FEDERAL FACILITIES DOCKET—CORRECTION REPORT—Continued

	Facility name	Facility address	City	State	Zip code	Agency	Reporting mechanism	Correction codes
C	Marine Corps Logistics Base Barstow.	Barstow	Barstow	CA	92311	Navy	3005 3010 3016 103c 103a	23
O	Naval Communication Station Stockton.	Rough & Ready Island	Stockton	CA	95203	Navy	3005 3010 3016 103c	
C	Naval Communication Station Stockton.	Rough & Ready Island	Stockton	CA	95203	Navy	3005 3010 3016 103c 103a	23
O	Pacific Missile Test Center Point Mugu.		Point Mugu	CA	93042	Navy	3005 3010 103c	
C	Pacific Missile Test Center Point Mugu.		Point Mugu	CA	93042	Navy	3005 3010 103c 103a	23
O	US DOE Nevada Test Site (Reynold's Elect).	Nevada Operations Office PO Box 98518.	Las Vegas	NV	89193–8518	Energy	3005 3010 3016 103c	
C	US DOE Nevada Test Site (Reynold's Elect).	Nevada Operations Office PO Box 98518.	Las Vegas	NV	89193–8518	Energy	3005 3010 3016 103c 103a	23
O	Bethel AFS	Airport-W, End of Main Road	Bethel	AK	99559	Air Force	3010 103c	
C	Bethel AFS	Airport-W, End of Main Road	Bethel	AK	99559	Air Force	3010 3016 103c	23
O	Cape Newenham AFS	11 TCW/CC Bay	Elmendorf AFB	AK	99506	Air Force	3010 103c	
C	Cape Newenham AFS	11 TCW/CC Bay	Elmendorf AFB	AK	99506	Air Force	3010 3016 103c	23
O	Murphy Dome AFS	11 TCW/CC	Elmendorf AFB	AK	99506	Air Force	3010	
C	Murphy Dome AFS	11 TCW/CC	Elmendorf AFB	AK	99506	Air Force	3010 3016	23
O	USAF-Bear Creek AFS Landfill	Yukon River on N. Shore	Tanana	AK	99777	Air Force	103c	
C	USAF-Bear Creek AFS Landfill	Yukon River on N. Shore	Tanana	AK	99777	Air Force	3016 103c	23
O	USAF-White Alice Site Kotzebue.	NW Corner of Baldwin Peninsula.	Kotzebue	AK	99752	Air Force	103c	
C	USAF-White Alice Site Kotzebue.	NW Corner of Baldwin Peninsula.	Kotzebue	AK	99752	Air Force	3010 103c	23
O	BLM-W. German Lake	T7SR25ESec9		ID		Interior	103c	
C	BLM-German Lake	T7SR25ESec 10	Minidoka	ID	83343	Interior	103c	20A
O	Idaho Air National Guard-Gowen Field.	43 33 N, 116 13 W	Boise	ID		Interior	103c	
C	Idaho Air National Guard-Gowen Field.	43 33 N, 116 13 W	Boise	ID		Interior	3005 3010 103c	23
O	USDOI-BM Albany Lab	1450 SW Queen Ave	Albany	OR	97321	Interior	3010	
C	USDOI-BM Albany Lab	1450 SW Queen Ave	Albany	OR	97321	Interior	3010 3016	23
O	Willamette National Forest	Box 10607	Eugene	OR	97440	Agriculture	103c	
C	Willamette National Forest	Box 10607	Eugene	OR	97440	Agriculture	3016 103c	20A, 23
O	US Army Fort Lewis	9th Inf Div Attn AFZH-DEQ	Fort Lewis	WA	98433	Army	3005 3010 3016 103c	
C	US Army Fort Lewis	9th Inf Div Attn AFZH-DEQ	Fort Lewis	WA	98433	Army	3005 3010 3016 103c 103a	23
O	USCOE-Hamilton Island Ldfl	Bonneville Lock & Dam	North Bonneville	WA	98639	Corps of Engineers, Civil.	103c	
C	USCOE-Hamilton Island Ldfl	Bonneville Lock & Dam	North Bonneville	WA	98639	Corps of Engineers, Civil.	3016 103c	23
O	USDA Pac NW Forest Range Exp Sta.	3625 93rd Ave S	Tumwater	WA	98501	Agriculture	103c	
C	USDA Pac NW Forest Range Exp Sta.	3625 93rd Ave S	Tumwater	WA	98501	Agriculture	3016 103c	23

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Friday
September 27, 1991

Part V

Department of Justice

Office of Juvenile Justice and Delinquency Prevention

Notice of Fiscal Year 1991 Competitive Discretionary Grant Program: Testing Incident-Based Reporting Systems for Studying Child Abductions

DEPARTMENT OF JUSTICE

Office of Juvenile Justice and Delinquency Prevention

Notice of Fiscal Year 1991 Competitive Discretionary Grant Program: Testing Incident-Based Reporting Systems for Studying Child Abductions

AGENCY: Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

ACTION: Notice of Issuance of solicitation for applications to test incident-based reporting systems for studying child abductions.

SUMMARY: The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is publishing this Notice of a Competitive Discretionary Grant Program and announcing the availability of the OJJDP application kit under section 404(b)(2)(D) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (the Act) 42 U.S.C. 5773 (b)(2)(D). The program announcement that follows contains specific instructions on competitive program requirements, including eligibility requirements and selection criteria. Following the program announcement is a section that summarizes general application and administrative requirements.

DATES: All applications must be received by 5 p.m. e.d.t., November 26, 1991. Applications received after the deadline date will not be considered.

ADDRESSES: Applications must be mailed or sent to: Research and Program Development Division, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue, NW., Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: Joseph Moone at the above address. Telephone: (202) 307–5929.

Purpose

In 1990, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) completed the first National Incidence Studies of Missing, Abducted, Runaway and Thrownaway Children (NISMART). These studies were completed in response to the statutory requirement set forth in section 404(b)(3) of the Juvenile Justice and Delinquency Act of 1974 as amended, 42 U.S.C. 5773(b)(3), to conduct periodic national studies of the incidence of missing children. In part, this subsection requires a count of the number of children who were victims of stranger abductions.

At the time of this first study, there was no national source of data suitable to study this population. One had to be created. The NISMART team developed three different research strategies for estimating the size of this population and the characteristics of the victims and offenders. Non-family abductions (including abductions by strangers) were studied as part of a large national survey of households, through secondary analysis of national data on child homicides reported to the Federal Bureau of Investigation (FBI), and through the collection of new data from a nationally representative sample of police departments.

While these studies contributed significantly to the understanding of this problem nationally, the effort, particularly the new data collection from police records, was labor intensive, costly and time consuming. Also, while NISMART produced national estimates of legally defined non-family abductions, it was not possible to produce detailed estimates for States or cities. The recent redesign of the Uniform Crime Reports (UCR) can potentially overcome these difficulties and become a standard source for studying non-family abductions on a national and state level. The OJJDP is interested in examining this potential. With the support of the FBI and the Bureau of Justice Statistics, several States have begun to implement this redesigned system, called the National Incident Based Reporting System (NIBRS). NIBRS promises to provide a level of detail in offense and arrest reports that was previously unavailable through the UCR.

The Office of Juvenile Justice and Delinquency Prevention will fund a study of NIBRS to determine its potential for studying the incidence of non-family abduction of children and as data source for examining child sexual exploitation. This study is to be a methodological test of NIBRS data to produce valid and reliable estimates of the numbers of child victims of non-family abduction and sexual exploitation in selected jurisdictions. It is expected that this study will build upon NISMART and provide recommendations for the design of a second NISMART project (NISMART II).

Background

During the 1980's awareness of the problem of missing children grew considerably in this country. Concern grew in Congress about the lack of sufficient statistics to understand this phenomenon fully. To rectify this lack of reliable data, Congress amended the JJDP Act in 1984 to require periodic studies of the incidence of missing children in the United States.

The OJJDP completed the first National Incidence Studies of Missing, Abducted, Runaway and Thrownaway Children (NISMART) in 1990. This study recognized that the missing children phenomenon actually consists of five distinct categories: Family abductions, non-family abduction, runaways, thrown aways, and otherwise missing. By far the most traumatic and best publicized cases concern non-family abductions.

At the time of this study, no national data collection effort covered these cases in sufficient detail to determine which cases needed to be examined. Similarly, no national data collection effort provided specific information about specific incidents. To study the incidence of stranger or non-family abductions, NISMART conducted a probability survey of 83 police departments in a random sample of 21 counties. This survey examined homicide, missing persons, and sexual assault files to identify those cases that met the study definitions of abduction. With regard to non-family abductions, NISMART estimated that:

- Annually, between 3,200 and 4,600 children are abducted by non-family members;
- Of these, 200–300 conform to the stereotype of non-family abductions;
- Most of those children abducted were teenagers;
- Most were female;
- Over two-thirds of the cases involved sexual assault;
- Most abductions lasted less than 24 hours; and
- In 14 to 21 percent of the cases the child abducted was injured.

Abductions can occur as a part of many different crimes. The NISMART wanted to capture all abduction cases and not just those defined as abductions in the files. The NISMART researchers therefore searched not only the abduction files, but also the homicide and sex offense records of the police agencies. Due to resource limitations, the NISMART could examine only a sample of the records classified under these categories.

Such records surveys are very time consuming and very expensive. Such studies tend to rely on smaller sample sizes, and they are not updated as frequently as they ought. Fortunately, advances in technology and data collection can make examination of such records much simpler, less expensive, and much more comprehensive.

In collaboration with the Bureau of Justice Statistics, the FBI is adapting its UCR reporting system from aggregate reporting to incident level reporting. This development presents an entirely new opportunity for investigating child abductions. With the elimination of the hierarchy rule in NIBRS, secondary offenses can be analyzed along with abductions. The NIBRS system further indicates the victim-offender relationship. It also reports attempted crimes allowing for studies of attempted abductions. With the profile information compiled for each incident, OJJDP can construct better figures to guide police and policy makers in the prevention and investigation of such problems.

The National Incident Based Reporting System (NIBRS) grew out of the FBI's Uniform Crime Report (UCR) which began collecting national crime statistics in 1930. This radically new development collected data from police jurisdictions all over the country. This data collection effort relied on summary statistics from police jurisdictions around the country. Although it began as a voluntary effort, eventually almost every police department submitted data to the FBI. It then became the national source for crime statistics.

Although primitive by today's standards, the UCR was indeed a masterwork for the time. However, as technology progressed, the UCR system did not. It has remained static for a variety of reasons including consistency issues, and the expense of new technology. As microcomputer technology advanced and became more cost effective even for small police departments, a trend towards incident tracking developed. The FBI responded to these trends with an effort to reconfigure the UCR reporting system.

In 1982, the Bureau of Justice Statistics funded a comprehensive study of the UCR program with an eye towards improving the system overall. The results of that study were reported in the 1985 report Blueprint for the Future of the Uniform Crime Reporting Program. This report in fact did function as the blueprint for revising the UCR. It called for a change from summary statistics for each police jurisdiction to incident based statistics. After a pilot study in 1987, the Federal Bureau of Investigation (FBI) began a nationwide program to update the UCR to this new incident based system. This new system, the National Incident-Based Reporting System (NIBRS) will eventually become the standard for reporting crime data to the FBI.

As its name suggests, NIBRS uses the incident as its unit of reporting whereas the old UCR relied on a single offense ranked by a seriousness hierarchy. With this change comes a greater amount of flexibility for studying criminality and crime patterns. Beyond this change, NIBRS has also expanded offense reporting and revised offense definitions. NIBRS also has greater specificity in reporting, including types of weapons, victim characteristics, offender characteristics, and even the relationship between the victim and offender. NIBRS has eliminated the hierarchy rule and now allows up to 10 offenses per incident and 10 victims per offense. This new system distinguishes between completed and attempted crimes for all offenses. NIBRS has also significantly increased the level of detail in the circumstances of the offense. The FBI has specified 53 data elements that must be included in the national reporting system; however, States are free to expand this list to fit their own tracking needs. Because this system is so comprehensive and because States are anxious to adopt this new automation system, many States have expanded the list of variables.

With the FBI's new Incident Based Reporting System, the possibility now exists to look at police reports nationally on an incident level. Presently, though, there is no definite answer as to whether this system contains the level of detail, reliability, and validity to measure non-family child abductions.

Goals

This project will determine the feasibility of using the National Incident Based Reporting System for studying the incidence of attempted and completed non-family child abductions and related victimization of children. In particular, this study will determine the validity and reliability of any non-family abduction estimates computed from NIBRS data. If the use of NIBRS for such studies is deemed feasible, the project will also develop a plan and methodology for routine use of NIBRS for the study of non-family child abductions.

This project will have considerable impact on other current OJJDP efforts. This project will serve as a preliminary study for use with future NISMART studies. It will also provide valuable information on the uses of NIBRS to study juvenile victimization and offending. The OJJDP is also conducting a program to increase understanding of child exploitation. Each of these projects will benefit greatly from the knowledge and experience of this project. Therefore, the OJJDP expects close cooperation between the recipient of this cooperative agreement and other OJJDP grantees and contractors.

Objectives

(1) Conduct a pilot study of NIBRS systems in up to five jurisdictions (States, counties, or cities) that presently have an Incident Based Reporting system to assess the completeness of such information particularly with regard to the recording of multiple offenses, victim information, and the relationship of the victim to the offender.

(2) Using existing NISMART definitions of non-family abductions, develop and refine the study definitions for use with NIBRS data and specify offense categories for sexual exploitation.

(3) Compare the level of detail in State and local data sets with the detail in the FBI standards. Using this data, provide a comparison of each, indicating whether or not the State IBR systems provide better estimates of non-family child abductions.

(4) Develop a technical methodology for extracting the necessary non-family abduction data from the NIBRS systems for use in researching the incidence of non-family abductions.

(5) Assess the relative benefit of using NIBRS data for studying non-family abductions as opposed to another data source or survey method.

(6) Cooperate fully with the planning phase of NISMART II, the Program to increase Understanding of Child Exploitation, and the OJJDP Statistics and Systems Development Project.

Program Strategy

First, this program will develop a research design and methodology to test the feasibility of using NIBRS to estimate the incidence of non-family abductions. Because States individually set up their own Incident Based Reporting systems based on State procedures and statutes, this research design should include a process for examining State IBR systems and for the analysis of non-family abductions.

This initial portion of the project should also examine the definitions used in NISMART to determine a non-family abduction case and compare these definitions to NIBRS. Based on these definitions, the project will determine what crosswalks can be constructed to translate data between NIBRS definitions and NISMART definitions. In particular this analysis should highlight any loss or gain in detail when translating between these definitions.

Second, this project will select for case study several sites that presently have an Incident Based Reporting System based on the FBI model. Using the IBR system, a pilot study of these sites, should be conducted to determine the incidence of child abductions and sex exploitation. This pilot study should include the following activities:

(1) Survey other official records from these sites to determine which records can be considered abductions and exploitation cases. Specific records to be searched will require that several types of cases be searched to ensure that all cases of interest are included in the survey (*e.g.* homicide, sexual assault, and others as listed in NISMART).

(2) Compare the two and deduce the feasibility of using the National IBR system and/or the State level IBR systems to conduct incidence studies on these two particular issues.

(3) Compare the data elements required by the FBI with the data elements collected by the States. This comparison will indicate any level of data lost when the extraneous variables are stripped for submission to the FBI. This comparison should highlight the strengths and weaknesses of using the national data set compared to the individual State data sets.

Third, the grantee must prepare a comprehensive methodological report on the NIBRS system indicating particular strengths and weaknesses for studying non-family abductions. This report should indicate how the level of detail in the national system or individual state systems affects estimates of non-family abductions. This report should also address the correlation between homicides and non-family abductions and between sex offenses and non-family abductions. The report should indicate any other significant correlations found. This discussion should indicate whether different methods of data collection would better serve the purpose of studying non-family abductions of children.

Eligibility Requirements

Applications are invited from public agencies and private not-for-profit organizations. Applications will not be accepted from for-profit agencies. Applicants must demonstrate sufficient experience in conducting survey research and data analysis to complete this project. In particular, applicants must show experience in manipulating and analyzing hierarchical data files, and they must clearly indicate their technical ability to manipulate such files. Further, applicants must demonstrate prior experience in survey methods, particularly in surveys of official records, as well as sufficient research background to examine validity and reliability issues.

Applicants must also demonstrate that they have the management capability, fiscal integrity and financial responsibility, including, but not limited to, an acceptable accounting system with sufficient internal controls, compliance with fiscal requirements, and the capability to implement effectively a project of this nature. Applicants who fail to demonstrate their capability to manage this program will be ineligible for funding consideration.

Specific Application Requirements

All applicants must submit a completed Standard Form 424, Application for Federal Assistance (SF 424); a Standard Form 424A, Budget Information; OJP Form 4000/3, Assurances; and OJP Form 4061/6, Certifications. In addition to these forms, all applications must include a project summary, a budget narrative, and a program narrative.

All forms must be typed. The SF 424 must appear as a cover sheet for the entire application. The project summary should follow the SF 424. All other forms must then follow. Applicants should be sure to sign OJP Forms 4000/3 and 4061/6.

The project summary must not exceed 250 words. It must be clearly marked and typed single spaced on a single page. Applicants should take care to write a description that accurately and concisely reflects the proposal.

The program narrative must be typed double spaced on one side of a page only. The program narrative may not exceed 60 pages. The program narrative must include all items indicated in the Selection Criteria section of this solicitation. This page limit does not apply to supporting materials normally found in appendices (such as preliminary surveys, resumes, and supporting charts or graphs).

In submitting applications that contain more than one organization, the relationships among the parties must be set forth in the application. As a general rule, organizations that describe their working relationship in the development of products and the delivery of services as primarily cooperative or collaborative in nature will be consider co-applicants. In the event of a co-applicant submission, one co-applicant must be designated as the payee to receive and disburse project funds and be responsible for the supervision and coordination of the activities of the other co-applicant. Under this arrangement, each organization must agree to be jointly and severally responsible for all project funds and services. Each co-applicant must sign the SF 424 and indicate their acceptance of the conditions of joint and several responsibility with the other co-applicant.

Applications that include non-competitive contracts for the provision of specific services must include a sole source justification for any procurement in excess of $25,000. The contractor may not be involved in the development of the statement of work. The applicant must provide sufficient justification for not offering for competition the portion of work proposed to be contracted.

The following information must be included in the application Program Narrative (Part IV of SF 424):

(1) *Organizational Capability:* Applicants must demonstrate that they are eligible to compete for this cooperative agreement on the basis of eligibility criteria established in this solicitation.

—Organizational Experience: Applicants must concisely describe their organizational experience and capabilities which will enable them to achieve the goals and objectives of this initiative. Applicants should highlight significant organizational accomplishments which demonstrate their responsiveness to the needs of the field, reliability in terms of producing quality products in a timely fashion, and ability to work effectively with operational justice agencies.

—Project Staffing: Applicants must provide a list of key personnel responsible for managing and implementing the program. Applicants must present detailed position descriptions, qualifications and selection criteria for each position, whether they are permanent salaried employees or otherwise such as those hired by contractor(s) of the grantee. In addition, if key functions or services are to be provided by consultants on a contractual basis, the applicant must indicate the individuals to be hired for specific tasks, or the specific skills that are needed to perform these tasks and the means of acquiring them. Résumés must be provided and may be submitted as appendices to the application. Applicants must demonstrate that the proposed staff have the requisite background and experience to accomplish the major responsibilities outlined above. Applicants should highlight significant accomplishments of the proposed staff in relation to their respective roles in the project. In addition, the percentage of each staff person's time committed to the project must be clearly indicated in the budget narrative.

As part of the program requirements, the successful applicant must establish an advisory board and will be required to convene at least two advisory board meetings. These meetings will advise on the direction of grant activity, discuss the feasibility of specific methods for achieving the goals of the project, and provide options for further activity. The board must consist of three advisors. Advisors will be selected in consultation with OJJDP after the cooperative agreement has been awarded. The applicant must plan for these meetings in the timeline and budget.

