

**Public Comments Solicited**

The Service solicits written comments on the draft recovery plan described. All biological comments received by the date specified above will be considered prior to the approval of the plan.

**Authority:** The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: June 25, 1997.

**Thomas J. Dwyer,**

*Acting Regional Director, Region I, Portland, Oregon.*

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**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Parts 25 and 32**

RIN 1018-AE18

**1997-98 Refuge-Specific Hunting and Fishing Regulations**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Fish and Wildlife Service (Service) proposes to add additional national wildlife refuges (refuges) to the list of areas open for hunting and/or sport fishing, along with pertinent refuge-specific regulations for such activities; and amend certain regulations on other refuges that pertain to migratory game bird hunting, upland game hunting, big game hunting and sport fishing for the 1997-98 seasons. Refuge hunting and fishing programs are reviewed annually to determine whether additional refuges should be added or whether individual refuge regulations governing existing programs should be modified, deleted or have additions made to them. Changing environmental conditions, State and Federal regulations, and other factors affecting wildlife populations and habitat may warrant modifications ensuring continued compatibility of hunting and fishing with the purposes for which individual refuges, and the Refuge System were established.

The Service has determined uses in this proposed rule are compatible with the purposes for which these refuges were established. The Service further determined that this proposed action is in accordance with the provisions of all applicable laws, is consistent with principles of sound fish and wildlife management, helps implement Executive Orders 12996 (Management and Public Use of the National Wildlife

Refuge System) and 12962 (Recreational Fisheries) and is otherwise in the public interest by providing additional recreational opportunities at national wildlife refuges. Sufficient funds will be available within the refuge budgets to operate the hunting and sport fishing programs as proposed.

**DATES:** Comments may be submitted on or before August 20, 1997.

**ADDRESSES:** Assistant Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, 1849 C Street, NW, MS 670 ARLSQ, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Stephen R. Vehrs, at the above address; Telephone (703) 358-2397; Fax (703) 358-1826.

**SUPPLEMENTARY INFORMATION:** National wildlife refuges generally are closed to hunting and sport fishing until opened by rulemaking. The Secretary of the Interior (Secretary) may open refuge areas to hunting and/or fishing upon a determination that such uses are compatible with the purpose(s) for which the refuge was established. The action also must be in accordance with provisions of all laws applicable to the areas, must be consistent with the principles of sound fish and wildlife management, and otherwise must be in the public interest.

50 CFR parts 25 and 32 contain administrative provisions and other provisions governing hunting and fishing on national wildlife refuges. Hunting and fishing are regulated on refuges to:

1. Ensure compatibility with refuge and Refuge System purposes;
2. Properly manage the fish and wildlife resource;
3. Protect other refuge values; and
4. Ensure refuge user safety.

On many refuges, the Service policy of adopting State hunting and fishing regulations is adequate in meeting these objectives. On other refuges, it is necessary to supplement State regulations with more restrictive Federal regulations to ensure that the Service meets its management responsibilities, as outlined under the section entitled "Statutory Authority." Refuge-specific hunting and fishing regulations are issued when a wildlife refuge is opened to either migratory game bird hunting, upland game hunting, big game hunting or sport fishing. These regulations list the wildlife species that may be hunted or are subject to sport fishing, seasons, bag limits, methods of hunting or fishing, descriptions of open areas, and other provisions as appropriate. Previously issued refuge-specific regulations for hunting and fishing are contained in 50

CFR part 32. Many of the amendments to these sections are promulgated to standardize and clarify the existing language of these regulations.

With the passage of Public Law 102-402, the Rocky Mountain Arsenal National Wildlife Refuge Act of 1992 (Act), the Service will establish a refuge over what was previously a Department of Defense (Army) military installation, but only following toxic substances cleanup.

Public Law 102-402 specifies that the Service shall manage the area as if it were a unit of the National Wildlife Refuge System during cleanup activities on the Rocky Mountain Arsenal (Arsenal). The Service proposes this amendment to the regulations to establish regulatory authority for these lands, prior to establishment as a refuge and inclusion in the National Wildlife Refuge System, in accordance with Public Law 102-402. These regulations will provide appropriate authority and jurisdiction to conduct necessary management actions, including law enforcement, at the Arsenal.

