

## DEPARTMENT OF THE INTERIOR

## Fish and Wildlife Service

## 50 CFR Part 20

RIN 1018-AC79

**Migratory Bird Hunting; Proposed Frameworks for Early-Season Migratory Bird Hunting Regulations**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; Supplemental.

**SUMMARY:** The Fish and Wildlife Service (hereinafter the Service) is proposing to establish the 1995-96 early-season hunting regulations for certain migratory game birds. The Service annually prescribes frameworks, or outer limits, for dates and times when hunting may occur and the maximum number of birds that may be taken and possessed in early seasons. These frameworks are necessary to allow State selections of final seasons and limits and to allow recreational harvest at levels compatible with population status and habitat conditions.

**DATES:** The comment period for proposed early-season frameworks will end on July 31, 1995; and for late-season proposals on September 4, 1995. A public hearing on late-season regulations will be held on August 3, 1995, starting at 9 a.m.

**ADDRESSES:** The August 3 public hearing will be held in the Auditorium of the Department of the Interior Building, 1849 C Street, NW., Washington, DC. Written comments on these proposals and notice of intention to participate in the late-season hearing should be sent in writing to the Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, room 634—Arlington Square, Washington, DC 20240. Comments received will be available for public inspection during normal business hours in room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia.

**FOR FURTHER INFORMATION CONTACT:** Paul R. Schmidt, Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, (703) 358-1714.

**SUPPLEMENTARY INFORMATION:****Regulations Schedule for 1995**

On March 24, 1995, the Service published for public comment in the **Federal Register** (60 FR 15642) a proposal to amend 50 CFR part 20. Comment periods were specified to end June 21 and September 4, 1995, respectively. Due to some unforeseen and uncontrollable publishing delays in the proposed early-season regulations

frameworks, the Service has extended the public comment period to July 31, 1995. On June 16, 1995, the Service published for public comment a second document (60 FR 31890) which provided supplemental proposals for early- and late-season migratory bird hunting regulations frameworks.

On June 22, 1995, a public hearing was held in Washington, DC, as announced in the March 24 and June 16 **Federal Registers** to review the status of migratory shore and upland game birds. Proposed hunting regulations were discussed for these species and for other early seasons.

This document is the third in a series of proposed, supplemental, and final rulemaking documents for migratory bird hunting regulations and deals specifically with proposed frameworks for early-season regulations. It will lead to final frameworks from which States may select season dates, shooting hours, and daily bag and possession limits for the 1995-96 season. All pertinent comments received through June 22, 1995, have been considered in developing this document. In addition, new proposals for certain early-season regulations are provided for public comment. Comment periods are specified above under **DATES**. Final regulatory frameworks for early seasons are scheduled for publication in the **Federal Register** on or about August 16, 1995.

This supplemental proposed rulemaking consolidates further changes in the original framework proposals published in the March 24 **Federal Register**. The regulations for early waterfowl hunting seasons proposed in this document are based on the most current information available about the status of waterfowl populations and habitat conditions on the breeding grounds.

**Presentations at Public Hearing**

Four Service employees presented reports on the status of various migratory bird species for which early hunting seasons are being proposed. These reports are briefly reviewed as a matter of public information.

Dr. John Bruggink, Eastern Shore and Upland Game Bird Specialist, reported on the 1995 status of American woodcock. The 1994 recruitment index for the Eastern Region (1.4 immatures per adult female) was 17.6% below the long-term regional average; the recruitment index for the Central Region (1.5 immatures per adult female) was 11.8% below the long-term regional average. Daily hunting success in the Eastern Region decreased from 1.4 woodcock bagged per hunter in 1993 to

1.2 woodcock bagged per hunter in 1994 (-14.3%). The seasonal hunting success index decreased from 6.7 to 5.9 woodcock per hunter (-11.9%). In the Central Region, the daily success index decreased from 1.6 birds per hunter in 1993 to 1.4 birds per hunter in 1994 (-12.5%), and the seasonal success index decreased from 10.0 to 8.7 (-13.0%) woodcock bagged per hunter. Analysis of Singing-ground Survey data indicated that the number of displaying woodcock may have increased between 1994 and 1995 in the Eastern and Central regions (6.9 and 5.6%, respectively). Eleven-year (1985-95) trends from the Singing-ground Survey were negative (-2.0% and -2.8% per year for the Eastern and Central regions, respectively). There were long-term (1968-95) declines of 2.4% per year in the Eastern Region and 1.4% per year in the Central Region.

Mr. David Dolton, Western Shore and Upland Game Bird Specialist, presented the status of the mourning dove population in 1995. The report summarized call-count information gathered over the past 30 years. Trends were calculated for the most recent 2 and 10-year intervals and for the entire 30-year period. Between 1994 and 1995, the average number of doves heard per route declined significantly in the Central Management Unit, but did not change significantly in the Eastern or Western Units. No significant trend was found in doves heard in the Eastern or Central Units for either the 10 or 30-year time frames. In the Western Unit, no trend was evident over the most recent 10 years, but there has been a significant decline over 30 years. Trends for doves seen at the unit level over the 10 and 30-year periods agreed with trends for doves heard.

Mr. Dolton also presented the status of western white-winged doves in Arizona. Since the 1980s, whitewing numbers have remained relatively stable. The 1995 whitewing call-count index of 31.2 doves heard per route was 16 percent above the index in 1994. The harvest has been around 100,000 since 1987. In 1994, an estimated 122,000 birds were harvested.

Mr. Dolton then reported on the status of eastern white-winged doves and white-tipped doves in Texas. Results of the 1994 whitewing call-count survey indicate 440,000 birds were nesting in the Lower Rio Grande Valley Counties of Starr, Hidalgo, Cameron, and Willacy. This is a 28 percent decrease from 1994, but 7.3 percent above the average count of 410,200 for the previous 10 years. In Upper South Texas, an estimated 625,000 whitewings were nesting throughout a 19-county area. This is an 8 percent increase over last year's