Federal Register** on June 16, 1988 (53 FR 22582). The Service's Record of Decision was published on August 18, 1988 (53 FR 31341). Copies of these documents are available from the Service at the address indicated under the caption **ADDRESSES**.

Endangered Species Act Consideration

As in the past, hunting regulations this year will be designed, among other