—Financial Capability: In addition to the assurances provided in Part V, Assurances, of the SF 424 applicants must also demonstrate that their organization has or can establish fiscal controls and accounting procedures which assure that Federal funds available under this agreement are disbursed and accounted for properly. Applicants who have not previously received Federal funds will be asked to submit a copy of the Office of Justice Assistance, Research and Statistics (OJARS) Accounting System and Financial Capability Questionnaire (OJARS Form 7120/1). Other applicants may be requested to submit this form. All questions are to be answered regardless of instructions (Section C.I.B. note). The CPA certification is required only of those applicants who have not previously received Federal funding.

(2) *Program Strategy and Goals:* Applicants must demonstrate their understanding of the goals and objectives of the overall program. They must articulate their specific approaches to implementing the program strategy outlined in this solicitation. Applicants must provide a specific implementation plan that covers all activities and products.

(3) *Program Implementation Plan:* Applicants must develop a detailed implementation plan for the grant period. This plan should include a timeline for the grant and should clearly identify major milestones. The plan must also include the designation of organizational and staff responsibility, and a schedule for the completion of the tasks and products identified in this solicitation. In preparing the implementation plan, applicants should be mindful of the OMB Clearance procedures pursuant to 5 CFR part 1320, Controlling Paperwork Burdens on the Public.

(4) *Program Budget:* Applicants must provide an 18-month budget with a detailed justification for all costs by object class category as specified in the SF 424. Costs must be reasonable and the bases for these costs must be well documented in a separate budget narrative. The applicant must also budget for the costs of convening at least three project advisory board meetings during the initial budget period.

Selection Criteria

Applications will be rated according to the following selection criteria.

(1) The problem to be addressed by the project is clearly stated. (10 points)

Applicants must conceptualize the problem addressed in this project in a clear problem statement. Each application must demonstrate a firm grasp of the underlying issues of such national data collection efforts, the problems of definition in such data sets, the problems of aggregation, and particularly the problems associated with measuring a phenomena not directly measured by the data itself.

(2) The objectives of the proposed project are clearly defined. (10 points)

The applicant should provide a clear and definitive statement of the applicant's understanding of the goals and overall objectives of the project. The goals refer to the solutions that will solve the problem. The objectives are the specific measurable tasks undertaken to reach these solutions. The applicant should take care to show the connection between the problem statement and the goals and objectives.

(3) The project design is sound and contains program elements directly linked to the achievement of project objectives. (30 points)

The overall program design will be assessed based on its appropriateness, conceptual clarity, and technical adequacy. The design must conform to the program strategy described above. The research design for this project must be sound and the analyses must be valid. The application must indicate the specific tasks the applicant intends to pursue to achieve the program goals. This includes a full project design with a timeline of significant milestones and report submissions. The timeline should cover the full 18 months.

(4) The project management structure is adequate for the successful conduct of the project. (30 points)

The management of the project must be consistent with the type of project envisioned, the project goals, the tasks described in the application, and the functions of each position as indicated in the project implementation plan. Specifically, the management structure will be evaluated based on:

a. Adequacy and appropriateness of the project management structure and activities specified in the project implementation plan;

b. Qualifications of staff identified to manage and implement the program including the research team staff, and the working group members;

c. Clarity and appropriateness of position descriptions, required qualifications, and staff selection criteria relative to the specific functions set out in the project implementation plan;

d. Appropriateness of advisory board or advisory board selection criteria.

(5) Organizational capability is demonstrated at a level sufficient to support the project successfully. (10 points)

Both the personnel of the organization as well as the technical capabilities of the organization must be sufficient to accomplish the tasks of the project. While the specific personnel for the project are assessed under '4' above, this criterion evaluates the overall organizational capability and experience. Most importantly, applicants must show that the organization can assure that the project is completed on time and to the fullest expectations.

Applicants must include all information required in this solicitation. In particular, applicants should be mindful of demonstrating the financial capabilities of the organization.

(6) Budgeted costs are reasonable, allowable, and cost-effective for the activities proposed to be undertaken. (10 points)

The proposed costs must be complete, appropriate, and reasonable to the activities of the project. All costs should be fully justified in a budget narrative or with other supporting documentation.

Award Period

A cooperative agreement will be awarded to the successful applicant. The award period is 18 months. The project period is 18 months.

Award Amount

The OJJDP has allocated up to $200,000 for this cooperative agreement. This announcement falls under number 16.543 of the Catalog of Federal Domestic Assistance, "Missing Children's Assistance." (This number and title are provided for completing Block 10 of the SF 424 Application for Federal Assistance.)

Due Date

Applicants must submit the original, signed application (Standard Form 424) and two unbound copies to OJJDP. Application forms and supplementary information will be provided upon request for the Application Kit. Potential applicants should review the OJJDP Peer Review Guideline and the OJJDP Competition and Peer Review Procedures These documents will be provided in the Application Kit.

Applications must be received by mail or delivered to the Office of Juvenile Justice and Delinquency Prevention by 5 p.m. E.D.T., 60 days from the date of the appearance of this solicitation in the **Federal Register**. Those applications sent by mail should be addressed to Joe Moone, Research and Program Development Division, room 782, 633 Indiana Avenue, NW., Washington, DC, 20531. Delivered applications must be taken to the address listed above between the hours of 8 a.m. and 5 p.m., except Saturdays, Sundays, or Federal holidays.

General Application and Administrative Requirements

Eligible Applicants

Applications are invited from eligible agencies, institutions or individuals, public or private. Private-for-profit organizations are not eligible for special emphasis grants but may be for other grants upon a waiver of their fee.

Applicants must also demonstrate that they have the management and financial capability to implement effectively a project of this size and scope. Applicants must demonstrate that they have management capability in order to be eligible for funding consideration.

Application Requirements

All applicants must submit a completed Application for Federal Assistance (Standard Form 424), including a program narrative, a detailed budget and budget narrative. All applications must include the information required by the specific solicitation as well as the Standard Form 424.

Applications that include proposed non-competitive contracts for the provision of specific goods and services must include a sole source justification for any procurement in excess of $25,000.

Private, nonprofit applicants who have not previously received Federal funds are required to submit a copy of the Office of Justice Programs, Accounting System Financial Capability Questionnaire (OJP Form 7120/1) before a final award can be made.

Applicants who are receiving other funds in support of any of the proposed activities should list the names of the other organizations that are providing or will provide financial assistance to the program and indicate the amount of funds to be contributed during the program period. The applicant must provide the title of the project, the name of the public or private grantor, the amount to be contributed during this program period, and a brief description of the program.

OJJDP will notify applicants in writing of the receipt of their application. Subsequently, applicants will be notified by letter as to the decision made regarding whether or not their submission will be recommended for funding.

To comply with Executive Order 12373, applicants from State and local units of government or other organizations providing services within a State must submit a copy of their application to the State Single Point of Contact, if one exists, and if the program has been selected for review by the State.

Application Review Process

Applications will be initially screened to determine if the basic eligibility requirements have been met (*i.e.*, an application must include a completed and signed Form 424, including a budget with narrative).

Applications will be reviewed by a panel of experts who will make recommendations to the Administrator. The panel will assign numerical values in rating competing applications based on the point distribution in the Selection Criteria for each specific program. Peer reviewers' recommendations are advisory only and the final award decision will be made by the Administrator. Those applications receiving a score of 55 or higher will be eligible for funding consideration, provided that necessary programmatic and budgetary revisions are successfully negotiated.

Evaluation

OJJDP requires that funded programs contain plans for continuous self-assessment to keep program management informed of progress and results. Many funded projects will be considered for participation in independent evaluations initiated by OJJDP. Project management will be expected to cooperate fully with designated evaluators.

Financial Requirements

Discretionary grants are governed by the provisions of the Office of Management and Budget (OMB) Circulars applicable to financial assistance. The circulars, along with additional information and guidance, are contained in the "Financial and Administrative Guide for Grants," Office of Justice Programs, Guideline Manual, M7100, available from the Office of Justice Programs. This guideline manual includes information on allowable costs, methods of payment, audit requirements, accounting systems and financial records.

Civil Rights Requirements

Section 809(c)(1) of the Omnibus Crime Control and Safe Streets Act (OCCSSA) of 1968, as amended, applicable to OJJDP funded programs and projects under section 292(b) of the JJDP Act, provides that no person in any State shall on the grounds of race, color, religion, national origin or sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under or denied employment in connection with any program or activity funded in whole or in part with funds made available under this title. Recipients of funds under the Act are also subject to the provisions of title VI of the Civil Rights Act of 1964; section 504 of the Rehabilitation Act of 1974, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1974; and the Department of Justice Non-Discrimination Regulations 28 CFR part 42, subparts C, D, E and G. Upon request, applicants shall maintain such records and submit to OJJDP or OJP timely, complete and accurate information regarding their compliance with the foregoing statutory and regulatory requirements.

In the event a Federal or State court or a Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights (OCR) of the Office of Justice Programs.

Drug-Free Workplace

Title V, section 5153 of the Anti-Drug Abuse Act of 1988 provides that all grantees of Federal funds, other than an individual, shall certify to the granting agency that it will provide a drug-free workplace by:

• Publishing a statement notifying employees that the unlawful manufacturing, distribution, dispensation, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violations of such prohibition.

• Establishing a drug-free awareness program to inform employees about:

—The danger of drug abuse in the workplace;
—The grantee's policy of maintaining a drug-free workplace;
—Any available drug counseling, rehabilitation and employee assistance programs; and,
—The penalties that may be imposed upon employees for drug abuse violations.

• Making it a requirement that each employee to be engaged in the performance of such grant be given a copy of the statement of notification prohibiting controlled substances in the workplace.

• Notifying the employee that as a condition of employment in such grant, the employee will:

—Abide by the terms of the statement; and,
—Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

• Notifying the granting agency within 10 days after receiving notice of a conviction from an employee or otherwise receiving actual notice of such conviction.

• Imposing a sanction on or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted.

• Making a good faith effort to continue to maintain a drug-free workplace.

The U.S. Office of Management and Budget, in collaboration with other Federal executive agencies, including the Department of Justice, has developed regulations to implement the Drug-Free Workplace Act of 1988, 28 CFR part 67, subpart F.

Audit Requirement

In October 1984, Congress passed the Single Audit Act of 1984. On April 12, 1985, the Office of Management and Budget issued Circular A–128, "Audits of State and Local Governments," which establishes regulations to implement the Act. OMB Circular A–128, "Audits of State and Local Governments," outlines the requirements for organizational audits which apply to OJJDP grantees.

Institutions of higher education, hospitals and other nonprofit organizations have the responsibility to provide for an audit of their activities not less than every two years. The required audits are to be on an organization-wide basis rather than on a grant-by-grant basis.

Governmentwide Debarment and Suspension (Nonprocurement)

This subpart of 28 CFR part 67, provides that executive departments and agencies shall participate in a system for debarment and suspension from programs and activities involving Federal financial and non-financial assistance and benefits. Debarment or suspension of a participant in a program by one Agency has governmentwide effect. It is the policy of the Federal Government to conduct business only with responsible persons, and these guidelines will assist agencies in carrying out this policy.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction (OJP Form 4061/1). All direct recipient grantees must complete an OJP Form 4061/1 prior to entering into a financial agreement with subrecipients. This requirement includes persons, corporations, etc. who have critical influence on or substantive control over the award. The direct recipient will be responsible for monitoring the submission and maintaining the official subrecipient certifications.

Certification Regarding Debarment, Suspension, Ineligibility and Other Responsibility Matters—Primary Covered Transactions (OJP Form 4061/2). Certifications must be completed and submitted by grantees of categorical awards to grantor agency program officer during the application stage.

Disclosure of Lobbying Activities

Section 319 of Public Law 101–121 prohibits recipients of Federal contracts, grants and loans from using appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific contract, grant or loan. Section 319 also requires each person who requests or receives a Federal contract, grant, cooperative agreement, loan or a Federal commitment to insure or guarantee a loan, to disclose lobbying. The term "recipient," as used in this context, does not apply to any Indian tribe or to tribal or Indian organization.

A person who requests a Federal grant, cooperative agreement or contract exceeding $100,000 is required to file a written declaration with OJP. The declaration shall contain:

• A certification that addresses payment made or to be made with both Federal or non-Federal funds for influencing or attempting to influence persons in the making of Federal awards.

• "Disclosure of Lobbying Activities" must be submitted if payments were made with non-Federal funds and must contain the following information with respect to each payment and each agreement:

—Name and address of each person paid, to be paid or reasonably expected to be paid;
—Name and address of each individual performing the services for which payment is made, to be made or reasonably expected to be made; and
—The amount paid, how the person was paid and the activity for which the person was paid, is to be paid or is reasonably expected to be paid.

• Copies of certification and disclosure of lobbying activities, as outlined above, received from subgrantees contractors or subcontractors under a grant, cooperative agreement or contract for Federal subgrants exceeding $100,000.

A subgrantee, contractor or subcontractor under a grant, cooperative agreement or contract, who requests or receives Federal funds exceeding $100,000 is required to file a written declaration, as described above, with the person making the award.

A declaration must be filed at the end of each calendar quarter in which there occurs any event which materially affects ($25,000 or more) the accuracy of the information contained in any declaration previously filed for a grant, cooperative agreement, contract, subgrant or subcontract. These declarations shall be filed as follows:

• Grant, cooperative agreement and contract recipients shall send their amended declarations and copies of amended declarations for Federal subgrants to the Office of the Comptroller not later than 30 days after the end of each calendar quarter.

• Subgrantees, contractors or subcontractors under a grant, cooperative agreement or contract shall send their amended declarations each quarter to the person who made their subgrant.

Declarations are also required for extensions, continuations, renewals, amendments and modifications exceeding $100,000 or resulting in the award exceeding $100,000.

Disclosure of Federal Participation

Section 8136 of the Department of Defense Appropriations Act (Stevens Amendment), enacted in October 1988, requires that, "when issuing statements, press releases for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal money, and (2) the dollar amount of Federal funds for the project or program."

Suspension or Termination of Funding

OJJDP may suspend, in whole or in part, or terminate funding for a grantee for failure to conform to the requirements or statutory objectives of the Act. Prior to suspension of a grant, OJJDP will provide reasonable notice to the grantee of its intent to suspend the grant and will attempt informally to resolve the problem resulting in the intended suspension. Hearing and appeal procedures for termination actions are set forth in the Department of Justice regulation at 28 CFR part 18.

Robert W. Sweet, Jr.,

Administrator, Office of Juvenile Justice and Delinquency Prevention.

[FR Doc. 91-23350 Filed 9-26-91; 8:45 am]

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federal register

Friday
September 27, 1991

Part VI

Department of the Interior

Fish and Wildlife Service

50 CFR Part 20

Migratory Bird Hunting; Late Seasons, and Bag and Possession Limits for Certain Migratory Game Birds in the United States; Final Rule

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

RIN 1018-AA24

Migratory Bird Hunting; Late Seasons, and Bag and Possession Limits for Certain Migratory Game Birds in the United States

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This rule prescribes the late open seasons, hunting hours, hunting areas, and daily bag and possession limits for general waterfowl seasons and those early-seasons for which States previously deferred selection. Taking of migratory birds is prohibited unless specifically provided. These rules will permit taking of the designated species during the 1991–92 season.

EFFECTIVE DATE: September 27, 1991.

FOR FURTHER INFORMATION CONTACT: Thomas J. Dwyer, Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, room 634–Arlington Square, Washington, DC 20240, (703) 358–1714.

SUPPLEMENTARY INFORMATION:

Regulations Schedule for 1991

On March 6, 1991, the Service published for public comment in the **Federal Register** (56 FR 9462) a proposal to amend 50 CFR part 20, with comment periods ending July 25, 1991, for early-season proposals, and September 6, 1991, for late-season proposals. A supplement proposed rulemaking for both early and late hunting season frameworks appeared in the **Federal Register** dated May 31, 1991 (56 FR 24984). On June 20, 1991, a public hearing was held in Washington, DC, as announced in the **Federal Register** of March 6 (56 FR 9462) and May 31 (56 FR 24984), 1991, to review the status of migratory shore and upland game birds. Proposed hunting regulations were discussed for these species and for other early seasons. On July 15, 1991, the Service published in the **Federal Register** (56 FR 32264) a third document in the series of proposed, supplemental, and final rulemaking documents which dealt specifically with proposed early-season frameworks for the 1991–92 season. On August 2, 1991, a public hearing was held in Washington, DC, as announced in the **Federal Register** of March 6 (56 FR 9462), May 31 (56 FR 24984), and July 15 (56 FR 32275), 1991, to review the status of waterfowl. Proposed hunting regulations were discussed for these late seasons. On August 21, 1991, the Service published a fourth document (56 FR 41608) containing final frameworks for early migratory bird hunting seasons from which wildlife conservation agency officials from the States, Puerto Rico, and the Virgin Islands selected early season hunting dates, hours, areas, and limits for 1991–92. The fifth document in the series, published August 26, 1991, in the **Federal Register** (56 FR 42198), dealt specifically with proposed frameworks for the 1991–92 late-season migratory bird hunting regulations. On August 29, 1991, the Service published in the **Federal Register** (56 FR 42808) a sixth document consisting of a final rule amending subpart K of title 50 CFR part 20 to set hunting seasons, hours, areas, and limits for early seasons. On September 26, 1991, the Service published in the **Federal Register** a seventh document consisting of a final rulemaking for the late-season frameworks for migratory game bird hunting regulations from which State wildlife conservation agency officials selected late-season hunting dates, hours, areas, and limits for 1991–92.

The final rule described here is the eighth in a series of proposed, supplemental, and final rulemaking documents for migratory game bird hunting regulations and deals specifically with amending subpart K of 50 CFR part 20 to set hunting seasons, hours, areas, and limits for species subject to late hunting regulations.

Nontoxic Shot Regulations

In the May 13, 1991, **Federal Register** (56 FR 22100), the Service published a final rule prohibiting the use and/or possession of lead shot while hunting waterfowl, coots, and certain other species throughout the United States. Migratory bird hunters are advised to become familiar with additional state and local regulations regarding the use of nontoxic shot for migratory bird hunting.

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 (FSES 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). However, this programmatic document does not prescribe year-specific regulations; those are developed annually. The annual regulations and options were considered in the Environmental Assessment, *Waterfowl Hunting Regulations for 1991*. Copies of these documents are available from the Service at the address indicated under the caption **ADDRESSES**.

Endangered Species Act Consideration

On July 31, 1991, the Division of Endangered Species concluded that the proposed action is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of their critical habitats. Hunting regulations are designed, among other things, to remove or alleviate chances of conflict between seasons for migratory game birds and the protection and conservation of endangered and threatened species and their habitats. The Service's biological opinions resulting from its consultation under section 7 are considered public documents and are available for inspection in the Division of Endangered Species and the Office of Migratory Bird Management.

Regulatory Flexibility Act; Executive Orders 12291, 12612, and 12630; and the Paperwork Reduction Act

In the **Federal Register** dated March 6, 1991 (56 FR 9462), the Service reported measures it had undertaken to comply with requirements of the Regulatory Flexibility Act and Executive Orders. These included preparing a Determination of Effects and an updated Final Regulatory Impact Analysis, and publishing a summary of the latter. These regulations have been determined to be major under Executive Order 12291 and they have a significant economic impact on substantial numbers of small entities under the Regulatory Flexibility Act. It has been determined that these rules will not involve the taking of any constitutionally protected property rights, under Executive Order 12630, and will not have any significant federalism effects, under Executive Order 12612. This determination is detailed in the aforementioned documents, which are available upon request from the Office of Migratory Bird Management. These regulations contain no information collections subject to Office of Management and Budget review under the Paperwork Reduction Act of 1980.

Memorandum of Law

The Service published its Memorandum of Law, required by Section 4 of Executive Order 12291, in the **Federal Register** dated August 21, 1991 (56 FR 41608).

Authorship

The primary authors of this proposed rule are Robert J. Blohm and William O. Vogel, Office of Migratory Bird Management, working under the direction of Thomas J. Dwyer, Chief.