**Request for Comments**

Department of the Interior policy is, whenever practicable, to afford the public a meaningful opportunity to participate in the rulemaking process. A 30-day comment period is specified in order to facilitate public input. Consideration was given to providing a 60-day comment period, however, the Service determined that an additional 30-day delay in processing these refuge-specific hunting and fishing regulations would hinder the effective planning and administration of hunting and fishing programs. Specifically, a delay of an additional 30 days would jeopardize holding the hunting or fishing programs this year, or shorten their duration and thereby lessen the management effectiveness of this regulation. Many of these rules also relieve restrictions and allow the public to participate in recreational activities on a number of refuges. In addition, good cause exists in that, in order to continue to provide for previously authorized hunting opportunities while at the same time provide for adequate resource protection, the Service must be timely in providing modifications to certain hunting programs on some refuges. Accordingly, good cause exists to limit the comment period to 30 days (5 U.S.C. 553(d)(3)).

Interested persons may submit written comments concerning this proposed rule to the person listed above under the heading **ADDRESSES**. All substantive comments will be reviewed and considered.

### Statutory Authority

The National Wildlife Refuge System Administration Act (NWRSA) of 1966, as amended (16 U.S.C. 668dd), and the Refuge Recreation Act of 1962 (16 U.S.C. 460k) govern the administration and public use of national wildlife refuges. Specifically, Section 4(d)(1)(A) of the NWRSA authorizes the Secretary of the Interior to permit the use of any area within the Refuge System for any purpose, including but not limited to, hunting, fishing and public recreation, accommodations and access, when he determines that such uses are compatible with the major purpose(s) for which the area was established.

The Refuge Recreation Act (RRA) authorizes the Secretary to administer areas within the Refuge System for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary purpose(s) for which the areas were established. The NWRSA and the RRA also authorize the Secretary to issue regulations to carry out the purposes of the Acts and regulate uses.

Hunting and sport fishing plans are developed for each existing refuge prior to opening it to hunting or fishing. In many cases, refuge-specific regulations are developed to ensure the compatibility of the programs with the purposes for which the refuge was established. Initial compliance with the NWRSA and the RRA has been ensured for hunting and sport fishing on newly acquired refuges through an interim determination of compatibility made at the time of acquisition. This has ensured that the determinations required by these acts have been made prior to the addition of refuges to the lists of areas open to hunting and fishing in 50 CFR part 32. Continued compliance is ensured by the development of long-term hunting and sport fishing plans and by annual review of hunting and sport fishing programs and regulations.

In preparation for these openings, the following documents are included in the refuge's "openings package" for Regional review and approval from the Washington Office: an interim hunting and fishing management plan; an environmental action memorandum and categorical exclusion certification; a Section 7 determination pursuant to the Endangered Species Act, that these openings will have no effect, or are not likely to have an adverse effect, on listed species or critical habitats; a letter of concurrence from the affected State; interim compatibility determination;

and refuge-specific regulations to administer the hunting and/or fishing programs. Upon review of these documents, the Service, acting for the Secretary, has determined that the opening of these National Wildlife Refuges to hunting and fishing is compatible with the principles of sound fish and wildlife management and otherwise will be in the public interest.

The following refuges propose new hunting and/or fishing openings: Rocky Mountain Arsenal National Wildlife Refuge, Colorado; Ten Thousand Islands National Wildlife Refuge, Florida; Black Bayou Lake National Wildlife Refuge, Louisiana; Fort Niobrara National Wildlife Refuge, Nebraska; and Balcones Canyonlands National Wildlife Refuge, Texas. The remaining regulations represent revisions to existing refuge specific regulations.

In accordance with the NWRSA and the RRA, the Service has determined that these openings are compatible and consistent with the primary purposes for which the refuge was established. The Service also has determined that funds are available to administer the program.

### Paperwork Reduction Act

These regulations have been examined under the Paperwork Reduction Act of 1995 and have been found to contain no information collection requirements.

### Economic Effect

Service review has revealed that this rulemaking will increase hunter and fishermen visitation to the surrounding area of the refuges before, during or after the recreational uses, compared to the refuge being closed to these recreational uses.

These refuges generally are located away from large metropolitan areas. Businesses in the area of the refuges consist primarily of small family-owned stores, restaurants, gas stations and other small commercial enterprises. In addition, there are several small, commercial recreational fishing and hunting camps and marinas in the general areas. This proposed rule would have a positive effect on such entities; however, the amount of revenue generated is not large.

Many area residents enjoy a rural lifestyle that includes frequent recreational use of the abundant natural resources of the area. A high percentage of the households enjoy hunting, fishing, and boating in area wetlands, rivers and lakes. Refuge lands generally were not available for general public use prior to government acquisition; however, they were fished and hunted

upon by friends and relatives of the landowners, and some were under commercial hunting and fishing leases. Many nearby residents also participate in other forms of non-consumptive outdoor recreation, such as biking, hiking, camping, birdwatching, canoeing, and other outdoor sports.

