

inherent with any type of representative management of public-trust resources, we believe that the Flyway-Council system of migratory bird management has been a longstanding example of State-Federal cooperative management since its establishment in 1952.

However, as always we continue to seek new ways to streamline and improve the process.

1. Ducks

Categories used to discuss issues related to duck harvest management are: (A) Harvest Strategy Considerations, (B) Regulatory Alternatives, (C) Zones and Split Seasons, and (D) Special Seasons/Species Management. The categories correspond to previously published issues/discussion, and only those containing substantial recommendations are discussed below.

A. Harvest Strategy Considerations

Council Recommendations: The Atlantic, Central, and Pacific Flyway Councils and the Upper- and Lower-Region Regulations Committees of the Mississippi Flyway Council recommended the adoption of the "liberal" regulatory alternative, with the exception of some specific bag limits described below in sections 1.B. Regulatory Alternatives and 1.D. Special Seasons/Species Management. More specifically, recommendations concerned sections iii. Black Ducks, iv. Canvasbacks, v. Pintails, and viii. Wood Ducks.

Service Response: Currently, two stocks of mallards (midcontinent and eastern) are recognized for the purposes of Adaptive Harvest Management (AHM). This year, we will again use an approach to the optimization of these stocks' harvest, whereby the Atlantic Flyway regulatory strategy is based exclusively on the status of eastern mallards, and the regulatory strategy for the remaining Flyways is based exclusively on the status of midcontinent mallards. However, this approach continues to be considered provisional until its implications are better understood, and until such time that a more comprehensive approach to managing multiple duck stocks is developed.

For the 2003 hunting season, the Service makes two significant changes to AHM, based on recommendations from the Flyway Councils: (1) The "very-restrictive" alternative was eliminated from the set of regulatory alternatives, and (2) consideration of a closed season in the western three Flyways is restricted to midcontinent (traditional survey plus Minnesota, Wisconsin, and Michigan) mallard

breeding population levels <5.5 million. We also continue to offer extended framework dates in the "moderate" and "liberal" regulatory alternatives. The regulatory alternatives were discussed in the June 23 **Federal Register**.

The 2003 optimal regulatory strategy for midcontinent mallards was based on: (1) The revised regulatory alternatives, including the closed-season constraint; (2) updates of regulation-specific harvest rates; (3) current population models and updated model weights; and (3) the dual objectives to maximize long-term cumulative harvest and achieve a population goal of 8.8 million midcontinent mallards. Based on a spring population survey of 8.8 million mallards and 3.5 million Canadian ponds, the optimal regulatory choice for 2003 is the "liberal" regulatory alternative in the three western Flyways.

The optimal regulatory strategy for eastern mallards was based on: (1) The revised regulatory alternatives; (2) current population models and updated model weights; and (3) an objective to maximize long-term cumulative harvest. The spring population size of eastern mallards (Northeast plot survey + Canada) this year was 1.04 million, suggesting that the "liberal" regulatory alternative in 2003 is appropriate for the Atlantic Flyway.

We concur with the recommendations of the four Flyway Councils regarding selection of the "liberal" regulatory alternative and, therefore, will adopt the "liberal" alternative, as described in the June 23 **Federal Register**.

B. Regulatory Alternatives

Council Recommendations: The Central Flyway Council recommended the availability of two daily-bag-limit options, termed Options A and B. Under Option A, the daily bag limit would be 6 ducks, with species and sex restrictions as follows: 5 mallards (no more than 2 of which may be females) 3 scaup, 2 redheads, 2 wood ducks, 1 pintail, 1 mottled duck, and 1 canvasback. The season for pintails and canvasbacks would be limited to 39 days (see further discussion under section 1.D. Special Seasons/Species Management). Under Option B, the daily bag limit would be 5 ducks, with species and sex restrictions as follows: 3 scaup, 2 redheads, 2 wood ducks, and 1 only of pintail, mottled duck, hen mallard, or canvasback. There would be no restrictions on the season length for canvasbacks or pintails.

Written Comments: An individual from Minnesota expressed support for a 45-day season with a 4-duck daily bag limit.

Service Response: We do not support the Central Flyway Council's Option B. The regulatory alternatives for the 2003–04 hunting season were discussed in the June 23 **Federal Register**. We believe that new approaches to multi-species harvest management should be addressed in the overall context of AHM harvest management for ducks. The AHM Task Force, AHM Working Group, and Flyway Councils are considering development of multi-species approaches, and these fora would be appropriate places for further discussion of the Central Flyway proposal.

D. Special Seasons/Species Management

iii. Black Ducks

Council Recommendations: The Atlantic Flyway Council recommended allowing States the opportunity to return to a 2-black-duck daily bag limit, providing they close the black duck season one day for each day a 2-black-duck bag limit is employed. No offset would be required for days when the black duck bag limit was restricted to 1 bird. Both increased bag days and closed days must be consecutive, except that 1 split would be allowed. This regulation would be evaluated annually by the Atlantic Flyway Council.

Written Comments: The Massachusetts Division of Fisheries and Wildlife and the Virginia Department of Game and Inland Fisheries expressed disappointment in the Service's decision not to support the Atlantic Flyway Council's proposal for an increase in the black duck bag limit.

Service Response: We do not support the Atlantic Flyway Council's recommendation. This request is similar to the Council's request last year, which the Service denied due to the difficulty in assessing options on a Flyway basis and the inability to assess whether or not these options are harvest-neutral. Until there is some formal agreement to manage black duck harvests on something less than a rangewide basis, we believe black ducks should continue to be managed at that level. Although black duck numbers may have improved slightly in recent years in some areas, they still remain below goal, and this spring's breeding population estimates declined 13 percent.

Presently, we are waiting for the International Black Duck Harvest Management Working Group to complete its report, which is due in November. Until we have some formal agreement among the stakeholders, including the Mississippi Flyway, we believe it is premature to consider the