Regulations Promulgation

After analysis of the migratory game bird survey data obtained through investigations conducted by the Service, State conservation agencies, and other sources, and consideration of all comments received on the late-season proposals, the Service published final late-season frameworks in the **Federal Register** on September 26, 1991. Copies of the proposed and final frameworks were sent to the officials of the State conservation agencies who were invited to submit recommendations for hunting seasons which complied with the season times and lengths, hours, areas, and limits specified in the final frameworks. The Service has long recognized, consistent with 16 U.S.C. 708, that States need not select maximum bag limits and season length delineated in annual Federal frameworks. Local resource needs and the health of portions of a population using a particular area may require stricter local controls than prevail elsewhere in a flyway.

The taking of migratory birds is prohibited unless specifically provided. The following amendments will permit taking of the designated species within specified time periods and will benefit the public by relieving existing restrictions.

The rulemaking process for migratory game bird hunting, must, by its nature, operate under severe time constraints. However, the Service intends that the public be given the greatest possible opportunity to comment on the regulations. Thus, when proposed rulemakings were published on March 6, May 31, and August 26, 1991, the Service established what it believed were the longest periods possible for public comment. In doing this, the Service recognized that when the comment period closed time would be of the essence. That is, if there were a delay in the effective date of these regulations after this final rulemaking, the States would have insufficient time to establish and publicize the necessary regulations and procedures to implement their time would be of the essence. That is, if there were a delay in the effective date of these regulations after this final rulemaking, the States would have insufficient time to establish and publicize the necessary regulations and procedures to implement their decisions. The Service therefore finds that "good cause" exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act, and these regulations will, therefore, take effect immediately upon publication.

Accordingly, with each state conservation agency having had an opportunity to participate in selecting the hunting seasons desired for its state on those species of migratory birds for which open seasons are now to be 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 corrected and amended as set forth below.

List of Subjects in 50 CFR Part 20

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

Dated: September 24, 1991.

Mike Hayden,

Assistant Secretary for Fish and Wildlife and Parks.

PART 20—[AMENDED]

For the reasons set out in the preamble, title 50, chapter I, subchapter B, part 20, subpart K is amended as follows:

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

Authority: Migratory Bird Treaty Act of July 3, 1918, as amended, (16 U.S.C. 701–711), and the Fish and Wildlife Improvement Act of November 8, 1978, as amended, (16 U.S.C. 712).

BILLING CODE 4310-55-M

Note - The following annual hunting regulations provided for by §§20.104, 20.105, 20.106, 20.107, and 20.109 of 50 CFR Part 20 will not appear in the Code of Federal Regulations because of their seasonal nature.

2. Section 20.104 is amended as follows:

§20.104 Seasons, limits, and shooting hours for rails, woodcock, and common snipe.

NOTE: The following seasons are in addition to the seasons published previously in the August 29, 1991, Federal Register.

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), shooting and hawking hours, and daily bag and possession limits for the species designated in this section are prescribed as follows:

Shooting and hawking hours are one-half hour before sunrise until sunset except as otherwise noted.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS, INCLUDING AREA DESCRIPTIONS.

	Rails (Sora & Virginia)	Rails (Clapper & King)	Woodcock	Common Snipe
Daily bag limit	25 (1)	15 (2)	5 (3)	8
Possession limit	25 (1)	30 (2)	10 (3)	16
Seasons in the Atlantic Flyway				
* * * * *				
Massachusetts	Sept. 2-Nov. 10	Closed	Oct. 10-Nov. 23	Sept. 2-Dec. 16
* * * * *				
Seasons in the Mississippi Flyway:				
* * * * *				
Kentucky	Oct. 5-Oct. 28 & Nov. 28-Jan. 5	Closed	Oct. 15-Dec. 18	Oct. 15-Dec. 18
Louisiana	Nov. 16-Jan. 20	Nov. 16-Jan. 20	Nov. 28-Jan. 31	Nov. 9-Feb. 23
* * * * *				
Tennessee:				
Reelfoot Duck Zone	Nov. 16-Nov. 17 & Dec. 9-Jan. 5	Closed	Oct. 12-Dec. 15	Nov. 15-Feb. 28
State Duck Zone	Dec. 7-Jan. 5	Closed	Oct. 12-Dec. 15	Nov. 15-Feb. 28

	Rails (Sora & Virginia)	Rails (Clapper & King)	Woodcock	Common Snipe
Daily bag limit	25 (1)	15 (2)	5 (3)	8
Possession limit	25 (1)	30 (2)	10 (3)	16
Wisconsin:				
North Duck Zone	Oct. 5-Oct. 13 & Oct. 19-Nov. 8	Closed	Sept. 14-Nov. 17	Oct. 5-Oct. 13 & Oct. 19-Nov. 8
South Duck Zone	Oct. 5-Oct. 8 & Oct. 16-Nov. 10	Closed	Sept. 14-Nov. 17	Oct. 5-Oct. 8 & Oct. 16-Nov. 10
Seasons in the Central Flyway:				
* * * * *				
New Mexico (6)(11):				
Zone 1	Oct. 19-Nov. 8 & Dec. 7-Jan. 5	Closed	Closed	Oct. 19-Nov. 8 & Dec. 7-Jan. 5
Zone 2	Nov. 16-Jan. 5	Closed	Closed	Nov. 16-Jan. 5
* * * * *				
Texas	Sept. 1-Nov. 9	Sept. 1-Nov. 9	Nov. 28-Jan. 31	Oct. 26-Feb. 9
* * * * *				
Seasons in the Pacific Flyway:				
Arizona (13)				
North Zone	Closed	Closed	Closed	Oct. 11-Dec. 8
South Zone	Closed	Closed	Closed	Oct. 11-Oct. 20 & Nov. 18-Jan. 5
California	Closed	Closed	Closed	Oct. 5-Jan. 19
* * * * *				
Nevada:				
Clark County	Closed	Closed	Closed	Nov. 9-Jan. 5
Remainder of State	Closed	Closed	Closed	Oct. 19-Dec. 16
New Mexico(6)(11)	Oct. 5-Oct. 20 & Nov. 23-Jan. 4	Closed	Closed	Oct. 5-Oct. 20 & Nov. 23-Jan. 4
Oregon	Closed	Closed	Closed	Oct. 12-Jan 4

	Rails (Sora & Virginia)	Rails (Clapper & King)	Woodcock	Common Snipe
Daily bag limit	25 (1)	15 (2)	5 (3)	8
Possession limit	25 (1)	30 (2)	10 (3)	16
Utah:				
Zone 1	Closed	Closed	Closed	Oct. 5-Dec. 2
Zone 2	Closed	Closed	Closed	Nov. 8-Jan. 5
Washington:				
Eastern Washington	Closed	Closed	Closed	Oct. 12-Oct. 20 & Nov. 10-Jan. 5
Washington (cont.):				
Western Washington	Closed	Closed	Closed	Oct. 12-Oct. 20 & Nov. 17-Jan. 5

* * * * *

(1) The bag and possession limits for sora and Virginia rails apply singly or in the aggregate of these two species.

(2) All bag and possession limits for clapper and king rails apply singly or in the aggregate of the two species and, unless otherwise specified, the limits are in addition to the limits on sora and Virginia rails in all states. In Connecticut, Delaware, Maryland, New Jersey, and Rhode Island, the limits for clapper and king rails are 10 daily and 20 in possession.

(3) In States of the Atlantic Flyway, the woodcock bag limit is 3 daily and 6 in possession.

* * * * *

(6) The Central Flyway portion consists of: Colorado and Wyoming -- the area lying east of the Continental Divide; Montana -- the area lying east of Hill, Chouteau, Cascade, Meagher, and Park Counties; New Mexico -- the area lying east of the Continental Divide but outside the Jicarilla Apache Indian Reservation. The remaining portions of these States are in the Pacific Flyway.

* * * * *

(11) In New Mexico, the rail limits are 10 daily and 10 in possession.

* * * * *

(13) In Arizona, Ashurst Lake in Unit 5B is closed to common snipe hunting.

3. Section 20.105 is revised to read as follows:

§20.105 Seasons, limits, and shooting hours for waterfowl, coots, and gallinules.

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), shooting and hawking hours, and daily bag and possession limits for the species designated in this section are prescribed as follows:

ATLANTIC FLYWAY

Definitions

The Atlantic Flyway includes Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia and West Virginia.

White geese include lesser snow (including blue) geese, greater snow geese, and Ross' geese.

Dark geese include Canada geese, white-fronted geese, and brant.

Flywaywide Restrictions

Shooting (including hawking) hours: One-half hour before sunrise to sunset daily except as otherwise restricted--Check State regulations. States that further restrict shooting hours (in specified seasons, dates, or locations) include, but are not limited to: Connecticut, South Carolina, Vermont, and West Virginia.

Duck Limits: The daily bag limit may include no more than 1 female mallard, 1 pintail, 1 black duck, 1 mottled duck, 2 wood ducks, 2 redheads, and 1 fulvous tree duck. The possession limit is twice the daily bag limit.

Canvasbacks: All areas of the Flyway are closed to canvasback hunting.

Harlequin Ducks: All areas of the Flyway are closed to harlequin duck hunting.

Merganser Limits: The merganser limits include no more than 1 hooded merganser daily and 2 in possession.

Gallinule Limits: The daily bag and possession limit for purple gallinules and common moorhens is singly or in the aggregate of the two species.

Zones: Boundaries are described in the September 26, 1991, Federal Register and in the appropriate State regulations.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS. SPECIAL RESTRICTIONS MAY APPLY ON FEDERAL AND STATE PUBLIC HUNTING AREAS AND FEDERAL INDIAN RESERVATIONS.

	Season Dates	Limits	
		Bag	Possession
Connecticut			
Ducks:			
North Zone	Oct. 19-Oct. 26 &	3	6
	Nov. 27-Dec. 18	3	6
South Zone	Oct. 19 only &	3	6
	Dec. 7-Jan. 4	3	6
Sea ducks (1)(2)	Oct. 1-Jan. 15	7	14
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese:			
North Zone	Oct. 19-Jan. 16	3	6
South Zone	Oct. 19-Oct. 26 &	3	6
	Nov. 16-Jan. 14	3	6
(special season)	Jan. 15-Feb. 5	5	10
White Geese:			
North Zone	Oct. 19-Feb. 1	5	10
South Zone	Oct. 19-Feb. 1	5	10

	Season Dates	Limits Bag	Limits Possession
Connecticut (cont.)			
Brant:			
North Zone	Oct. 19-Oct. 26 &	2	4
	Nov. 27-Jan. 7	2	4
South Zone	Oct. 19-Oct. 26 &	2	4
	Dec. 7-Jan. 17	2	4
Delaware			
Ducks	Nov. 4-Nov. 9 &	3	6
	Nov. 25-Nov. 30 &	3	6
	Dec. 18-Jan. 4	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese	Nov. 25-Nov. 30 &	1	2
	Dec. 14-Jan. 16	1	2
White Geese:			
Bombay Hook NWR Only	Nov. 10-Nov. 24	5	10
Statewide	Oct. 16-Nov. 9 &	5	10
	Nov. 25-Nov. 30 &	5	10
	Dec. 10-Feb. 8	5	10
Brant	Nov. 25-Nov. 30 &	2	4
	Dec. 6-Jan. 18	2	4
Florida			
Ducks	Nov. 27-Dec. 1 &	3	6
	Dec. 12-Jan. 5	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Geese	Closed	-	-
Georgia			
Ducks	Nov. 28-Dec. 1 &	3	6
	Dec. 11-Jan. 5	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese (Special Area)	Jan. 9-Jan. 12 &	State Permit Only	
	Jan. 16-Jan. 19	State Permit Only	
Brant	Closed	-	-
Maine			
Ducks:			
North Zone	Oct. 7-Oct. 26 &	3	6
	Nov. 7-Nov. 16	3	6
South Zone	Oct. 7-Oct. 19 &	3	6
	Nov. 28-Dec. 14	3	6
Sea ducks (1)(2)	Oct. 7-Jan. 20	7	14
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese	Oct. 1-Dec. 9	3	6
White Geese	Oct. 1-Jan. 15	5	10
Brant	Oct. 1-Nov. 19	2	4
Maryland			
Ducks (3)	Oct. 18-Oct. 19 &	3	6
	Nov. 28-Nov. 29 &	3	6
	Dec. 10-Jan. 4	3	6
Sea Ducks (1)(2)	Oct. 11-Jan. 20	5	10
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese	Nov. 12-Nov. 29 &	1	2
	Dec. 9-Jan. 18	2	4
White Geese	Oct. 25-Nov. 29 &	4	8
	Dec. 2-Feb. 10	4	8

	Season Dates	Limits Bag	Limits Possession
Maryland (cont.)			
Brant	Nov. 21-Nov. 29 &	2	4
	Dec. 9-Jan. 18	2	4
Massachusetts			
Ducks:			
Western Zone	Oct. 15-Nov. 13	3	6
Central Zone	Oct. 15-Oct. 26 &	3	6
	Nov. 13-Nov. 30	3	6
Coastal Zone	Oct. 21-Oct. 26 &	3	6
	Dec. 12-Jan. 4	3	6
Sea ducks (1)(2)	Oct. 4-Jan. 18	7	14
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese:			
Western Zone	Oct. 15-Nov. 30 &	3	6
	Dec. 13-Jan. 4	3	6
Central Zone	Oct. 15-Oct. 26 &	3	6
	Nov. 13-Jan. 9	3	6
(special season)	Jan. 21-Feb. 5	5	10
Coastal Zone	Oct. 21-Nov. 2 &	3	6
	Nov. 23-Jan. 18	3	6
(special season)	Jan. 21-Feb. 5	5	10
White Geese:			
Western Zone	Oct. 15-Nov. 30 &	5	10
	Dec. 13-Jan. 4	5	10
Central Zone	Oct. 15-Oct. 26 &	5	10
	Nov. 13-Jan. 9	5	10
Coastal Zone	Oct. 21-Nov. 2 &	5	10
	Nov. 23-Jan. 18	5	10
Brant:			
Berkshire & Central Zone	Closed	-	-
Coastal Zone	Nov. 23-Jan. 11	2	4
New Hampshire			
Ducks:			
Inland Zone	Oct. 9-Oct. 27 &	3	6
	Nov. 27-Dec. 7	3	6
Coastal Zone	Oct. 10-Oct. 13 &	3	6
	Nov. 27-Dec. 22	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese:			
Inland Zone	Oct. 9-Dec. 17	3	6
Coastal Zone	Oct. 20-Dec. 28	3	6
White Geese:			
Inland Zone	Oct. 9-Dec. 17	5	10
Coastal Zone	Oct. 20-Dec. 28	5	10
Brant:			
Inland Zone	Oct. 9-Nov. 27	2	4
Coastal Zone	Oct. 20-Dec. 8	2	4

	Season Dates	Limits Bag	Limits Possession
New Jersey			
Ducks:			
North Zone	Oct. 16-Oct. 26 &	3	6
	Nov. 23-Dec. 11	3	6
South Zone	Oct. 19-Oct. 26 &	3	6
	Nov. 28-Dec. 19	3	6
Coastal Zone	Nov. 2-Nov. 9 &	3	6
	Dec. 14-Jan. 4	3	6
Sea Ducks (1)	Oct. 1-Jan. 15	7	14
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese:			
North Zone	Oct. 16-Nov. 9 &	3	6
	Nov. 23-Jan. 25	3	6
South Zone	Oct. 19-Nov. 12 &	3	6
	Nov. 28-Jan. 31	3	6
Coastal Zone	Oct. 16-Dec. 7 &	3	6
	Dec. 14-Jan. 18	3	6
White Geese:			
North Zone	Oct. 16-Jan. 30	5	10
South Zone	Oct. 19-Nov. 23 &	5	10
	Nov. 28-Feb. 6	5	10
Coastal Zone	Oct. 16-Jan. 30	5	10
Brant:			
North Zone	Oct. 16-Nov. 9 &	2	4
	Nov. 23-Dec. 17	2	4
South Zone	Oct. 19-Nov. 15 &	2	4
	Nov. 28-Dec. 19	2	4
Coastal Zone	Nov. 2-Nov. 29 &	2	4
	Dec. 14-Jan. 4	2	4
New York			
Ducks:			
Long Island Zone	Nov. 22-Dec. 1 &	3	6
	Dec. 17-Jan. 5	3	6
Lake Champlain Zone	Oct. 12-Oct. 27 &	3	6
	Nov. 23-Dec. 6	3	6
Northeastern Zone	Oct. 5-Oct. 12 &	3	6
	Oct. 26-Nov. 16	3	6
Southeastern Zone	Oct. 12-Oct. 20 &	3	6
	Nov. 21-Dec. 11	3	6
Western Zone	Oct. 19-Nov. 10 &	3	6
	Dec. 26-Jan. 1	3	6
Sea Ducks (1)(2)			
Long Island Zone Only	Oct. 6-Jan. 20	7	14
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese:			
Long Island Zone	Nov. 3-Jan. 31	3	6
Lake Champlain Zone	Oct. 12-Dec. 20	3	6
Northeastern Zone	Oct. 5-Oct. 15 &	1	2
	Oct. 16-Jan. 2	3	6
Southeastern Zone	Oct. 12-Oct. 15 &	1	2
	Oct. 16-Jan. 9	3	6
Western Zone	Oct. 16-Jan. 13	3	6

	Season Dates	Limits Bag	Limits Possession
New York (cont.)			
White Geese:			
Long Island Zone	Nov. 3-Jan. 31	5	10
Lake Champlain Zone	Oct. 12-Dec. 20	5	10
Northeastern Zone	Oct. 5-Jan. 2	5	10
Southeastern Zone	Oct. 12-Jan. 9	5	10
Western Zone	Oct. 16-Jan. 13	5	10
Brant:			
Long Island Zone	Nov. 22-Jan. 10	2	4
Lake Champlain Zone	Oct. 12-Nov. 30	2	4
Northeastern Zone	Oct. 5-Nov. 23	2	4
Southeastern Zone	Oct. 12-Nov. 30	2	4
Western Zone	Oct. 18-Dec. 4	2	4
North Carolina			
Ducks	Oct. 10-Oct. 12 &	3	6
	Nov. 28-Nov. 30 &	3	6
	Dec. 12-Jan. 4	3	6
Sea ducks (1)	Oct. 1-Jan. 15	7	14
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese:			
East of I-95	Jan. 20-Jan. 25 &	1	2
	Jan. 27-Jan. 31	1	2
West of I-95	Closed		
White Geese	Nov. 2-Feb. 10	5	10
Brant	Oct. 10-Oct. 12 &	2	4
	Nov. 28-Nov. 30 &	2	4
	Dec. 12-Jan. 18	2	4
Pennsylvania			
Ducks:			
North Zone	Oct. 14-Oct. 26 &	3	6
	Nov. 4-Nov. 20	3	6
South Zone	Oct. 21-Oct. 26 &	3	6
	Nov. 25-Dec. 18	3	6
Northwest Zone	Oct. 14-Oct. 19 &	3	6
	Nov. 11-Dec. 4	3	6
Lake Erie Zone	Nov. 11-Nov. 30 &	3	6
	Dec. 19-Dec. 28	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	5	30
Canada Geese:			
North Zone	Oct. 7-Oct. 26 &	3	6
	Nov. 4-Dec. 23	3	6
South Zone (4)	Oct. 14-Nov. 4 &	3	6
	Nov. 25-Jan. 11	3	6
Northwest Zone (4)	Oct. 7-Dec. 14	3	6
Lake Erie Zone (4)	Nov. 9-Dec. 28	2	4
Southeast Zone	Oct. 14-Oct. 15 &	1	2
	Oct. 16-Oct. 29 &	3	6
	Nov. 25-Jan. 31	[illegible]	6
White Geese	Oct. 17-Jan. 31	[illegible]	[illegible]0
Brant	Nov. 25-Jan. 11	2	4