Economic impacts of refuge fishing and hunting programs on local communities are calculated from average expenditures in the "1995 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation". In 1995, 42 million U.S. residents 16 years old and older hunted and/or fished. More specifically, 37 million fished and 14.5 million hunted. Those who both fished and hunted account for the 9.5 million average. Nationwide expenditures by sportsmen totaled \$42 billion. Trip-related expenditures for food, lodging, and transportation were \$16 billion or 37 percent of all fishing and hunting expenditures; equipment expenditures amounted to \$19 billion, or 46 percent of the total; other expenditures such as those for magazines, membership dues, contributions, land leasing, ownership, licenses, stamps, tags, and permits accounted for \$6.9 billion, or 16 percent of all expenditures. Overall, anglers spent an average of \$41 per day. For each day of hunting, migratory bird hunters spent an average of \$33, upland game hunters an average of \$20, and big game hunters averaged spending \$40.

At these 72 National Wildlife Refuges included in this proposed regulation, 776,000 fishermen are estimated to spend \$31.8 million annually in pursuit of their sport, while approximately 380,000 hunters will spend \$12.5 million annually hunting on the refuges. While many of these fishermen and hunters already make such expenditures prior to the refuge opening, some of these additional expenditures directly are due to the land now being open to the general public.

This rulemaking will have a small but positive impact on local economies by increasing visitation and expenditures in the surrounding area of the refuges. The Service has determined that this rulemaking would not have a significant effect on a substantial number of small entities in the area, such as businesses, organizations and governmental jurisdictions, under the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*). This rulemaking was not subject to Office of Management and Budget review under Executive Order 12866.

### Unfunded Mandates

The Service has determined and certifies pursuant to the Unfunded

Mandates Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not impose a cost of \$100 million or more in any given year on local or State governments or private entities.

#### Civil Justice Reform

The Department has determined that these proposed regulations meet the applicable standards provided in Sections 3(a) and 3(b)(2) of Executive Order 12988.

#### Environmental Considerations

Compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4332(C)) is ensured when hunting and sport fishing plans are developed, and the determinations required by NEPA are made prior to the addition of refuges to the lists of areas open to hunting and fishing in 50 CFR part 32. The changes in hunting and fishing herein proposed were reviewed with regard to Section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543) and found to either have no effect on or are not likely to adversely affect listed species or critical habitat. The amendment of refuge-specific hunting and fishing regulations are subject to a categorical exclusion from the NEPA process if they do not significantly alter the existing use of a particular national wildlife refuge. The Service exclusion found at 516 DM 6, App. 1.4 B(5) is employed here as these amendments are considered “[m]inor changes in the amounts or types of public use on FWS or State-managed lands, in accordance with regulations, management plans, and procedures.” These refuge-specific hunting and fishing regulations simply qualify or otherwise define a hunting or fishing activity, for purposes of resource management. These documents are on file in the offices of the Service and may be viewed by contacting the primary author noted below. Information regarding hunting and fishing permits and the conditions that apply to individual refuge hunts, sport fishing activities, and maps of the respective areas are retained at refuge headquarters and can be obtained from the regional offices of the U.S. Fish and Wildlife Service at the addresses listed below:

**Region 1**—California, Hawaii, Idaho, Nevada, Oregon, and Washington. Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Eastside Federal Complex, Suite 1692, 911 N.E. 11th Avenue, Portland, Oregon 97232–4181; Telephone (503) 231–6214.

**Region 2**—Arizona, New Mexico, Oklahoma and Texas. Assistant Regional Director—Refuges and

Wildlife, U.S. Fish and Wildlife Service, Box 1306, Albuquerque, New Mexico 87103; Telephone (505) 766–1829.

**Region 3**—Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin. Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111; Telephone (612) 725–3507.

**Region 4**—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Tennessee, South Carolina, Puerto Rico and the Virgin Islands. Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Room 324, Atlanta, Georgia 30345; Telephone (404) 679–7152.

**Region 5**—Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia. Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, Massachusetts 01035–9589; Telephone (413) 253–8550.

**Region 6**—Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah and Wyoming. Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Box 25486, Denver Federal Center, Denver, Colorado 80225; Telephone (303) 236–8145.

**Region 7**—Alaska. Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, 1011 E. Tudor Rd., Anchorage, Alaska 99503; Telephone (907) 786–3545.

Primary Author: Stephen R. Vehrs, Division of Refuges, U.S. Fish and Wildlife Service, Washington, DC 20240, is the primary author of this rulemaking document.

#### List of Subjects

##### 50 CFR Part 25

Administrative practice and procedure, Concessions, Reporting and recordkeeping requirements, Safety, Wildlife refuges.