	Season Dates	Limits: Bag	Limits: Possession
Rhode Island			
Ducks	Oct. 11-Oct. 13 &	3	6
	Nov. 27-Dec. 1 &	3	6
	Dec. 14-Jan. 4	3	6
Sea ducks (1)(2)	Oct. 11-Jan. 18	7	14
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese	Oct. 11-Oct. 13 &	3	6
	Nov. 6-Jan. 31	3	6
White Geese	Oct. 11-Oct. 13 &	5	10
	Nov. 6-Jan. 31	5	10
Brant	Nov. 27-Jan. 15	2	4
South Carolina (5)			
Ducks (6)	Nov. 27-Nov. 30 &	3	6
	Dec. 10-Jan. 4	3	6
Sea ducks (1)	Oct. 6-Jan. 20	7	14
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese (7) (special season)	Jan. 29-Feb. 1	State Permit Only	
White Geese	Nov. 27-Nov. 30 &	5	10
	Dec. 10-Jan. 4	5	10
Brant	Nov. 27-Nov. 30 &	2	4
	Dec. 10-Jan. 4	2	4
Vermont			
Ducks:			
Lake Champlain Zone	Oct. 12-Oct. 27 &	3	6
	Nov. 23-Dec. 6	3	6
Interior Vermont Zone	Oct. 12-Nov. 3 &	3	6
	Nov. 25-Dec. 1	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Canada Geese (8)	Oct. 12-Dec. 20	3	6
White Geese	Oct. 12-Dec. 20	5	10
Brant	Oct. 12-Nov. 30	2	4
Virginia			
Ducks	Oct. 9-Oct. 12 &	3	6
	Nov. 23-Nov. 30 &	3	6
	Dec. 13-Jan. 4	3	6
Sea ducks (1)(2)	Oct. 3-Jan. 17	7	14
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Gallinules/Moorhens	Same as for ducks	15	30
Canada Geese:			
Back Bay Area	Closed	-	-
Remainder of State	Nov. 20-Nov. 23 &	2	4
	Nov. 25-Nov. 30 &	2	4
	Dec. 2-Jan. 20	2	4
White Geese	Oct. 23-Oct. 26 &	5	10
	Oct. 28-Nov. 2 &	5	10
	Nov. 4-Feb. 8	5	10
Brant	Nov. 30-Dec. 21 &	2	4
	Dec. 23-Dec. 28 &	2	4
	Dec. 30-Jan. 20	2	4

	Season Dates	Limits: Bag	Limits: Possession
West Virginia			
Ducks:			
Zone 1	Oct. 5-Oct. 12 &	3	6
	Dec. 14-Jan. 4	3	6
Zone 2	Oct. 5-Oct. 12 &	3	6
	Oct. 26-Nov. 16	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Gallinules/Moorhens	Same as for ducks	15	30
Canada Geese:			
Zone 1	Oct. 1-Oct. 12 &	3	6
	Nov. 22-Jan. 18	3	6
Zone 2	Oct. 1-Nov. 16 &	3	6
	Dec. 27-Jan. 18	3	6
White Geese:			
Zone 1	Oct. 1-Oct. 12 &	5	10
	Nov. 22-Jan. 18	5	10
Zone 2	Oct. 1-Nov. 16 &	5	10
	Dec. 27-Jan. 18	5	10
Brant	Nov. 29-Jan. 17	2	4

(1) Special sea duck hunting areas are limited to coastal waters and waters of rivers and streams seaward from the first upstream bridge in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York; to waters of the Atlantic Ocean and, in addition, to tidal waters of any bay which are separated by at least one mile of open water from any shore, island, and emergent vegetation in New Jersey, South Carolina, and Georgia; and to waters of the Atlantic Ocean and/or tidal waters of any bay which are separated by at least 800 yards of open water from any shore, island, and emergent vegetation in Delaware, Maryland, North Carolina, and Virginia; and provided that any such areas have been described, delineated, and designated as special sea duck hunting areas under the hunting regulations adopted by the respective States. In all other areas of these States and in all other States in the Atlantic Flyway, sea ducks may be taken only during the regular open season for ducks and they must be included in the regular duck season conventional or point-system daily bag and possession limits. Within the special sea duck areas, the daily bag limit is 7 and possession limit is 14 scoter, eider, and oldsquaw ducks, singly or in the aggregate. These limits may be in addition to the regular duck bag limits during the regular duck season in the special sea duck hunting areas.

(2) Notwithstanding the provisions of this Part 20 the shooting of crippled waterfowl from a motorboat under power will be permitted in Maine, Massachusetts, New Hampshire, Rhode Island, Connecticut, New York, Delaware, Virginia, and Maryland in those areas described, delineated, and designated in their respective hunting regulations as being open to sea duck hunting.

(3) In Maryland, the daily bag limit may include no more than 1 redhead; and the black duck season is closed October 18 through October 19.

(4) In Pennsylvania, in Mercer and Butler Counties in the South Zone, the goose season is October 14 through October 29 and November 11 through December 14 with a daily bag limit of 2 and a possession limit of 4. In Erie and Mercer Counties in the Northwest Zone, the goose season is October 14 through October 29 and November 11 through December 14 with a daily bag limit of 2 and the possession limit of 4. In Erie county in the Lake Erie Zone, the goose season is November 9 through December 28 with a daily bag limit of 2 and possession limit of 4. In Crawford County, including the controlled hunting areas of the Pymatuning Wildlife Management Area, the goose season is October 7 through December 14 with a 1-goose daily-bag limit.

(5) In South Carolina, except on December 29, there will be no Sunday hunting in Georgetown County or Charleston County from the Georgetown County line (South Santee River) to the Wando River, East of US Highway 17. The shooting hours in this area will be one-half hour before sunrise to 12:00 noon daily except on November 30 and on January 4 when shooting hours will be one-half hour before sunrise to sunset. During the period December 10 to January 3, shooting hours are one-half hour before sunrise to 12:00 noon daily on all lands and waters of that portion of Lake Marion and Santee Swamp west of the Interstate 95 Bridge upstream to the confluence of the Wateree and Congaree Rivers. The affected area being further described as all lands west of I-95 within or adjacent to Lake Marion which is owned by Santee Cooper or the State of South Carolina in the counties of Clarendon, Sumter, Orangeburg, and Calhoun. This regulation shall apply to all land in the area described above whether such land shall be exposed or inundated. During the November season and on January 4, shooting hours in the area will be one-half hour before sunrise to sunset. NOTE: These regulations shall apply to land owned by Santee Cooper or the State of South Carolina ONLY. In Hampton, Colleton, Dorchester, Jasper, Beaufort and Charleston Counties the shooting hours will be one-half hour before sunrise to 12:00 noon daily except on November 27 and January 4 when shooting hours will be one-half hour before sunrise to sunset.

(6) In South Carolina, the bag limit of 3 may include no more than 1 female mallard or 1 black duck or 1 mottled duck.

(7) In South Carolina, the limit for Canada geese is one per permit. All persons hunting Canada geese must have a special permit issued by the South Carolina Wildlife and Marine Resources Department.
(8) In Vermont, a permit is required for the Dead Creek Goose Management Area in Addison, and the daily bag limit is 2 geese of any species.

MISSISSIPPI FLYWAY

Definitions

The Mississippi Flyway includes Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Tennessee, and Wisconsin.

Light geese include lesser snow (including blue) geese, greater snow geese, and Ross' geese.

Dark geese include Canada geese, white-fronted geese, and brant.

Flywaywide Restrictions

Shooting hours are one-half hour before sunrise to sunset daily except as otherwise noted--Check State regulations for further restrictions. States that further restrict shooting hours (in specified seasons, dates, or locations) include, but are not limited to: Arkansas, Illinois, Minnesota, and Wisconsin.

Duck Limits: The daily bag limit may include no more than 2 mallards (no more than 1 of which may be a female), 1 black duck, 1 pintail, 2 wood ducks, and 1 redhead. The possession limit is twice the daily bag limit.

Canvasbacks: All areas of the Flyway are closed to canvasback hunting.

Merganser Limits: The merganser limit includes no more than 1 hooded merganser daily and 2 in possession.

Gallinule Limits: The daily bag and possession limit for purple gallinules and common moorhens is singly or in the aggregate of the two species.

Zones: Boundaries are described in the September 26, 1991, Federal Register and in the appropriate State regulations.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS. SPECIAL RESTRICTIONS MAY APPLY ON FEDERAL AND STATE PUBLIC HUNTING AREAS AND FEDERAL INDIAN RESERVATIONS.

	Season Dates	Limits: Bag	Limits: Possession
Alabama			
Ducks:			
North Zone	Dec. 7-Jan. 5	3	6
South Zone	Nov. 21-Nov. 24 &	3	6
	Dec. 11-Jan. 5	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Geese:		5	5
Canada or white-fronted:			
North Zone	Dec. 7-Jan. 25	2	4
South Zone	Nov. 21-Nov. 24 &	2	4
	Dec. 11-Jan. 25	2	4
Light Geese and Brant	Same as for Canada geese	5	5
Arkansas			
Ducks	Nov. 23-Dec. 2 &	3	6
	Dec. 14-Dec. 22 &	3	6
	Dec. 26-Jan. 5	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Geese:		7	14
Canada (limited area)	Jan. 4-Jan. 28	2	4
White-fronted	Nov. 23-Jan. 31	2	4
Brant	Nov. 23-Jan. 31	7	14
Light Geese	Nov. 23-Feb. 10	7	14

	Season Dates	Limits: Bag	Limits: Possession
Illinois			
Ducks:			
North Zone	Oct. 19-Nov. 17	3	6
Central Zone	Nov. 1-Nov. 30	3	6
South Zone	Nov. 9-Dec. 8	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Geese (1):		7	14
Canada (2):			
North Zone	Sept. 28-Oct. 6 &	3	10
	Oct. 19-Jan. 7	3	10
Central Zone			
Tri-County Zone	Nov. 1-Jan. 12	2	10
Remainder of Central Zone	Sept. 28-Oct. 6 &	3	10
	Nov. 1-Jan. 20	3	10
South Zone:			
Southern Illinois Quota Zone (2)	Nov. 9-Jan. 31	3	10
Rend Lake Quota Zone (2)	Nov. 9-Jan. 31	3	10
Remainder of South Zone	Nov. 9-Jan. 31	3	10
White-fronted and Brant			
North Zone	Sept. 28-Oct. 6 &	2	4
	Oct. 19-Dec. 18	2	4
Central Zone			
Tri-County Zone	Nov. 1-Jan. 9	2	4
Remainder of Central Zone	Sept. 28-Oct. 6 &	2	4
	Nov. 1-Dec. 31	2	4
South Zone	Nov. 9-Jan. 17	2	4
Light Geese:			
North Zone	Sept. 28-Oct. 6 &	7	14
	Oct. 19-Dec. 28	7	14
Central Zone			
Tri-County Zone	Nov. 1-Jan. 12	7	14
Remainder of Central Zone	Sept. 28-Oct. 6 &	7	14
	Nov. 1-Jan. 10	7	14
South Zone	Nov. 9-Jan. 27	7	14
Indiana			
Ducks:			
North Zone	Oct. 19-Oct. 21 &	3	6
	Nov. 7-Dec. 3	3	6
South Zone	Oct. 26-Oct. 30 &	3	6
	Nov. 28-Dec. 22	3	6
Ohio River Zone	Nov. 16-Nov. 19 &	3	6
	Dec. 7-Jan. 1	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Geese:		7	14
Canada (2):			
North Zone (3)	Oct. 19-Oct. 21 &	2	4
	Nov. 7-Jan. 12	2	4
South Zone:			
Posey County (2)	Nov. 23-Jan. 31	4	8
Remainder of South Zone	Oct. 26-Nov. 3 &	2	4
	Nov. 21-Jan. 20	2	4
Ohio River Zone:			
Posey County (2)	Nov. 23-Jan. 31	4	8
Remainder of Ohio River Zone	Nov. 12-Jan. 20	2	4
White-fronted	Same as for Canada geese	2	4
Light Geese and Brant	Same as for Canada geese	7	14

	Season Dates	Limits Bag	Limits Possession
Iowa			
Ducks:			
North Zone	Oct. 5-Oct. 6 &	3	6
	Oct. 19-Nov. 15	3	6
South Zone	Oct. 19-Oct. 25 &	3	6
	Nov. 9-Dec. 1	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Geese:		7	14
Canada:			
Southwest Zone	Oct. 12-Dec. 20	2	4
Remainder of State	Sept. 28-Dec. 6	2	4
White-fronted:			
Southwest Zone	Oct. 12-Dec. 20	2	4
Remainder of State	Sept. 28-Dec. 6	2	4
Brant			
Southwest Zone	Oct. 12-Dec. 20	7	14
Remainder of State	Sept. 28-Dec. 6	7	14
Light Geese:			
Southwest Zone	Oct. 12-Dec. 30	7	14
Remainder of State	Sept. 28-Dec. 16	7	14
Kentucky			
Ducks:			
Western Duck Zone	Nov. 28-Dec. 1 &	3	6
	Dec. 11-Jan. 5	3	6
Eastern Duck Zone	Dec. 7-Jan. 5	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Gallinules/Moorhens	Oct. 5-Oct. 28 &	15	30
	Nov. 28-Jan. 5	15	30
Geese (1):		7	14
Canada:			
Western Goose Zone (2):			
Fulton County	Nov. 28- Feb. 15	3	6
Remainder of Western Goose Zone	Nov. 28-Jan. 31	3	6
Remainder of State	Dec. 13-Jan. 31	2	4
White-fronted			
Western Goose Zone	Nov. 28-Jan. 31	2	4
Eastern Goose Zone	Dec. 13-Jan. 31	2	4
Light Geese and Brant			
Western Goose Zone	Nov. 28-Jan. 31	7	14
Eastern Goose Zone	Dec. 13-Jan. 31	7	14
Louisiana			
Ducks:			
West Zone	Nov. 16-Dec. 8 &	3	6
	Dec. 28-Jan. 5	3	6
East Zone			
Catahoula Lake Area	Nov. 23-Dec. 22	3	6
Remainder of East Zone	Nov. 23-Dec. 1 &	3	6
	Dec. 16-Jan. 5	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Gallinules/Moorhens	Nov. 16-Jan. 20	3	6

	Season Dates	Limits Bag	Limits Possession
Louisiana (cont.)			
Geese:		7	14
Canada (Southwest Zone Only)	Jan. 22-Jan. 30	1	2
White-fronted (4)	Nov. 16-Dec. 7 &	2	4
	Dec. 14-Jan. 30	2	4
Brant	Nov. 16-Dec. 7 &	7	14
	Dec. 14-Jan. 30	7	14
Light Geese	Nov. 16-Dec. 7 &	7	14
	Dec. 14-Feb. 9	7	14
Michigan			
Ducks:			
North Zone	Oct. 5-Nov. 3	3	6
Middle Zone	Oct. 12-Nov. 10	3	6
South Zone	Oct. 19-Nov. 14 &	3	6
	Nov. 29-Dec. 1	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Gallinules/Moorhens	Same as for ducks	15	30
Michigan (cont.)			
Geese:		7	14
Canada (2):			
North Zone:			
West of Forest Highway 13	Sept. 21-Nov. 30	3	6
East of Forest Highway 13	Sept. 26-Nov. 14	2	4
Middle Zone	Oct. 12-Nov. 30	2	4
South Zone:			
Allegan County Goose Management Unit (2)	Oct. 19-Nov. 14 &	1	2
	Nov. 15-Dec. 15	2	4
Muskegon Wastewater Goose Management Unit (2)	Oct. 19-Nov. 14 &	2	4
	Dec. 1-Dec. 23	2	4
Saginaw County Goose Management Unit (2)	Oct. 5-Nov. 10 &	2	4
	Nov. 29-Dec. 1	2	4
Tuscola/Huron Goose Management Unit (2)	Oct. 5-Nov. 10 &	2	4
	Nov. 29-Dec. 1	2	4
Southern Michigan Goose Management Unit:			
East of U.S. 27/127	Oct. 19-Nov. 14 &	2	4
	Nov. 29-Dec. 1	2	4
(special season)	Jan. 4-Feb. 2	2	4
West of U.S. 27/127	Oct. 19-Nov. 14 &	2	4
	Nov. 29-Dec. 21	2	4
(special season)	Jan. 4-Feb. 2	2	4
Remainder of South Zone:			
East of U.S. 27/127	Oct. 19-Nov. 14 &	2	4
	Nov. 29-Dec. 1	2	4
West of U.S. 27/127	Oct. 19-Nov. 14 &	2	4
	Nov. 29-Dec. 21	2	4
White-fronted	See Footnote 5	2	4
Light Geese and Brant	See Footnote 5	7	14

	Season Dates	Limits: Bag	Limits: Possession
Minnesota			
Ducks	Oct. 5-Oct. 13 &	3	6
	Oct. 17-Nov. 3 &	3	6
	Nov. 8-Nov. 10	3	6
Mergansers	Same as for ducks	5	10
Coots, Gallinules/Moorhens (singly or in the aggregate)	Same as for ducks	15	30
Geese:		7	14
Canada:			
West Central Zone:			
Lac qui Parle Zone (2)	Sept. 28-Nov. 6	1	2
Remainder of West Central Zone	Sept. 28-Nov. 6	1	2
Southeast Zone:			
Twin Cities Metro Goose Zone and Olmsted County	Sept. 28-Dec. 6 &	2	4
	Dec. 14-Dec. 23	2	4
Remainder of Southeast Zone	Sept. 28-Dec. 6	2	4
Remainder of State	Sept. 28-Nov. 16	2	4
White-fronted:			
West Central Zone	Sept. 28-Nov. 6	2	4
Southeast Zone	Sept. 28-Dec. 6	2	4
Remainder of State	Sept. 28-Nov. 16	2	4
Brant			
West Central Zone	Sept. 28-Nov. 6	7	14
Southeast Zone	Sept. 28-Dec. 6	7	14
Remainder of State	Sept. 28-Nov. 16	7	14
Light Geese	Sept. 28-Dec. 16	7	14
Mississippi			
Ducks	Dec. 7-Jan. 5	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Geese:		7	14
Canada	Dec. 7-Jan. 31	2	4
White-fronted	Dec. 7-Jan. 31	2	4
Brant	Dec. 7-Jan. 31	7	14
Light Geese	Dec. 7-Feb. 14	7	14
Missouri			
Ducks and Mergansers:			
North Zone	Nov. 2-Dec. 1	3	6
Middle Zone	Nov. 9-Dec. 8	3	6
South Zone	Nov. 30-Dec 29	3	6
Coots	Same as for ducks	15	30
Geese (1):		7	14
Canada:			
North Zone:			
Swan Lake Zone (2)	Nov. 2-Nov. 10 &	2	4
	Nov. 23-Jan. 2	2	4
Remainder of North Zone	Nov. 2-Nov. 10 &	2	4
	Nov. 23-Jan. 2	2	4
Middle Zone			
Schell-Osage Zone	Nov. 16-Jan. 4	2	4
Remainder of Middle Zone	Dec. 2-Jan. 20	2	4
South Zone	Dec. 2-Jan. 20	2	4
White-fronted			
North Zone	Nov. 2-Jan. 10	2	4
Middle Zone	Nov. 16-Jan. 24	2	4
South Zone	Nov. 16-Jan. 24	2	4

	Season Dates	Limits: Bag	Limits: Possession
Missouri (cont.)			
Brant			
North Zone	Nov. 2-Jan. 10		14
Middle Zone	Nov. 16-Jan. 24	7	14
South Zone	Nov. 16-Jan. 24		14
Light Geese			
North Zone	Nov. 2-Jan. 20	7	14
Middle Zone	Nov. 16-Feb. 3	7	14
South Zone	Nov. 16-Feb. 3	7	14
Ohio (6)			
Pymatuning Area:			
Ducks	Oct. 14-Oct. 19 &	3	6
	Nov. 11-Dec. 4	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	5	30
Canada Geese	Oct. 7-Dec. 14	1	2
Light Geese	Oct. 17-Jan. 31	5	10
Brant	Nov. 25-Jan. 11	2	4
Remainder of State:			
Ducks:			
North Zone	Oct. 19-Nov. 2 &	3	6
	Nov. 16-Nov. 30	3	6
South Zone	Oct. 19-Oct. 27 &	3	6
	Dec. 16-Jan. 5	3	6
Ohio River Zone	Oct. 19-Oct. 29 &	3	6
	Dec. 18-Jan. 5	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	5	30
Geese:		7	14
Canada (7)	Oct. 19-Nov. 30 &	2	4
	Dec. 10-Jan. 5	2	4
White-fronted	Same as for Canada geese	2	4
Light Geese and Brant	Same as for Canada geese	7	14
Tennessee			
Ducks:			
Reelfoot Zone	Nov. 16-Nov. 17 &	3	6
	Dec. 9-Jan. 5	3	6
Statewide Zone	Dec. 7-Jan. 5	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Gallinules/Moorhens	Same as for ducks	15	30
Geese:		7	14
Canada:			
Northwest Zone (2)	Dec. 7-Feb. 15	3	6
Southwest Zone	Dec. 7-Jan. 30	2	4
Kentucky/Barkley Lake Zone	Dec. 13-Jan. 31	2	4
Remainder of State (8)	Dec 7-Jan. 31	2	4
White-fronted	Nov. 23-Jan. 31	2	4
Light Geese and Brant	Nov. 23-Jan. 31	7	14

	Season Dates	Limits Bag	Possession
Wisconsin			
Ducks:			
North Duck Zone	Oct. 5-Oct. 13 &	3	6
	Oct. 19-Nov. 8	3	6
South Duck Zone	Oct. 5-Oct. 8 &	3	6
	Oct. 16-Nov. 10	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	5	10
Gallinules/Moorhens	Same as for ducks	5	10
Geese:		7	14
Canada (2):			
Horicon Zone	Sept. 21-Dec. 22	Tag System--See	
Pine Island Zone	Sept. 21-Dec. 1	State Regulations	
Collins Zone	Sept. 21-Nov. 22 &		
	Dec. 2-Dec. 5	Tag System	
Theresa Zone	Sept. 21-Nov. 22 &		
	Dec. 2-Dec. 22	Tag System	
Exterior Zone:			
Mississippi River Subzone:			
North Duck Zone	Oct. 5-Oct. 13 &	1	2
	Oct. 19-Dec. 22	2	4
South Duck Zone	Oct. 5-Oct. 8 &	1	2
	Oct. 16-Dec. 22	2	4
Rock Prairie Subzone	Sept. 21-Nov. 3	2	4
(special season)	Nov. 4-Dec. 15	1	2
Brown County Subzone	Sept. 21-Nov. 30	2	4
(special season)	Dec. 1-Dec. 31	3	6
Remainder of Exterior Zone	Sept. 21-Dec. 22	2	4
White-fronted	See Footnote 9	2	4
Light Geese and Brant	See Footnote 9	7	14

(1) Geese taken in Illinois and Missouri and in the Kentucky counties of Ballard, Hickman, Fulton, and Carlisle may not be transported, shipped or delivered for transportation or shipment by common carrier, the Postal Service, or by any person except as the personal baggage of licensed waterfowl hunters, provided that no hunter shall possess or transport more than the legally-prescribed possession limit of geese. Geese possessed or transported by persons other than the taker must be labeled with the name and address of the taker and the date taken.

(2) Harvests of Canada geese will be limited as follows:

Illinois:
- Southern Illinois Quota Zone - 72,400
- Rend Lake Quota Zone - 21,700
- Remainder of State - 50,700

Indiana:
- Posey County - 6,000
- Remainder of State - 19,500

Kentucky:
- Western Zone:
  - Ballard Reporting Area - 28,000
  - Henderson/Union Reporting Area - 8,200
  - Remainder of Western Zone - 7,000

Michigan:
- Allegan County Goose Management Area - 6,000
- Muskegon Wastewater Goose Management Area - 1,000
- Saginaw County Goose Management Area - 4,000
- Tuscola/Huron Goose Management Area - 2,000
- Remainder of State - 84,900

Minnesota: Lac qui Parle Zone - 6,000

Missouri: Swan Lake Zone - 10,000

Tennessee:
- Northwest Zone:
  - Reelfoot Subzone - 15,500
  - Remainder of Northwest Zone - 7,000
- Southwest Zone - 2,500

Wisconsin:
- Horicon Zone - 139,800
- Theresa Zone - 6,500
- Pine Island Zone - 800
- Collins Zone - 3,000
- Exterior Zone - 40,000

When it has been determined that the quota of Canada geese allotted to the Southern Illinois Quota Zone, the Rend Lake Quota Zone in Illinois, the Swan Lake Zone in Missouri, Posey County in Indiana, the Lac qui Parle Zone in Minnesota, the Ballard and Henderson/Union Reporting Areas in Kentucky, the Reelfoot Subzone in Tennessee, and the Superior Counties, Allegan County, Muskegon Wastewater, Fish Point, and Saginaw County Goose Management Areas in Michigan, will have been filled, the season for taking Canada geese in the respective area will be closed by either the Director upon giving public notice through local information media at least 48 hours in advance of the time and date of closing or by the State through State regulations with such notice and time (not less than 48 hours) as they deem necessary.

(3) In Indiana, in Lagrange and Steuben Counties and on the Jasper-Pulaski and Kankakee Fish and Wildlife Areas, the bag and possession limits for Canada geese shall be 1 and 2, respectively.

(4) In Louisiana, in the Southwest Zone during the experimental Canada goose season, the daily bag limit is 2 Canada and white-fronted geese in the aggregate, no more than 1 of which may be a Canada goose. The possession limit is twice the daily bag limit. A special permit is required by the State.

(5) In Michigan, the seasons for white-fronted geese, light geese, and brant are concurrent with the seasons for Canada geese, except in the Southern Michigan Goose Management Unit, where the January 4 through February 2 special season is for Canada geese only.

(6) In the Pymatuning Area of Ohio, the restrictions of the duck bag limit for Pennsylvania apply.

(7) In Ohio, in the Counties of Ashtabula, Trumbull, Ottawa, Sandusky, and that portion of Lucas County east of the Maumee River, the Canada goose limits are 1 daily and 2 in possession.

(8) In Tennessee, the Canada goose season will be November 23 through January 31 on Woods and Tims Ford Units and on portions of Cheatum, Old Hickory, and Percy Priest Units. A special permit is required in the Harvest Quota Units. See State regulations for details.

(9) In Wisconsin, The seasons for white-fronted geese, light geese, and brant are concurrent with seasons for ducks or Canada geese, in each zone and subzone, except as follows: The season for light geese closes statewide December 9 and seasons for white-fronted geese and brant close statewide November 29.

CENTRAL FLYWAY

Definitions

The Central Flyway consists of Colorado (east of the Continental Divide), Kansas, Montana (Blaine, Carbon, Fergus, Judith Basin, Stillwater, Sweetgrass, Wheatland, and all counties east thereof), Nebraska, New Mexico (east of the Continental Divide except that the Jicarilla Apache Indian Reservation is in the Pacific Flyway), North Dakota, Oklahoma, South Dakota, Texas, and Wyoming (east of the Continental Divide).

Geese include all species of geese and brant.

Dark Geese include Canada geese, white-fronted geese, and brant.

Light Geese include lesser snow (including blue) geese, greater snow geese, and Ross' geese.

Flywaywide Restrictions

Shooting (including hawking) hours: One-half hour before sunrise to sunset daily except as otherwise restricted--Check State regulations. States that further restrict shooting hours (in specified seasons, dates, or locations) include, but are not limited to: Colorado, North Dakota, and Wyoming.

Duck Limits: The daily bag limit may include no more than 2 mallards (no more than 1 of which may be a female), 1 mottled duck, 1 pintail, 1 redhead, and 2 wood ducks. The possession limit is twice the daily bag limit.

Canvasbacks: All areas of the Flyway are closed to canvasback hunting.

Mergansers: The merganser limit includes no more than 1 hooded merganser daily and 2 in possession.

Point System—Ducks and Mergansers: The daily bag limit is reached when the point value of the last bird taken added to the sum of the point values of the other birds already taken during that day reaches or exceeds 100 points. The possession limit is the maximum number of birds of species and sex which could have legally been taken in 2 days.

The point values assigned to the species and sexes are as follows:

100 points	50 points	35 points
Female mallard Mottled duck Pintail Redhead Hooded merganser	Male mallard Wood duck	All other permitted species of ducks and mergansers

The Central Flyway States selecting the point system bag limits on designated species are listed in the table below.

Zones: Boundaries are described in the September 26, 1991, Federal Register and in the appropriate State regulations.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES. SPECIAL RESTRICTIONS MAY APPLY ON FEDERAL AND STATE PUBLIC HUNTING AREAS AND FEDERAL INDIAN RESERVATIONS.

	Season Dates	Limits: Bag	Limits: Possession
Colorado			
Ducks	Oct. 5-Oct. 14 &	Point system	
	Nov. 9-Nov. 30 &		
	Dec. 14-Jan. 1		
Coots	Same as for ducks	15	30
Dark Geese:			
Northern Front Range Unit	Sept. 28-Oct. 6 &	3	6
	Oct. 26-Jan. 31	3	6
South Park Unit (1)	Sept. 28-Oct. 6 &	2	4
	Oct. 26-Jan. 1	2	4
San Luis Valley Unit (1)	Oct. 26-Jan. 1	2	4
North Park Unit	Sept. 28-Oct. 6	2	4
Arkansas Valley Unit	Nov. 13-Jan. 31	3	6
Remainder of State in Central Flyway	Oct. 26-Jan. 31	3	6
Light Geese:			
Northern Front Range Unit	Nov. 2-Jan. 31	5	10
South Park Unit (1)	Nov. 2-Jan. 1	2	4
San Luis Valley Unit (1)	Nov. 2-Jan. 1	2	4
North Park Unit	Closed	-	-
Arkansas Valley Unit	Nov. 13-Feb. 16	5	10
Remainder of State in Central Flyway	Nov. 2-Jan. 31	5	10
Kansas			
Ducks (2):		Point system	
High Plains Area	Oct. 12-Oct. 27 &		
	Nov. 9-Dec. 1 &		
	Dec. 21-Jan. 1		
Low Plains Area	Oct. 19-Oct. 27 &		
	Nov. 11-Dec. 1 &		
	Dec. 28-Jan. 5		
Coots	Same as for ducks	15	30
Dark Geese (3):		2	4
Canada	Nov. 16-Dec. 13 &	1	2
	Dec. 14-Jan. 19	2	4
White-fronted	Nov. 16-Jan. 19	1	2
Kansas (cont.)			
Light Geese:			
Unit 1	Nov. 9-Feb. 16	5	10
Unit 2	Oct. 26-Feb. 2	5	10
Montana			
Ducks:		Point system	
Zone 1	Oct. 5-Nov. 12 &		
	Dec. 7-Dec. 18		
Zone 2	Oct. 5-Oct. 13 &		
	Nov. 7-Dec. 18		
Coots	Same as for ducks	15	30
Geese:			
Sheridan County:			
Dark Geese	Sept. 28-Jan. 5	2	4
Light Geese	Sept. 28-Jan. 5	4	8
Remainder of State in Central Flyway:			
Dark Geese	Sept. 28-Jan. 5	4	8
Light Geese	Sept. 28-Jan. 5	4	8
Nebraska			
Ducks:		Point system	
High Plains Area	Oct. 19-Nov. 11 &		
	Nov. 22-Dec. 18		
Low Plains Area:			
Zones 1 and 2	Nov. 2-Nov. 3 &		
	Nov. 9-Dec. 15		
Zones 3 and 4	Oct. 12-Oct. 14 &		
	Oct. 26-Nov. 30		
Coots	Same as for ducks	15	30
Dark Geese:		2	4
North Unit			
Canada	Nov. 9-Jan. 26	2	4
White-fronted	Nov. 9-Jan. 26	1	2
East Unit			
Canada	Oct. 5-Nov. 15 &	1	2
	Nov. 16-Dec. 15 &	2	4
	Dec. 16-Dec. 22	1	2
White-fronted	Oct. 5-Dec. 22	1	2
West Unit			
Canada	Oct. 26-Nov. 15 &	1	2
	Nov. 16-Dec. 15 &	2	4
	Dec. 16-Jan. 12	1	2
White-fronted	Oct. 26-Jan. 12	1	2
Light Geese	Sept. 28-Dec. 22	7	14
New Mexico			
Ducks:		Point system	
Zone 1	Oct. 19-Nov. 8 &		
	Dec. 7-Jan. 5		
Zone 2	Nov. 16-Jan. 5		
Coots	Same as for ducks	15	30
Common Moorhens	Same as for ducks	2	4
Dark Geese (4)	Oct. 19-Jan. 19	3	6
Light Geese:			
Rio Grande Valley Unit	Nov. 2-Feb. 16	5	10
Remainder of State in Central Flyway	Nov. 2-Feb. 9	5	10

	Season Dates	Limits Bag	Possession
North Dakota			
Ducks:			
Statewide	Oct. 5-Nov. 10 &	3	6
	Nov. 16-Nov. 17	3	6
High Plains Area Only			
(male mallards only)	Dec. 7-Dec. 18	2	4
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Dark Geese:		2	4
Statewide:			
Canada	Sept. 28-Oct. 18 &	1	2
	Oct. 19-Nov. 10	2	4
White-fronted	Sept. 28-Nov. 10	2	4
Missouri River Zone only	Nov. 11-Dec. 15	1	2
Light Geese	Sept. 28-Dec. 15	7	14
Oklahoma			
Ducks:			
High Plains Area	Oct. 19-Nov. 26 &	Point System	
	Dec. 14-Dec. 25		
Low Plains:			
Zone 1	Oct. 26-Nov. 17 &		
	Dec. 14-Dec. 29		
Zone 2	Nov. 9-Nov. 24 &		
	Dec. 14-Jan. 5		
Coots	Same as for ducks	15	30
Dark Geese:		2	4
Canada	Nov. 9-Nov. 24 &	2	4
	Nov. 30-Jan. 31	2	4
White-fronted	Nov. 9-Nov. 24 &	1	2
	Nov. 30-Jan. 31	1	2
Light Geese	Nov. 9-Feb. 16	5	10
South Dakota			
Ducks and Mergansers:			
High Plains Area	Oct. 5-Nov. 12 &	3	6
	Dec. 7-Dec. 18	3	6
Low Plains Area:			
North Zone	Oct. 5-Nov. 12	3	6
Middle Zone	Oct. 12-Nov. 19	3	6
South Zone	Oct. 26-Dec. 3	3	6
Coots	Same as for ducks	15	30
Dark Geese:		2	4
Missouri River Unit:			
Canada	Oct. 5-Nov. 8 &	1	2
	Nov. 9-Dec. 22	2	4
White-fronted	Oct. 5-Dec. 22	1	2
Remainder of State:			
Canada	Oct. 5-Dec. 22	1	2
White-fronted	Oct. 5-Dec. 22	1	2
Light Geese	Oct. 5-Dec. 22	7	14

	Season Dates	Limits Bag	Possession
Texas			
Ducks:			
High Plains Area	Nov. 16-Jan. 5	3	6
Remainder of State	Nov. 23-Dec. 1 &	3	6
	Dec. 7-Jan. 5	3	6
Mergansers	Same as for ducks	5	10
Coots	Same as for ducks	15	30
Geese:			
East of U.S. Highway 81:			
Dark Geese:			
Canada	Nov. 9-Jan. 19 &	1	2
	Jan. 20-Jan. 26	2	4
White-fronted	Nov. 9-Jan. 19	1	2
Light Geese	Nov. 9-Feb. 16	5	10
West of U.S. Highway 81:			
Dark Geese	Oct. 12-Jan. 26	3	6
Light Geese	Oct. 12-Jan. 26	5	10
Wyoming			
Ducks and Mergansers	Oct. 5-Oct. 21 &	3	6
	Nov. 16-Dec. 2 &	3	6
	Dec. 14-Dec. 30	3	6
Coots	Same as for ducks	15	30
Geese:		2	4
Zone 1	Oct. 5-Dec. 31	2	4
Zone 2	Oct. 26-Dec. 31	2	4
Zone 3	Nov. 1-Dec. 31	2	4
Zone 4	Nov. 16-Nov. 30 &	2	4
	Dec. 1-Dec. 31 &	3	6
	Jan. 1-Jan. 12	2	4
Canada Geese only:			
Zone 3	Oct. 5-Oct. 31	2	4

(1) In Colorado, in the South Park and San Luis Valley Units, the bag limit is 2 dark and light geese in the aggregate. The possession limti is twice the daily bag limit.

(2) In Kansas, the season is closed on canvasbacks. Canvasbacks may not be taken by falconry.

(3) In Kansas, exceptions to the dark goose season are as follows: (a) Marais des Cygne Valley Unit and South Flint Hills Unit - Season dates are December 21, 1991 through January 12, 1992. Dark goose permits issued by the Kansas Department of Wildlife and Parks are required. In the Marais des Cygne Valley Unit, unlimited permits are available, with a maximum of two permits per individual and one goose per permit. Shooting hours in this unit shall be one-half hour before sunrise to 1:00 p.m. In the South Flint Hills Unit, 250 permits are available with a maximum of one permit per individual and one goose per permit. In both areas, the permit must be signed, dated, and affixed to the leg of the goose immediately following the kill and before moving the carcass from the site of the kill. The permit must remain attached to the goose until prepared for consumption. A permit may not be transferred to another person nor may a permit be carried by someone in the absence of the individual to whom the permit has been issued. (b) Central Flint Hills Unit and Strip Pits Unit - Dark geese may not be hunted.

(4) In New Mexico, the season for dark geese is closed in Sandoval, Sierra, Valencia, Sorocco, and Bernalillo Counties.

PACIFIC FLYWAY

Definitions

The Pacific Flyway includes the States of Arizona, California, Colorado (west of the Continental Divide), Idaho, Montana (including and to the west of Hill, Chouteau, Cascade, Meagher, and Park Counties), Nevada, New Mexico (the Jicarilla Apache Indian Reservation and west of the Continental Divide), Oregon, Utah, Washington, and Wyoming (west of the Continental Divide including the Great Divide Basin).

White geese include lesser snow (including blue) geese, greater snow geese, and Ross' geese.

Dark geese include Canada geese, white-fronted geese, emperor geese, and brant.

Flywaywide Restrictions

Shooting (including hawking) hours: One-half hour before sunrise to sunset daily, except as otherwise noted--Check State regulations for further restrictions. States that further restrict shooting hours (in specified seasons, dates, or locations) include, but are not limited to: Idaho, Nevada, Oregon, Utah, and Washington.

Duck and Merganser Limits: Daily bag limits for ducks (including mergansers) may include no more than 3 mallards but only 1 female (hen) mallard, 1 pintail, and either 2 redheads or 2 canvasbacks, or 1 of each. The possession limit is twice the daily bag limit.

Goose Limits:

Aleutian Canada Geese: The season is closed throughout the Flyway.

Cackling Canada Geese: The season is closed in California, Oregon, and Washington.

White Geese and Dark Geese: Unless otherwise noted, seasons and limits for white geese are either singly or in the aggregate; and seasons and limits for dark geese are either singly or in the aggregate, except in Washington, Oregon, and California where there are separate seasons and limits on brant.

Zones: Boundaries are described in the September 26, 1991, Federal Register and in the appropriate State regulations.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATION OF GEOGRAPHICAL AREAS OR ZONES WITHIN STATES. SPECIAL RESTRICTIONS MAY APPLY ON FEDERAL AND STATE PUBLIC HUNTING AREAS AND FEDERAL INDIAN RESERVATIONS.