##### 50 CFR Part 32

Fishing, Hunting, Reporting and recordkeeping requirements, Wildlife, Wildlife refuges.

For the reasons set forth in the preamble, the Service proposes to amend Title 50, Chapter I, subchapter C of the *Code of Federal Regulations* as follows:

#### PART 25—[AMENDED]

1. The authority citation for part 25 is revised to read as follows:

**Authority:** 5 U.S.C. 301; 16 U.S.C. 460k, 664, 668dd, and 715i, 3901 *et seq.*; and Pub. L. 102–402, 106 Stat. 1961.

2. Section 25.11 is amended by revising paragraph (a) to read as follows:

##### § 25.11 Purpose of regulations.

(a) The regulations in this subchapter govern general administration of units of the National Wildlife Refuge System, public notice of changes in U.S. Fish and Wildlife Service policy regarding Refuge System units, issuance of permits required on Refuge System units and other administrative aspects involving the management of various units of the National Wildlife Refuge System. The regulations in this subchapter apply to areas of land and water held by the United States in fee title and to property interests in such land and water in less than fee, including but not limited to easements. For areas held in less than fee, the regulations in this subchapter apply only to the extent that the property interest held by the United States may be affected. The regulations in this subchapter also shall apply to and govern those areas of the Rocky Mountain Arsenal over which management responsibility has been transferred to the U.S. Fish and Wildlife Service pursuant to the Rocky Mountain Arsenal Act of 1992 (Pub. L. 102–402, 106 Stat. 1961), prior to their establishment as a refuge and inclusion in the National Wildlife Refuge System.

\* \* \* \* \*

#### PART 32—[AMENDED]

3. The authority citation for part 32 continues to read as follows:

**Authority:** 5 U.S.C. 301; 16 U.S.C. 460k, 664, 668dd, and 715i.

##### § 32.7 [Amended]

4. Section 32.7 is amended by removing the listing of “Kesterson National Wildlife Refuge” from the State of California; by adding the alphabetical listings of “Rocky Mountain Arsenal National Wildlife Refuge” to the State of Colorado, “Ten Thousand Islands National Wildlife Refuge” to the State of Florida, “Black Bayou Lake National Wildlife Refuge” to the State of Louisiana, “Fort Niobrara National Wildlife Refuge” to the State of Nebraska, “Balcones Canyonlands National Wildlife Refuge” to the State of Texas, “Leopold Wetland Management District” to the State of Wisconsin; and by revising the listing of “Waubay

National Wildlife Refuge" under the State of South Dakota to read "Waubay National Wildlife Refuge".

5. Section 32.20 *Alabama* is amended by revising paragraphs B. and D. of Eufaula National Wildlife Refuge to read as follows:

#### § 32.20 Alabama.

\* \* \* \* \*

#### EUFULA NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*B. Upland Game Hunting.* Hunters may hunt rabbit and squirrel on designated areas of the refuge subject to the following condition: Permits are required.

\* \* \* \* \*

*D. Sport Fishing.* Fishermen may fish, frog and trap turtles on designated areas of the refuge subject to State fishing regulations and the following conditions:

1. Fishing, frogging and turtle trapping open year-round in all waters contiguous with the Walter F. George Reservoir. Bank fishing permitted during daylight hours only.

2. Fishing, including bow fishing, permitted in impounded refuge waters from March 1 through October 31, during daylight hours.

3. Creel, possession, and size limit for Walter F. George Reservoir apply to all impounded refuge waters.

\* \* \* \* \*

6. Section 32.22 *Arizona* is amended by revising paragraphs A.4., A.6., A.9. and A.13., by removing paragraph B.3., redesignating paragraphs B.4., B.5. and B.6. as paragraphs B.3., B.4., B.5. respectively, and revising them, by revising paragraph D.1. and removing paragraph D.2. of Cibola National Wildlife Refuge to read as follows:

#### § 32.22 Arizona.

\* \* \* \* \*

#### CIBOLA NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* \* \* \*

\* \* \* \* \*

4. Hunters must pay a hunt fee in a portion of the refuge. Consult refuge hunting leaflet for location.

\* \* \* \* \*

6. Hunting in a portion of farm unit 2 closes at 12 p.m. each day. Consult refuge hunting leaflet for location.

\* \* \* \* \*

9. Waterfowl hunting requires the use of decoys on farm unit 2. Daily removal of decoys from the refuge required.

\* \* \* \* \*

13. The Hart Mine Marsh Area opens to hunting only between 10 a.m. and 3 p.m. daily, during goose season.

*B. Upland Game Hunting.* \* \* \*

\* \* \* \* \*

3. Hunters may hunt cottontail rabbit from September 1 through the last day of the respective State's quail season.

4. During the Arizona waterfowl season, hunters may not hunt quail and rabbit in Farm Unit 2 until 12 p.m. each day.

5. Hunters may not hunt within 50 yards of any road or levee.

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*D. Sport Fishing.* \* \* \*