	Season Dates	Limits: Bag	Limits: Possession
Arizona			
Ducks (1):			
North Zone	Oct. 11-Dec. 8	4	8
South Zone	Oct. 11-Oct. 20 &	4	8
	Nov. 18-Jan. 5	4	8
Coots and common moorhens (singly or in the aggregate)	Same as for ducks	25	25
Geese:		5	5
White-fronted	Closed	-	-
Canada: (2)			
GMU 22 & 23	Nov. 15-Jan. 19	2	2
Remainder of State	Oct. 19-Jan. 19	2	2
White: (2)			
GMU 22 & 23	Nov. 15-Jan. 19	3	3
Remainder of State	Oct. 19-Jan. 19	3	3
California			
Ducks:			
Northeastern Zone	Oct. 12-Dec. 9	4	8
Colorado River Zone	Oct. 11-Oct. 20 &	4	8
	Nov. 18-Jan. 5	4	8
Southern Zone	Oct. 26-Nov. 17 &	4	8
	Nov. 30-Jan. 4	4	8
Southern San Joaquin Valley Zone	Nov. 9-Jan. 5	4	8
Balance-of-State Zone	Oct. 26-Nov. 16	4	8
	Nov. 30-Jan. 5	4	8
Coots and common moorhens (singly or in the aggregate)			
Northeastern Zone	Same as for ducks	25	25
Colorado River Zone	Same as for ducks	25	25
Southern Zone	Oct. 26-Jan. 4	25	25
Southern San Joaquin Valley Zone	Same as for ducks	25	25
Balance-of-State Zone	Oct. 26-Jan. 5	25	25
California (cont.)			
Aleutian and Cackling Canada Geese	Closed	-	-
Brant	Nov. 1-Nov. 30	2	4
Other Geese (3):			
Northeastern Zone:		3	6
Canada Geese	Oct. 12-Jan. 12	2	4
White-fronted Geese	Oct. 12-Nov. 3	1	2
White Geese	Oct. 12-Jan. 12	3	6
Colorado River Zone:		5	5
Canada Geese	Oct. 19-Jan. 19	2	2
White-fronted Geese	Closed	-	-
White Geese	Oct. 19-Jan. 19	3	3
Southern Zone:		6	6
Dark Geese		3	3
Canada			
District 22	Oct. 19-Jan. 12	1	2
Remainder of Southern Zone	Oct. 19-Jan. 12	2	2
White-fronted Geese	Oct. 12-Jan. 12	3	3
White Geese	Oct. 12-Jan. 12	3	3
Southern San Joaquin Valley Zone:		3	3
Dark Geese (4)		1	1
Canada	Nov. 9-Jan. 12	1	1
White-fronted Geese	Nov. 9-Jan. 12	1	1
White Geese	Nov. 9-Jan. 12	3	3
Balance-of-the-State:		3	3
Dark Geese (4)		1	1
Canada:			
Del Norte & Humboldt	Closed	-	-
Sacramento Valley	Closed	-	-
San Joaquin Valley	Oct. 26-Nov. 22	1	1
Remainder of Balance-of-the-State	Oct. 28-Jan. 12	1	1
White-fronted:			
Sacramento Valley	Oct. 26-Nov. 30	1	1
Remainder of Balance-of-the-State	Oct. 26-Dec. 29	1	1
White Geese	Oct. 26-Jan. 12	3	3
Colorado			
Ducks	Oct. 5-Oct. 17 &	4	8
	Nov. 9-Dec. 1 &	4	8
	Dec. 14-Jan. 5	4	8
Coots	Same as for ducks	25	25
Geese:			
Brown's Park, Moffat County	Oct. 26-Dec. 8	1	2
Delta and Montrose Counties	Nov. 9-Jan. 12	2	4
Gunnison County, and Saguache County west of the Continental Divide	Oct. 26-Jan. 12	State permit only	
Dolores, LaPlata and Montezuma Counties	Closed	-	-
Remainder of State in Pacific Flyway	Sept. 28-Oct. 11 &	2	4
	Oct. 26-Jan. 12	2	4

	Season Dates	Limits: Bag	Limits: Possession
<u>Idaho</u>			
Ducks:			
Zone 1	Oct. 26-Dec. 23	4	8
Zone 2	Oct. 5-Dec. 2	4	8
Zone 3	Oct. 12-Oct. 19 &	4	8
	Nov. 16-Jan. 5	4	8
Coots	Same as for ducks	25	25
Geese:		3	6
Area 1	Oct. 5-Jan. 5	3	6
Area 2 (5)			
Dark	Oct. 5-Jan. 5	2	4
White	Oct. 5-Jan. 5	3	6
Area 3			
Dark	Oct. 5-Oct. 18 &	1	2
	Oct. 19-Jan. 5	2	4
White	Oct. 5-Jan. 5	3	6
Area 4	Oct. 5-Jan. 5	3	6
Area 5	Oct. 12-Jan. 12	3	6
<u>Montana</u>			
Ducks	Oct. 5-Oct. 20 &	4	8
	Nov. 5-Dec. 1 &	4	8
	Dec. 14-Dec. 29	4	8
Coots	Same as for ducks	25	25
Geese (6):			
East of the Continental Divide		6	6
Dark	Sept. 28-Dec. 29	3	6
White	Sept. 28-Dec. 29	3	6
West of the Continental Divide		5	6
Dark	Sept. 28-Dec. 29	2	4
White	Sept. 28-Dec. 29	3	6
<u>Nevada</u>			
Ducks:			
Clark County	Nov. 9-Jan. 5	4	8
Remainder of State	Oct. 19-Dec. 16	4	8
Coots and common moorhens (singly or in the aggregate)	Same as for ducks	25	25
Dark geese:			
Clark County	Nov. 23-Jan. 19	2	4
Remainder of State	Oct. 19-Jan. 19	3	6
White geese:			
Clark County	Nov. 23-Jan. 19	3	3
Remainder of State (7)	Oct. 19-Jan. 19	3	3
<u>New Mexico</u>			
Ducks (8)	Oct. 5-Oct. 20 &	4	8
	Nov. 23-Jan. 4	4	8
Coots	Same as for ducks	15	30
Common Moorhens	Same as for ducks	2	4
Geese:			
North of Interstate 40			
Dark	Jan. 4-Jan. 19	2	4
White	Jan. 4-Jan. 19	1	2
South of Interstate 40			
Dark	Oct. 19-Jan. 12	2	4
White	Oct. 19-Jan. 12	1	2

	Season Dates	Limits: Bag	Limits: Possession
<u>Oregon</u>			
Ducks:			
Columbia Basin	Oct. 12-Oct. 20 &	4	8
	Nov. 9-Jan. 4	4	8
Remainder of State			
Zone 1	Oct. 12-Oct. 20 &	4	8
	Nov. 16-Jan. 4	4	8
Zone 2	Oct. 12-Dec. 1 &	4	8
	Dec. 21-Dec. 28	4	8
Coots	Same as for ducks	25	25
Geese (3)		6	6
Western Oregon (9)	Oct. 19-Jan. 19	2	4
Eastern Oregon:			
Columbia Basin:			
Dark Geese	Oct. 12-Jan. 19	3	6
White Geese	Oct. 12-Jan. 19	3	6
Lake and Klamath (10):			
Dark Geese	Oct. 19-Jan. 19	3	6
White Geese	Oct. 19-Jan. 19	3	6
Baker and Malheur	Oct. 5-Jan. 5	2	4
Remainder of Eastern Oregon:			
Dark Geese	Oct. 19-Jan. 19	3	6
White Geese	Oct. 19-Jan 19	3	6
Brant	Jan. 4-Jan. 19	State permit only	
<u>Utah</u>			
Ducks			
Zone 1	Oct. 5-Dec. 2	4	8
Zone 2	Nov. 8-Jan. 5	4	8
Coots	Same as for ducks	25	25
Geese:		5	6
White	Oct. 5-Jan. 5	3	6
Dark:			
Washington County (11)	Oct. 19-Jan. 19	2	4
Cache County	Oct. 5-Jan. 1	2	4
Remainder of the State (12)	Oct. 5-Jan. 5	2	4
<u>Washington</u>			
Ducks:			
East Zone	Oct. 12-Oct. 20 &	4	8
	Nov. 10-Jan. 5	4	8
West Zone	Oct. 12-Oct. 20 &	4	8
	Nov. 17-Jan. 5	4	8
Coots	Same as for ducks	25	25
Geese (3):			
Eastern Washington:			
Columbia Basin (13)	Oct. 12-Jan. 12	3	6
Remainder of Eastern Washington	Oct. 12-Jan. 12	3	6
Western Washington:			
Lower Columbia River Zone (14)	Nov. 23-Jan. 11	3	6
Skagit Zone	Oct. 12-Dec. 29	3	6
Remainder of Western Washington	Oct. 12-Jan. 12	3	6
Brant (15)	Dec. 7-Dec. 22	2	4
<u>Wyoming</u>			
Ducks	Oct. 5-Dec. 1	4	8
Coots	Same as for ducks	25	25
Canada Geese (16)	Sept. 28-Dec. 29	3	6

(1) In Arizona, the daily limit may include no more than either 1 female (hen) mallard or 1 Mexican-like duck, but not both; and not more than 2 female (hen) mallards, 2 Mexican-like ducks, or 1 of each, may be in possession.
(2) In Arizona, in Yuma County, La Paz County, Game Management Units (Units) 13B, 15, and that portion of Unit 16 lying within Mohave County, the bag and possession limit is 2 and 4 for Canada geese and 3 and 6 for white geese, respectively.
(3) In California, Oregon and Washington, the season is closed on cackling and Aleutian Canada geese.
(4) In California, the dark goose limits may be expanded to 2 per day and 4 in possession provided they are Canada geese except for cackling and Aleutian Canada geese for which the season is closed.
(5) In Idaho, the season on white geese is closed in Fremont and Teton Counties.
(6) In Montana, check State regulations for special seasons/exceptions in Freezeout Lake WMA; Canyon Ferry; Flathead; Deer Lodge County; and Missoula County.
(7) In Nevada, there is no open season on white geese in Ruby Valley within Elko and White Pine Counties, White River Valley of Nye County, and Pahranagat Valley of Lincoln County.
(8) In New Mexico, the bag limit for ducks may include no more than 1 redhead and 1 canvasback.
(9) In Oregon, the Northwest Area is closed to all goose hunting, except for the special permit goose season on designated portions of the special permit goose area from November 17 to January 20. See State regulations for specific boundary descriptions, times, days, and other conditions of the special permit season.
(10) In Oregon, in Klamath and Lake Counties, the white-fronted goose season does not open until November 1.
(11) In Utah, the Washington County season is for Canada geese only.
(12) In Utah, in Daggett County east of U.S. Highway 191 the October 26 through December 8 season is only for Canada geese, with bag and possession limits of 1 and 2, respectively. At Desert Lake WMA the November 8 through January 5 season is for all geese, with bag and possession limits the same as for the balance of the State.
(13) In Washington, geese may be hunted only on Saturdays, Sundays, Wednesdays, and November 11, 28, 29 and December 25, 1991, and January 1, 1992, in the Columbia Basin Goose Area. Geese may be hunted every day during January 13 through 19 in Adams, Benton, Douglas, Franklin, Grant, Kittitas, Klickitat, Lincoln, Walla Walla, and Yakima Counties.
(14) In Washington, bag limits are 2 geese per day and 4 in possession. See State regulations for specific conditions of permit hunts and closures for Canada geese. In designated Canada goose areas, the season is open on Saturdays and Wednesday in Pacific County and on November 23, and 27, and December 1, 3, 7, 11, 15, 17, 21, 26, and 28, 1991, and January 2, 4, 8, and 11, 1992, in Clark, Cowlitz, and Wahkiakum counties.
(15) In Washington, brant may be hunted in Skagit, Pacific, and Whatcom Counties only; and only on December 7, 8, 10, 11, 12, 14, 15, 17, 19, 21, and 22, 1991.
(16) In Wyoming, the Canada goose season in Lincoln, Sweetwater, and Sublette Counties closes on December 26, 1991.

4. Section 20.106 is amended as follows:

§20.106 Seasons, limits, and shooting hours for sandhill cranes.

Note: The following seasons are in addition to the seasons published previously in the August 29, 1991, Federal Register.

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), shooting and hawking hours, and daily bag and possession limits for the species designated in this section are as follows:

The daily bag limit is 3 sandhill cranes and the possession limit is 6, unless otherwise noted.

Shooting and hawking hours are one-half hour before sunrise until sunset, except as otherwise noted.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS, INCLUDING AREA DESCRIPTIONS.

Central Flyway:

Each hunter participating in a regular sandhill crane hunting season must obtain and carry in his possession while hunting sandhill cranes a valid Federal sandhill crane hunting permit available without cost from conservation agencies in the states where crane hunting seasons are allowed. The permit must be displayed to any authorized law enforcement official upon request.

* * * * *

(c) In Oklahoma (that portion west of I-35), the inclusive dates are October 19, 1991 through January 19, 1992.

(d) In Texas, in Zone A, the inclusive dates are November 9, 1991, through February 9, 1992. In Zone B the inclusive dates are December 7, 1991, through February 16, 1992. In Zone C the inclusive dates are January 4, 1992, through February 9, 1992. In the remainder of the State the season is closed. See State regulations for description of zones.

* * * * *

5. Section 20.107 is revised to read as follows:

§20.107 Seasons, limits, and shooting hours for tundra (whistling) swans.

Tundra swans may be taken only by state-issued permit. Permittees may take only one tundra swan per season. Successful permittees must immediately validate their harvest by that method required in State regulations. Shooting hours are from one-half hour before sunrise to sunset daily except as otherwise restricted--Check State hunting regulations. Seasons are:

Atlantic Flyway: (a) In North Carolina, tundra swans may be hunted from November 2, 1991, through January 31, 1992; and (b) in Virginia, tundra swans may be hunted from November 4, 1991, through January 31, 1992.

Central Flyway: (a) In Montana, tundra swans may be hunted from September 28 through December 29, 1991; and (b) in North Dakota, tundra swans may be hunted from October 5 through November 17, 1991.

Pacific Flyway: (a) In Montana, tundra swans may be hunted only in Cascade, Hill, Liberty, Pondera, Toole, and Teton Counties from October 12 through December 29, 1991; (b) In Nevada, tundra swans may be hunted only in Churchill, Lyon, and Pershing Counties from October 19, 1991, through January 19, 1992: (c) In Utah, tundra swans may be hunted from October 5, 1991, through January 5, 1992.

6. Section 20.109 is revised to read as follows:

§20.109 Extended seasons, limits, and hours for taking migratory game birds by falconry.

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), hawking hours, and daily bag and possession limits on the species designated in this section are prescribed as follows:

Hawking hours are one-half hour before sunrise until sunset except as otherwise noted.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS, INCLUDING AREA DESCRIPTIONS.

Daily bag limit	3 singly or in the aggregate.
Possession limit	6 singly or in the aggregate.

These limits apply during both regular hunting seasons and extended falconry seasons--unless further restricted by State Regulations. Unless otherwise specified, extended falconry for ducks does not include sea ducks within the special sea duck areas.

Only extended falconry seasons are shown below. Most States also permit falconry during the gun seasons. Please consult State regulations for details.

Atlantic Flyway

Florida:

Mourning doves and white-winged doves	Oct. 28-Nov. 15 & Dec. 2-Dec. 13 & Jan. 13-Jan. 19
Common moorhens and rails	Nov. 10-Dec. 16
Woodcock	Nov. 24-Dec. 13 & Jan. 28-Mar. 9
Ducks and coots	Nov. 1-Nov. 19 & Dec. 2-Dec. 11 & Jan. 17-Feb. 28

Georgia:

Sea ducks	Nov. 15-Nov. 27 & Jan. 6-Feb. 29
Ducks, mergansers, gallinules, and coots	Nov. 15-Nov. 27 & Dec. 2-Dec. 10 & Jan. 6-Feb. 29

Maine	
Ducks, mergansers, and coots:	
North Zone	Oct. 28-Nov. 6 & Nov. 18-Jan. 23
South Zone	Oct. 21-Nov. 27 & Dec. 16-Jan. 23
Maryland:	
Mourning doves	Oct. 27-Nov. 20 & Dec. 11-Dec. 22
Rails	Nov. 10-Dec. 17
Woodcock	Oct. 5-Oct. 15 & Nov. 24-Dec. 8 & Dec. 15-Jan. 19
Ducks	Nov. 30-Dec. 9 & Jan. 5-Mar. 10
Canada geese	Jan. 23-Mar. 10
Brent	Jan. 19-Mar. 10
Massachusetts	
Ducks and coots:	
Berkshire Zone	Oct. 4-Oct. 12 & Nov. 14-Jan. 18
Central Zone	Oct. 4-Oct. 14 & Oct. 27-Nov. 12 & Dec. 1-Jan. 18
Coastal Zone	Oct. 4-Oct. 20 & Oct. 27-Dec. 11 & Jan. 5-Jan. 18
New Hampshire	
Ducks, mergansers, and coots:	
Inland Zone	Oct. 28-Nov. 26 & Dec. 8-Jan. 23
Coastal Zone	Oct. 9 only Oct. 14-Nov. 26 & Dec. 23-Jan. 23
New Jersey	
Woodcock:	
North Zone	Oct. 1-Oct. 11 & Nov. 16-Jan. 15 &
South Zone	Oct. 1-Nov. 8 & Dec. 1-Dec. 13 & Dec. 27-Jan. 15
Ducks:	
North Zone	Oct. 1-Oct. 15 & Oct. 27-Nov. 22 & Dec. 12-Jan. 15 &
South Zone	Oct. 1-Oct. 18 & Oct. 27-Nov. 27 & Dec. 20-Jan. 15
Coastal Zone	Oct. 1-Nov. 1 & Nov. 10-Dec. 13 & Jan. 5-Jan. 15
New York	
Ducks and coots:	
Long Island Zone	Nov. 1-Nov. 21
Lake Champlain Zone	no extended season
Northeastern Zone	Oct. 1-Oct. 4 & Oct. 14-Oct. 26
Southeastern Zone	Oct. 1-Oct. 11 & Oct. 21-Oct. 31
Western Zone	Oct. 1-Oct. 18
Geese:	
Long Island Zone (1)	Nov. 1-Nov. 2
Lake Champlain Zone	no extended season
Northeastern Zone	Oct. 1-Oct. 4
Southeastern Zone	Oct. 1-Oct. 11
Western Zone	Oct. 1-Oct. 15
Pennsylvania:	
Mourning doves	Oct. 13-Nov. 1 & Dec. 1-Dec. 17
Ducks:	
North Zone	Oct. 27-Nov. 3 & Nov. 21-Jan. 28
South Zone	Oct. 27-Nov. 24 & Dec. 19-Feb. 4
Northwest Zone	Oct. 20-Nov. 10 & Dec. 5-Jan. 28
Lake Erie Zone	Dec. 1-Dec. 18 & Dec. 29-Feb. 25
Canada geese:	
North Zone	Oct. 27-Nov. 3 & Dec. 24-Jan. 21
South Zone	Nov. 5-Nov. 24 & Jan. 12-Jan. 28

Northwest Zone	Dec. 15-Jan. 21
Lake Erie Zone	Dec. 29-Feb. 23
Southeast Zone	Nov. 5-Nov. 24
Brant	Oct. 14-Nov. 24 & Jan. 12-Jan. 26
South Carolina	
Duck, mergansers, and coots	Oct. 5-Nov. 26 & Dec. 1-Dec. 9
Virginia:	
Doves	Jan. 5-Feb. 10
Rails	Dec. 20-Jan. 26
Woodcock	Jan. 5-Mar. 6
Ducks, mergansers, coots, moorhens and gallinules	Nov. 15-Nov. 27 & Dec. 1 only & Dec. 7-Dec. 12 & Jan. 5-Mar. 1
Canada Geese	Nov. 16-Nov. 19 & Jan. 21-Mar. 1
Brant	Nov. 16-Nov. 29 & Jan. 21-Mar. 1
Mississippi Flyway	
Arkansas:	
Mourning Doves	Oct. 1-Oct. 4 & Oct. 21-Dec. 2
Ducks and Coots	Dec. 3-Dec. 13 & Dec. 23-Dec. 25 & Jan. 6-Mar. 8
Illinois:	
Mourning doves	Oct. 31-Dec. 16
Rails	Nov. 10-Dec. 16
Woodcock	Sept. 1-Sept. 30 & Dec. 5-Dec. 16
Ducks, mergansers, and coots:	
North Zone	Oct. 1-Oct. 18 & Nov. 18-Dec. 8 & Feb. 1-Mar. 9
Central Zone	Oct. 1-Oct. 31 & Dec. 1-Dec. 8 & Feb. 1-Mar. 9
South Zone	Oct. 1-Nov. 8 & Feb. 1-Mar. 9
Geese:	
North Zone:	
Northeastern Illinois Canada Goose Zone	Oct. 7-Oct. 13
Remainder of North Zone	Oct. 7-Oct. 18 & Jan. 8-Jan. 12
Central Zone	Oct. 7-Oct. 23
South Zone	Oct. 17-Nov. 8
Indiana:	
Mourning doves	Oct. 17-Nov. 7 & Jan. 1-Jan. 25
Woodcock	Sept. 1-Sept. 27
Ducks, mergansers, and coots:	
North Zone	Oct. 1-Oct. 18 & Oct. 22-Nov. 6 & Dec. 4-Jan. 5
South Zone	Oct. 1-Oct. 25 & Oct. 31-Nov. 27 & Dec. 23-Jan. 5
Ohio River Zone	Oct. 1-Nov. 15 & Nov. 20-Dec. 6 & Jan. 2-Jan. 5
Iowa:	
Woodcock	Sept. 1-Sept 13 & Nov. 18-Dec. 16
Rails	Sept. 1-Sept 6 & Nov. 16-Dec. 16
Ducks:	
North Zone	Sept. 1-Oct. 4 & Oct. 7-Oct. 18 & Nov. 16-Dec. 16
South Zone	Sept. 1-Oct. 18 & Oct. 26-Nov. 8 & Dec. 2-Dec. 16
Dark geese:	
Southwest Zone	Sept. 15-Oct. 11 & Dec. 21-Dec. 30
Remainder of State	Sept. 1-Sept. 27 & Dec. 7-Dec. 16
Light geese:	
Southwest Zone	Sept. 15-Oct. 11
Remainder of State	Sept. 1-Sept. 27

Kentucky	
Ducks, mergansers, and coots:	
Western Duck Zone	Oct. 22-Nov. 27 & Dec. 2-Dec. 10 & Jan. 6-Jan. 31
Eastern Duck Zone	Oct. 22-Dec. 6 & Jan. 6-Jan. 31
Geese:	
Western Goose Zone:	
Fulton County	No extended season
Remainder of Zone	Oct. 22-Nov. 27
Eastern Goose Zone	Oct. 22-Dec. 12
Michigan:	
Snipe, rails, and woodcock	Sept. 7-Sept. 14 & Nov. 15-Dec. 22
Ducks, coots, and moorhens:	
North Zone	Sept. 7-Oct. 4 & Nov. 4-Dec. 22
Middle Zone	Sept. 7-Oct. 11 & Nov. 11-Dec. 22
South Zone	Sept. 7-Oct. 18 & Nov. 15-Nov. 28 & Dec. 2-Dec. 22
Minnesota:	
Rails, woodcock, and snipe	Nov. 5-Dec. 16
Ducks, mergansers, coots, and moorhens	Sept. 1-Oct. 4 & Oct. 14-Oct. 16 & Nov. 4-Nov. 7 & Nov. 11-Dec. 16
Canada and white-fronted geese:	
West-Central Zone	Nov. 7-Dec. 16
Southeast Zone (2)	Dec. 7-Dec. 16
Remainder of State	Nov. 17-Dec. 16
Mississippi:	
Mourning doves	Nov. 15-Nov. 30 & Feb. 1-Mar. 2
Ducks, mergansers, and coots	Nov. 1-Nov. 30 & Jan. 24-Mar. 10
Missouri:	
Mourning doves	Nov. 1-Dec. 16
Ducks, mergansers, and coots:	
North Zone	Sept. 28-Nov. 1 & Dec. 2-Jan. 12
Middle Zone	Sept. 28-Nov. 8 & Dec. 9-Jan. 12
South Zone	Sept. 28-Nov. 29 & Dec. 30-Jan. 12
Ohio	
Ducks, mergansers, and coots:	
North Zone	Nov. 3-Nov. 15 & Dec. 1-Jan. 1 & Jan. 30-Mar. 1
South Zone	Oct. 28-Oct. 29 & Nov. 27-Dec. 15 & Jan. 6-Mar. 1
Ohio River Zone	Nov. 27-Dec. 17 & Jan. 6-Mar. 1
Tennessee:	
Ducks, mergansers, and coots	
Reelfoot Zone	Nov. 6-Nov. 15 & Nov. 18-Dec. 6 & Jan. 6-Feb. 15
State Zone	Nov. 6-Dec. 6 & Jan. 6-Feb. 15
Wisconsin:	
Woodcock	Sept. 1-Sept. 13 & Nov. 18-Dec. 16
Rails, snipe, moorhens, and gallinules:	
North Zone	Sept. 1-Oct. 4 & Oct. 14-Oct. 18 & Nov. 9-Dec. 16
South Zone	Sept. 1-Oct. 4 & Oct. 9-Oct. 15 & Nov. 11-Dec. 16
Ducks, mergansers, and coots (3):	
North Zone	Sept. 15-Oct. 4 & Oct. 14-Oct. 18 & Nov. 9-Nov. 30 & Feb. 9-Mar. 9
South Zone	Sept. 15-Oct. 4 & Oct. 9-Oct. 15 & Nov. 11-Nov. 30 & Feb. 9-Mar. 9

Central Flyway	
Colorado:	
Ducks, mergansers and coots	Sept. 1-Oct. 4 & Oct. 15-Nov. 5
Montana (4):	
Ducks, mergansers, and coots:	
Zone 1	Sept. 14-Oct. 4 & Nov. 13-Dec. 6 & Dec. 19-Dec. 29
Zone 2	Sept. 14-Oct. 4 & Oct. 14-Nov. 6 & Dec. 19-Dec. 29
Geese	Sept. 21-Sept. 27
New Mexico:	
Doves	Oct. 1-Nov. 4 & Nov. 21-Nov. 30 & Dec. 31-Jan. 1
Band-tailed pigeons	Sept. 21-Sept. 30 & Oct. 21-Dec. 16
Sandhill cranes only in Chaves, Curry, De Baca, Eddy, Lea, Quay, and Roosevelt Counties	Oct. 14-Oct. 18 & Jan. 20-Jan. 28
Ducks, coots, moorhens and snipe:	
Zone 1	Sept. 22-Oct. 18 & Nov. 9-Dec. 6 & Jan. 6 only
South Zone	Oct. 20-Nov. 15 & Jan. 6-Feb. 3
Dark geese	Jan. 20-Feb. 2
Light geese:	
Rio Grande Valley Unit	no extended season
Remainder of State in Central Flyway	Feb. 10-Feb. 16
North Dakota:	
Ducks, mergansers, coots, and snipe	Sept. 1-Sept. 27
Oklahoma	
Ducks, mergansers, and coots:	
High Plains	Oct. 5-Oct. 18 & Nov. 27-Dec. 13 & Dec. 26-Jan. 19
Low Plains:	
Zone 1	Oct. 5-Oct. 25 & Nov. 18-Dec. 13 & Dec. 30-Jan. 19
Zone 2	Oct. 5-Nov. 8 & Nov. 25-Dec. 13 & Jan. 6-Jan. 19
South Dakota	
Ducks, mergansers, and coots:	
High Plains	Sept. 4-Oct. 4 & Nov. 13-Dec. 6 & Dec. 19 only
Low Plains:	
North Zone	Sept. 4-Oct. 4 & Nov. 13-Dec. 19
Middle Zone	Sept. 4-Oct. 11 & Nov. 20-Dec. 19
South Zone	Sept. 4-Oct. 25 & Dec. 4-Dec. 19
Texas:	
Rails and gallinules	Nov. 10-Nov. 20 & Jan. 1-Jan. 26
Mourning and white-winged doves	
North Zone	Nov. 10-Nov. 20 & Jan. 1-Jan. 26
Central Zone	Oct. 31-Nov. 20 & Jan. 1-Jan. 2 & Jan. 13-Jan. 26
South Zone (excluding the Special White-winged Dove Area)	Sept. 1-Sept. 19 & Nov. 12-Nov. 20 & Jan. 1-Jan. 2 & Jan. 20-Jan. 26
Special White-winged Dove Area	Sept. 1-Sept. 6 & Sept. 9-Sept. 19 & Nov. 12-Nov. 20 & Jan. 1-Jan. 2 & Jan. 20-Jan. 26
Ducks, mergansers, and coots:	
High Plains	Oct. 12-Nov. 15 & Jan. 6-Jan. 26
Remainder	Nov. 9-Nov. 22 & Dec. 2-Dec. 6 & Jan. 6-Feb. 23

Geese:	
East of U.S. 81:	
Dark	Jan. 27-Feb. 23
Light	Feb. 17-Feb. 23
Sandhill cranes:	
Zone A	Oct. 26-Nov. 8
Zone B	Nov. 2-Dec. 6
Zone C	Oct. 26-Jan. 3
Woodcock	Oct. 26-Nov. 27 & Feb. 1-Feb. 9
Wyoming (5):	
Rails	Sept. 1-Sept. 14
Ducks, mergansers, and coots	Sept. 1-Oct. 4 & Oct. 22-Nov. 8
Pacific Flyway	
Arizona:	
Doves	Sept. 11-Oct. 27
Ducks, mergansers, coots, and moorhens	
North Zone	Sept. 1-Oct. 10
South Zone	Jan. 6-Feb. 22
Snipe	Jan. 20-Feb. 8
California:	
Ducks and mergansers:	
Northeastern Zone	Dec. 10-Jan. 26
Colorado River Zone	Jan. 6-Feb. 22
Southern Zone	Nov. 18-Nov. 29 & Jan. 5-Feb. 9
Southern San Joaquin Valley Zone	Oct. 28-Nov. 8 & Jan. 6-Feb. 9
Balance-of-the-State	Nov. 17-Nov. 29 & Jan. 6-Feb. 9
Coots:	
Northeastern Zone	Dec. 10-Jan. 26
Colorado River Zone	Jan. 6-Feb. 22
Southern Zone	Jan. 5-Feb. 9
Southern San Joaquin Valley Zone	Oct. 28-Nov. 8 & Jan. 6-Feb. 9
Balance-of-the-State	Jan. 6-Feb. 9
Canada Geese (6)	
Northeastern Zone	Jan. 13-Jan. 26
Colorado River Zone	no extended season
Southern Zone	Jan. 13-Feb. 2
Southern San Joaquin Valley Zone	Oct. 26-Nov. 8 & Jan. 13-Feb. 9
Balance-of-the-State	Jan. 13-Feb. 9
White-fronted geese (6):	
Northeastern Zone	Nov. 4-Jan. 26
Colorado River Zone	no extended season
Southern Zone	Jan. 13-Jan. 26
Southern San Joaquin Valley Zone	Oct. 26-Nov. 8 & Jan. 13-Feb. 9
Balance-of-the-State	Dec. 30-Feb. 9
Brant:	
Northeastern Zone	Oct. 12-Oct. 31 Dec. 1-Jan. 26
Colorado River Zone	no extended season
Southern Zone	Oct. 26-Oct. 31 & Dec. 1-Feb. 9
Southern San Joaquin Valley Zone	Oct. 26-Oct. 31 & Dec. 1-Feb. 9
Balance-of-the-State	Oct. 26-Oct. 31 Dec. 1-Feb. 9
White geese:	
Northeastern Zone	Jan. 13-Jan. 26
Colorado River Zone	no extended season
Southern Zone	Jan. 13-Jan. 26
Southern San Joaquin Valley Zone	Oct. 26-Nov. 8 & Jan. 13-Feb. 9
Balance-of-the-State	Jan. 13-Feb. 9
Colorado:	
Ducks, mergansers and coots	Sept. 21-Oct. 4 & Oct. 18-Nov. 8 & Dec. 2-Dec. 13

Idaho:	
Mourning Doves	Oct. 1-Dec. 2 & Feb. 26-Mar. 10
Geese	Sept. 1-Sept. 14
Ducks, coots, and mergansers	Sept. 1-Oct. 4 & Feb. 26-Mar. 10
Montana (4):	
Ducks and coots	Sept. 14-Oct. 4 & Oct. 21-Nov. 4 & Dec. 2-Dec. 13
Geese	Sept. 21-Sept. 27
Nevada (7):	
Ducks, mergansers, coots, moorhens, and snipe	Jan. 12-Feb. 28
New Mexico:	
Doves	Oct. 1-Nov. 4 & Nov. 21-Nov. 30 & Dec. 31-Jan. 1
Band-tailed pigeons	Sept. 21-Sept. 30 & Oct. 21-Dec. 16
Ducks, mergansers, coots, moorhens and snipe	Sept. 22-Oct. 4 & Oct. 21-Nov. 22 & Jan. 5 only
Geese:	
North of I-40	Oct. 19-Jan. 3 & Jan. 20-Feb. 2
South of I-40	Jan. 13-Feb. 2
Oregon (8):	
Band-tailed pigeons	Sept. 1-Sept. 14 & Sept. 24-Dec. 16
Mourning doves	Oct. 1-Dec. 16
Ducks, mergansers, and coots:	
Columbia Basin	Oct. 1-Oct. 11 & Jan. 5-Feb. 3
Remainder:	
Zone 1	Oct. 1-Oct. 11 & Jan. 5-Feb. 10
Zone 2	Sept. 14-Oct. 11 & Dec. 29-Jan. 17
Snipe	Sept. 21-Oct. 11 & Jan. 5 only
Utah:	
Doves and pigeons	Oct. 1-Dec. 17
Ducks, mergansers, and coots:	
Zone 1	Dec. 3-Jan. 15
Zone 2	Oct. 5-Nov. 7 & Jan. 6-Jan. 15
White geese	Jan. 6-Jan. 15
Dark geese:	
Washington County	Oct. 5-Oct. 18
Cache County	Jan. 2-Jan. 15
Remainder	Jan. 6-Jan. 15
Washington:	
Mourning doves	Sept. 16-Oct. 11 Dec. 1-Dec. 31
Ducks, mergansers, coots, and snipe	Jan. 30-Mar. 10
Geese	Jan. 20-Jan. 26
Wyoming (5):	
Ducks, mergansers, and coots	Sept. 1-Oct. 4
Rails and snipe	Sept. 1-Sept. 14

(1) In New York, in the Long Island Zone, the extended falconry season for brant is November 1 through November 21, 1991.
(2) In Minnesota, in the Twin Cities Metro Goose Zone and Olmsted County, the extended falconry season for Canada geese is December 7 through December 13, 1991.
(3) In Wisconsin, the bag and possession limits are 1 and 2, respectively.
(4) In Montana, the bag limit is 2 and the possession limit is 6.
(5) In Wyoming, the daily bag and possession limit may include no more than 2 of the following species: rails, snipe, ducks, mergansers, and coots.
(6) In California, the falconry season for Canada geese is closed in Del Norte and Humboldt Counties and in the Sacramento Valley Area; and will extend from November 23, 1991, through February 9, 1992, in the San Joaquin Valley Area. The falconry season for white-fronted geese in the Sacramento Valley Area is December 1, 1991, through February 9, 1992. The season is closed on Aleutian and cackling Canada geese.
(7) In Nevada, the bag limit is 2 and the possession limit is 4.
(8) In Oregon, no more than 1 pigeon daily in bag or possession.

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Part VII

Environmental Protection Agency

40 CFR Part 24

Issuance of and Administrative Hearings on RCRA Section 9003(h) Corrective Action Orders for Underground Storage Tanks; Final Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 24

[FRL-4012-4]

Issuance of and Administrative Hearings on RCRA Section 9003(h) Corrective Action Orders for Underground Storage Tanks

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Hazardous and Solid Waste Amendments of 1984 (HSWA) added to the Resource Conservation and Recovery Act (RCRA) a new Subtitle I which provides for the regulation of underground storage tanks (USTs). Section 9003(h), which was added to Subtitle I by the Superfund Amendments and Reauthorization Act of 1986 (SARA), authorizes EPA to issue orders requiring owners and operators to take corrective action in response to releases from their USTs. This rule establishes procedures governing the issuance of administrative corrective action orders issued under authority contained in section 9003(h) of RCRA, and conduct of administrative hearings requested by recipients of such orders.

EFFECTIVE DATE: This rule becomes effective October 28, 1991.

FOR FURTHER INFORMATION CONTACT: RCRA/SUPERFUND Hotline at (800) 424-9346; or in Washington, DC at (202) 382-3000.

SUPPLEMENTARY INFORMATION: The contents of today's preamble are listed in the following outline:

I. Authority

The rules governing issuance of and administrative hearings on corrective action orders, 40 CFR part 24, were promulgated on April 13, 1988, at (53 FR 12256), under the authority of sections 2002 and 3008 of the Solid Waste Disposal Act, commonly referred to as the Resource Conservation and Recovery Act, (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. 6912 and 6928. This amendment to 40 CFR part 24 is issued under the authority of sections 2002 and 9003 of RCRA, as amended, 42 U.S.C. 6912 and 6991b.

II. Background

A. Subtitle I of RCRA

On November 8, 1984, the President signed into law the Hazardous and Solid Waste Amendments of 1984. The amendments added to RCRA a new Subtitle I, sections 9001 through 9010, which establishes a federal program for the regulation of underground storage tanks (USTs). Section 9006(a) authorizes EPA to issue administrative orders that require compliance and/or assess penalties for violations of Subtitle I. Section 9003(h) authorizes EPA to issue administrative orders requiring owners or operators of leaking USTs to undertake corrective action.

Under section 9006(b), any administrative order issued under section 9006(a) shall become final in 30 days unless the recipient requests an administrative hearing. Section 9003(h) states that corrective action orders issued under section 9003(h) shall be subject to the same requirements as 9006(a) orders. Thus, recipients of 9003(h) corrective action orders maintain the right for 30 days to request a hearing.

The procedures for issuing administrative compliance orders and conducting administrative hearings pursuant to RCRA section 3008(a) are governed by 40 CFR part 22. On February 24, 1988, EPA amended the part 22 procedures to include orders issued pursuant to section 9006(a) (53 FR 5373). The Agency subsequently developed more streamlined procedures at 40 CFR part 24 for corrective action orders issued pursuant to section 3008(h) of RCRA. These streamlined procedures were published April 13, 1988 (53 FR 12256) and applied to 3008(h) corrective action orders only.

In the absence of Congressional requirements, the Agency has the ability, circumscribed by constitutional due process considerations, to decide what administrative procedures are appropriate to be followed for 9003(h) corrective action orders. Because EPA believes that the part 24 procedures are consistent with the statute and its goal of minimizing the environmental risks posed by leaking USTs, it feels that part 24 should be employed for corrective action orders issued pursuant to section 9003(h) and for administrative hearings requested by recipients of such orders. Thus, EPA proposed that the part 24 procedures be amended to include corrective action orders issued pursuant to section 9003(h). The proposed amendment was published in the **Federal Register** on August 15, 1990 (55 FR 33430) along with an invitation to interested members of the public to comment on the proposed rule.

B. Summary of Proposed Rule

EPA believes that use of the part 24 procedures is the most appropriate way to handle the issuance of and administrative hearings on 9003(h) corrective action orders and, thus, proposed to extend the scope of part 24 to include such orders. The Agency believes that the uncomplicated, streamlined nature of the administrative procedures under part 24 make it more suitable than part 22 for issuing corrective action orders. The primary difference between the two sets of proceedings is that part 22 requires full, adjudicatory hearings with discovery and examination of witnesses, while part 24 provides instead for the respondent's full review of the administrative record. Other differences between the proceedings are illustrated in the flowcharts (Figure 1).

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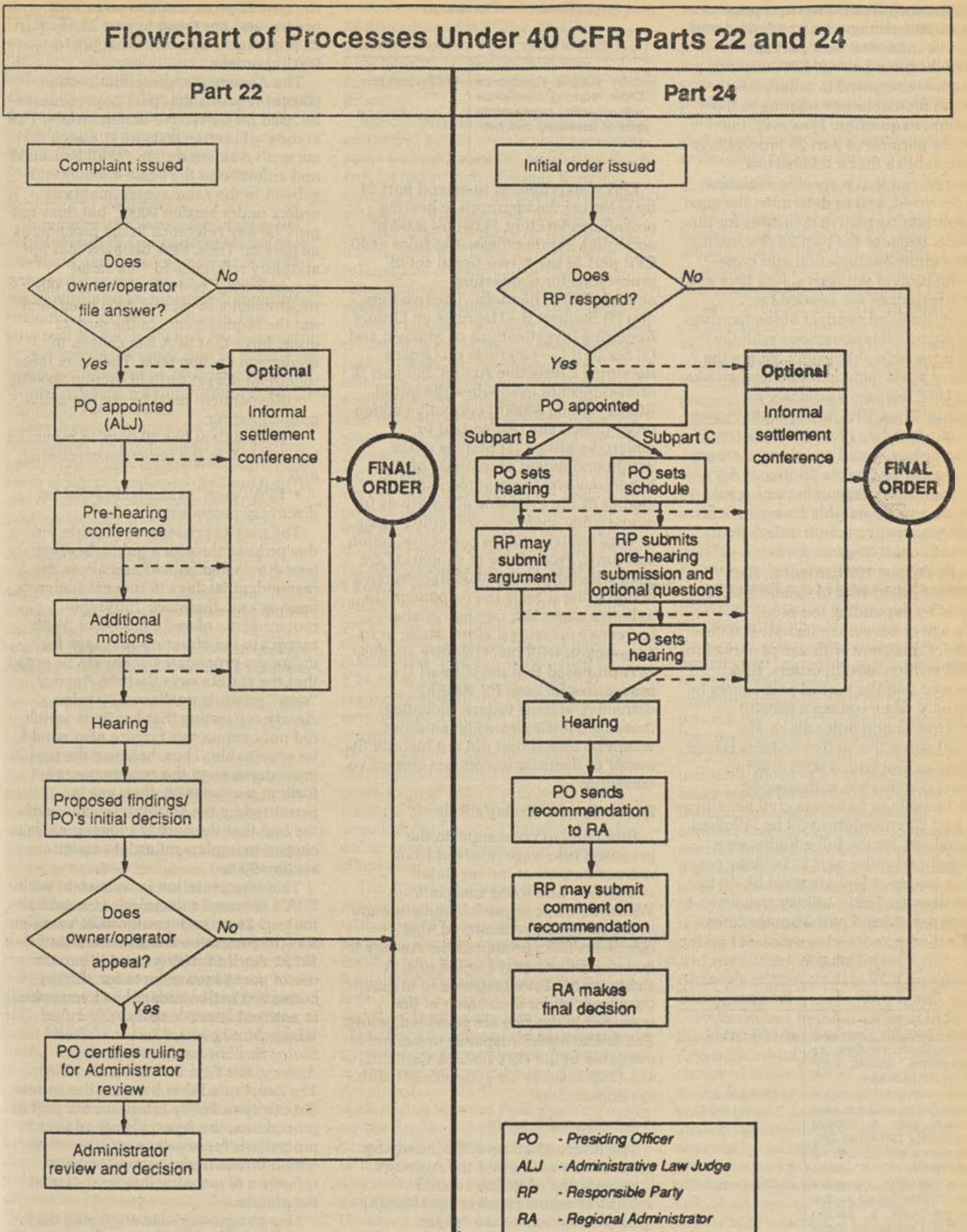
Flowchart of Processes Under 40 CFR Parts 22 and 24
Part 22
Part 24
Complaint issued
Does owner/operator file answer?
No
Yes
Optional
Informal settlement conference
PO appointed (ALJ)
Pre-hearing conference
Additional motions
Hearing
Proposed findings/ PO's initial decision
Does owner/operator appeal?
No
Yes
PO certifies ruling for Administrator review
Administrator review and decision
FINAL ORDER
Initial order issued
Does RP respond?
No
Yes
Optional
Informal settlement conference
PO appointed
Subpart B
Subpart C
PO sets hearing
PO sets schedule
RP may submit argument
RP submits pre-hearing submission and optional questions
PO sets hearing
Hearing
PO sends recommendation to RA
RP may submit comment on recommendation
RA makes final decision
FINAL ORDER
PO - Presiding Officer
ALJ - Administrative Law Judge
RP - Responsible Party
RA - Regional Administrator

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Because of their nature and purpose, part 24 proceedings are less formal and resource-intensive than part 22 proceedings. In part 22, EPA decision-makers are required to adjudicate specific factual issues relating to the violation in question. However, the primary purpose of part 24 proceedings is to establish that a release has occurred, not that a specific *violation* has occurred, and to determine the most appropriate corrective measures for the release. Because the part 24 proceedings do not allow examination and cross-examination of witnesses, less time and fewer resources are needed for preparation and conduct of the hearings. This approach is congruous with the UST program's philosophy, where the primary goals include reducing the risks from UST releases as quickly as possible. Thus, EPA believes that using part 24 procedures for 9003(h) corrective action orders would avoid unnecessary time delays and expenditures of Agency or respondent's resources, and would provide a more suitable framework for issuing corrective action orders than would the part 22 procedures.

In its August 1990 proposal, the Agency's intent was to amend 40 CFR part 24 by expanding the scope of coverage of the rule to include 9003(h) orders. Consistent with use of part 24 for RCRA section 3008(h) orders, EPA proposed that the part 24 procedures be used only when issuing a 9003(h) corrective action order alone. If a 9003(h) corrective action order is issued in conjunction with a 9006 order to compel compliance with specific requirements or to assess civil penalties, the part 22 procedures will be followed. This allows for the full adjudicatory proceedings under part 22 in those cases where issues of fact are most likely to be in dispute. Table 1 illustrates when to follow part 22 and part 24 procedures.

TABLE 1

Type of order	Procedures to use
Section 9003(h) Corrective Action Order requiring investigations, studies, and/or corrective action.	40 CFR part 24.
Section 9003(h) Corrective Action Order issued in conjunction with a 9006(a) Compliance Order requiring compliance with specific requirements.	40 CFR part 22.
Section 9003(h) Corrective Action Order issued in conjunction with a section 9006(a) Compliance Order assessing civil penalties.	40 CFR part 22.
Section 9006(a) Compliance Order requiring compliance with specific requirements and/or assessing civil penalties.	40 CFR part 22.

EPA also proposed to amend part 24 by selecting the appropriate hearing procedures (section 24.08) for 9003(h) corrective action orders. The rules at 40 CFR part 24 use a two-tiered set of procedures for conducting administrative hearings. The two tiers are: (1) Subpart B—Hearings on Orders Requiring Investigations or Studies; and (2) Subpart C—Hearings on Orders Requiring Corrective Action. Subpart B procedures are used when the initial RCRA section 3008(h) corrective action order directs the respondent to undertake either: (1) Studies of the nature and extent of releases of hazardous waste constituents; or (2) studies of the available alternatives for remediating such releases, either alone or with limited interim corrective action measures. Procedures in subpart C are used when the initial 3008(h) corrective action order directs the respondent to undertake specific, comprehensive corrective measures, either alone or in conjunction with investigatory studies. EPA proposed that the subpart C procedures be used for 9003(h) corrective actions orders, including those rare instances when an order would be issued that did not instruct the owner or operator to conduct corrective measures.

III. Analysis of Today's Rule

A number of comments on the proposed rule were received from representatives of the regulated community and trade associations. While the basic approach and structure of the rule remain unaltered, the comments have prompted the Agency to make certain changes to the rule. A summary of EPA's response to the major comments and a discussion of the revisions to the rule are provided below. The full comment response document is available in the UST docket. Call (202) 475–9720 to make an appointment with the docket clerk.

A. Statutory Mandate

The issue raised most frequently by commenters addressed the Agency's interpretation of RCRA section 9003(h)(4), which requires that 9003(h) orders be subject to the "same requirements" as 9006 orders. The commenters argued that since EPA uses the part 22 procedures to issue 9006 orders, and not those in part 24, the part 22 procedures also should apply to 9003(h) orders.

The Agency disagrees that section 9003(h) requires that part 22 procedures be used for corrective action orders. The statute, at section 9003(h)(4), states that corrective action orders "shall be issued and enforced in the same manner and subject to the same requirements as orders under section 9006," but does not provide any reference to the procedures as part 22. Thus, EPA believes that the statutory reference to "the same requirements" is directed toward the requirements in section 9006 itself, and not the requirements in the part 22 procedures that EPA has chosen to implement section 9006. There are three requirements set forth in section 9006(b):

- Respondent must be guaranteed a public hearing;
- Respondent has 30 days to request a hearing before the order becomes final; and
- EPA "may" promulgate rules for discovery procedures.

The part 24 procedures provide for due process through a public hearing (see discussion below) and allow the respondent 30 days to request such a hearing and, therefore, fulfill the requirements of section 9006(b). With respect to the statutory language for discovery procedures, it should be noted that the statute says that the Agency "may" promulgate discovery rules, clearly suggesting that hearings which did not contain this feature also would be acceptable. Thus, because the part 24 procedures meet the requirements set forth in section 9006, their use is permitted by the statute, regardless of the fact that the part 22 procedures were chosen to implement orders under section 9006.

This interpretation is consistent with EPA's previous rulemaking to establish the part 24 procedures for RCRA section 3008(h) corrective action orders (53 FR 12256, April 13, 1988). In addition, the use of part 24 procedures for 3008(h) corrective action orders has been upheld in a recent court decision, *Chemical Waste Management Inc.* v. *United States Environmental Protection Agency*, 873 F.2d 1477 (D.C. Cir. 1989). The court ruled that because the statute did not specifically reference the part 22 procedures, the Agency's use of part 24 procedures for hearings on corrective action orders under section 3008(h) reflects a reasonable interpretation of the statute.

One commenter also suggested that section 9003(h)(4) only provides authority to issue corrective action orders for releases from petroleum USTs. The Agency disagrees, because section 9003(h)(4) also includes orders "to carry out regulations under subsection (c)(4) of this section," and that section (and the regulations issued pursuant thereto) includes both petroleum and hazardous substance USTs. Therefore, the Agency is promulgating the rule as proposed.

B. Due Process Issues

A number of commenters expressed concern that the procedures under part 24 would deprive recipients of 9003(h) orders of due process. In particular, commenters were concerned about the respondent's right to discover the government's evidence or cross-examine government witnesses, and to appeal the order. Commenters also requested clarification on whether orders would be judicially reviewable.

The Agency's argument that part 24 procedures *do* provide due process for corrective action orders was initially set forth in the preamble to the final rule on use of part 24 procedures for RCRA section 3008(h) orders (53 FR 12256, April 13, 1988). In that preamble, the Agency weighed the factors cited in *Mathews* v. *Eldridge*, 424 U.S. 319 (1976), which established how much process is due in an administrative hearing. Those factors were, on the one hand, EPA's interest in avoiding (1) resource outlays and (2) delays in responding to releases that would result from the preparation for and participation in full adjudicatory hearings, and, on the other hand, (1) the respondent's costs of undertaking corrective action, and (2) the risk that the respondent might be forced to incur such costs unnecessarily, because EPA has promulgated rules that do not adequately provide for resolution of factual disputes. The Agency concluded in the preamble that given the technical nature of corrective action cases, the part 24 proceedings would provide adequate resolution of technical disputes and, thus, the risks to the respondent would be minimal. In addition, the corrective action regulations in Subpart F of 40 CFR part 280, with which section 9003(h) orders must be in conformity, provide direction to the issuer of the order and thus reduce the likelihood of error and, consequently, the need for a hearing. Furthermore, lengthy administrative proceedings would be resource-intensive and incompatible with the Agency's need to accomplish clean-ups quickly to avoid adverse health and environmental impacts. EPA's argument that part 24 procedures provide due process has been upheld in *Chemical Waste Management Inc.* v. *EPA*, in which the court declared that use of part 24 procedures for RCRA 3008(h) corrective action orders did not on their face deprive respondents of the constitutional requirement of due process.

Specifically, although cases involving corrective action orders may present some factual issues for resolution, there will be fewer factual issues than in cases where there are alleged regulatory violations. Furthermore, the questions that do arise will be more technical in nature, and will focus on whether a release has occurred and what remediation should be undertaken, rather than on specific factual issues needed to prove whether a violation has occurred. Such technical questions can just as easily, and perhaps more effectively, be resolved through careful analysis of the administrative record and the written submissions and oral statements of the parties. Thus, formal discovery will not be necessary because part 24 provides the respondent with full access to the administrative record. The part 24 regulations also provide several opportunities for a closer examination of difficult factual issues, such as liability for corrective action. Specifically, §§ 24.11 and 24.15(a) allow the Presiding Officer to address questions to either party; § 24.11 (Subpart B) provides opportunity for technical and legal discussions between the parties; and § 24.24(d) (Subpart C) allows the respondent (with the Presiding Officer's permission) to submit questions in writing to EPA prior to the hearing. Thus, lengthy administrative hearings that include extensive discovery and cross-examination not only are incompatible with the need to accomplish clean-ups quickly, but also are unnecessary from a due process standpoint.

The Agency believes that the part 24 proceedings also provide due process with respect to appeals. In particular, part 24 allows the respondent to identify and bring to the attention of the Regional Administrator any factual or legal errors in the recommended decision, prior to the final decision. Thus, final decisions issued under the part 24 procedures already incorporate review and approval by the Regional Administrator. Furthermore, the Agency is clarifying that the final decision made by the Regional Administrator after the conclusion of the hearing to either sign or modify the Presiding Officer's decision is final Agency action that is not appealable to the Administrator. However, the final order is not judicially reviewable until the agency seeks to enforce the order or until the order has been fully implemented, because the statute, in the opinion of the Agency, precludes pre-enforcement or pre-implementation review. In addition, the completion of the dispute resolution process does not permit immediate judicial review, for the same reasons that a final order is not immediately reviewable by the courts.

C. Procedures for the Hearing Process

The rules at 40 CFR part 24 use a two-tiered set of procedures for conducting administrative hearings. Subpart B procedures, which are less formal and time-consuming, are used when the initial corrective action order directs the respondent to undertake either studies of the nature and extent of releases, or studies of the available alternatives for remediating such releases. Subpart C procedures are used when the initial corrective action order directs the respondent to undertake specific or comprehensive corrective measures.

In the preamble to the proposed rule, EPA suggested that 9003(h) corrective action orders will be issued primarily in situations when a release is suspected to have occurred. In these cases, the Agency typically will issue a single order requiring the owner or operator both to confirm the release and to conduct corrective measures. The Agency also indicated that procedures for hearings requested by the recipients of such orders would be more appropriately governed by the subpart C procedures. Thus, the Agency proposed that the subpart C procedures be used for all 9003(h) corrective actions orders, including those rare instances when an order would be issued that did not instruct the owner or operator to conduct corrective measures. However, several commenters disagreed with the Agency's intent to issue single orders for both the investigation and clean-up phases of UST remediation. In general, the commenters indicated that such orders would be unfair to respondents and would be inconsistent with the Agency's procedures for RCRA section 3008(h) orders.

With respect to releases from USTs, the statute at section 9003(h) provides Regional enforcement officers with the choice of issuing either a single or joint order. Because 9003(h) orders usually will be issued in response to releases of known substances (i.e., petroleum or chemical products that contain hazardous substances), no detailed studies or extensive site investigations will be needed to characterize the substances released. Thus, the Agency maintains that a typical 9003(h) order will either require corrective action only, or will require investigations and studies along with a directive that corrective action must be undertaken, if necessary, based on the results of those studies.

Consistent with the comments received, the Agency does acknowledge that there may be circumstances when an order would be issued for investigation/study only. The comments received on the proposed rule indicated that there was confusion as to whether subpart B or subpart C would be used in those circumstances. To resolve this confusion, the Agency determined that it would be appropriate to make the rule consistent with the procedures for 3008(h) orders. Thus, EPA revised the rule to clarify that subpart B procedures would be used in situations when an order compels an investigation/study only, while subpart C would be used for joint orders or corrective action only (see Table 2).

TABLE 2

Action required	§ 3008(h) orders	§ 9003(h) orders
Site investigation only.	Subpart B procedures.	Subpart B procedures.
Corrective action only.	Subpart C procedures.	Subpart C procedures.
Site investigation and corrective action.	Subpart C procedures.	Subpart C procedures.

IV. Economic and Regulatory Impacts

A. Regulatory Impact Analysis

Under Executive Order No. 12291, the Agency must determine whether a new regulation is a "major" rule and prepare a Regulatory Impact Analysis (RIA) in connection with a major rule. A "major" rule is defined as one that is likely to result in: (1) An annual effect on the economy of $100 million or more; (2) a major increase in costs or prices for consumers, individual industries, federal, state, and local government agencies or geographical regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of U.S.-based enterprises in domestic or export markets. The notice published here is procedural in nature, will not have any important economic impacts, and will not significantly affect the operations of regional or other program offices. Therefore, today's rule is not deemed to be a "major" rule and, accordingly, does not trigger the requirement that a regulatory impact analysis be prepared.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires the Agency to prepare and make available for public comment a regulatory flexibility analysis that describes the impact of a proposed or final rule on small entities (i.e., small businesses, small organizations, and small governmental jurisdictions). No regulatory flexibility analysis is required if the head of an agency certifies the rule will not have significant economic impact on a substantial number of small entities. Since this amendment merely establishes hearing procedures and has no significant economic impact on a substantial number small entities, it does not trigger the requirement in the Regulatory Flexibility Act that a regulatory flexibility analysis be prepared.

C. Paperwork Reduction Act

This final amendment contains no information collection requirements and thus will not increase the paperwork burden on the regulated community in contravention of the purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

List of Subjects in 40 CFR Part 24

Administrative practice and procedure, Corrective action, Hazardous materials, Revocation of operating authority; Underground storage tanks.

Dated: September 17, 1991.

William K. Reilly,

Administrator.

For the reasons set out in the Preamble, part 24, Chapter I, of Title 40, *Code of Federal Regulations* is amended as follows:

PART 24—[AMENDED]

1. The authority citation for part 24 is revised to read as follows:

Authority: 42 U.S.C. sections 6912, 6928, 6991b.

2. Section 24.01 is amended by redesignating paragraph (c) as (d) and by revising paragraph (a) and adding paragraph (c) to read as follows:

§ 24.01 Scope of these rules.

(a) These rules establish procedures governing issuance of administrative orders for corrective action pursuant to sections 3008(h) and 9003(h) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (the Act), and conduct of administrative hearings on such orders, except as specified in paragraphs (b) and (c) of this section

* * * * *

(c) The hearing procedures appearing at 40 CFR part 22 govern administrative hearings on any order issued pursuant to section 9003(h) of the Act that is contained within an administrative order that includes claims under section 9006 of the Act.

* * * * *

3. Section 24.02 is amended by revising paragraph (a) to read as follows:

§ 24.02 Issuance of initial orders; definition of final orders and orders on consent.

(a) An administrative action under section 3008(h) or 9003(h) of the Act shall be commenced by issuance of an administrative order. When the order is issued unilaterally, the order shall be referred to as an initial administrative order and may be referenced as a proceeding under section 3008(h) or 9003(h) of the Act. When the order has become effective, either after issuance of a final order following a final decision by the Regional Administrator, or after thirty days from issuance if no hearing is requested, the order shall be referred to as a final administrative order. Where the order is agreed to by the parties, the order shall be denominated as a final administrative order on consent.

* * * * *

4. Section 24.04 is amended by revising paragraph (a) to read as follows:

§ 24.04 Filing and service of orders, decisions, and documents.

(a) *Filing of orders, decisions, and documents.* The original and one copy of the initial administrative order, the recommended decision of the Presiding Officer, the final decision and the final administrative order, and one copy of the administrative record and an index thereto must be filed with the Clerk designated for 3008(h) or 9003(h) orders. In addition, all memoranda and documents submitted in the proceeding shall be filed with the clerk.

* * * * *

5. Section 24.08 is revised to read as follows:

§ 24.08 Selection of appropriate hearing procedures.

(a) The hearing procedures set forth in subpart B of this part shall be employed for any requested hearing if the initial order directs the respondent——

(1) To undertake only a RCRA Facility Investigation and/or Corrective Measures Study, which may include

monitoring, surveys, testing, information gathering, analyses, and/or studies (including studies designed to develop recommendations for appropriate corrective measures), or

(2) To undertake such investigations and/or studies and interim corrective measures, and if such interim corrective measures are neither costly nor technically complex and are necessary to protect human health and the environment prior to development of a permanent remedy, or

(3) To undertake investigations/studies with respect to a release from an underground storage tank.

(b) The hearing procedures set forth in subpart C of this part shall be employed if the respondent seeks a hearing on an order directing that——

(1) Corrective measures or such corrective measures together with investigations/studies be undertaken, or

(2) Corrective action or such corrective action together with investigations/studies be undertaken with respect to any release from an underground storage tank.

(c) The procedures contained in subparts A and D of this part shall be followed regardless of whether the initial order directs the respondent to undertake an investigation pursuant to the procedures in subpart B of this part, or requires the respondent to implement corrective measures pursuant to the procedures in subpart C of this part.

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