1. Fishermen may fish and frog in Cibola Lake only from March 15 through Labor Day.

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7. Section 32.23 *Arkansas* is amended by adding paragraph D.3. of Holla Bend National Wildlife Refuge to read as follows:

#### § 32.23 Arkansas.

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#### HOLLA BEND NATIONAL WILDLIFE REFUGE

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*D. Sport Fishing.* \* \* \*

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3. Fishermen may bowfish only from August 1 through August 31 subject to State bowfishing regulations. Only bowfishing equipment permitted. Fishermen may not use broad heads, field points, or metal arrows.

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8. Section 32.24 *California* is amended by removing Kesterson National Wildlife Refuge; by revising paragraphs A.1., A.2., A.3., A.4., and by adding paragraphs A.6., A.7. and A.8. of San Luis National Wildlife Refuge to read as follows:

#### § 32.24 California.

\* \* \* \* \*

#### SAN LUIS NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* \* \* \*

1. Hunters may use only portable blinds and temporary blinds constructed of natural materials in the free-roam hunting area.

2. Hunters must remove all portable blinds, decoys, and other personal equipment from the refuge following each day's hunt.

3. Hunters may snipe hunt only within the free-roam portion of the San Luis unit's waterfowl hunting area. Snipe hunters may only possess and use nontoxic shot.

4. In areas where the refuge limits hunter numbers through a daily permit process, hunters may not possess more than 25 shells while in the field.

\* \* \* \* \*

6. Hunters may not transport loaded firearms. This includes walking or bicycling between parking areas and spaced blind areas, or while traveling in a boat under power.

7. Refuge restricts hunters, in the spaced blind area, to their original assigned blind except when they are placing decoys, traveling to and from the parking area, retrieving downed birds, or when shooting to retrieve crippled birds.

8. Access to Salt Slough Unit free-roam hunting area is by boat only with a maximum speed limit of 5 mph. Prohibited boats include air-thrust and/or inboard water-thrust types.

\* \* \* \* \*

9. Section 32.25 *Colorado* is amended by removing and reserving the text of paragraph D. of Alamosa National Wildlife Refuge; by revising paragraph D. of Arapaho National Wildlife Refuge; by revising paragraphs A., B., C., and D. of Browns Park National Wildlife Refuge; by adding the alphabetical listing of Rocky Mountain Arsenal National Wildlife Refuge to read as follows:

#### § 32.25 Colorado.

\* \* \* \* \*

#### ALAMOSA NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* [Reserved]

#### ARAPAHO NATIONAL WILDLIFE REFUGE

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*D. Sport Fishing.* Fishermen may fish in designated areas of the refuge subject to the following conditions:

1. Fishermen may not fish between June 1 and July 31 each year.

2. Fishermen may fish only during daylight hours.

#### BROWNS PARK NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.*

Hunters may hunt geese, ducks, coots, and mourning doves only in designated areas of the refuge.

*B. Upland Game Hunting.* Hunters may hunt cottontail rabbits only in designated areas of the refuge.

*C. Big Game Hunting.* Hunters may hunt mule deer and elk only in designated areas of the refuge.

*D. Sport Fishing.* Fishermen may fish only in designated areas of the refuge.

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#### ROCK MOUNTAIN ARSENAL NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.*

[Reserved]

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* [Reserved]

*D. Sport Fishing.* Fishermen may fish only in designated areas of the refuge subject to the following conditions:

1. Refuge fishing permit required.

2. Fishing permitted only from sunrise to sunset from April 15 through October 15 annually.

3. Catch and release only fishing.

4. Additional refuge regulations listed in refuge fishing regulations leaflet and fishing permits.

10. Section 32.28 *Florida* is amended by revising the introductory text of paragraph D. and adding paragraph D.3. of Cedar Keys National Wildlife; by revising paragraph D. of J.N. "Ding" Darling National Wildlife Refuge; by revising paragraph D. of Lower Suwannee National Wildlife Refuge; by revising paragraph A. of St. Marks National Wildlife Refuge; and by adding the alphabetical listing of Ten Thousand Islands National Wildlife Refuge to read as follows:

#### § 32.28 Florida.

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## CEDAR KEYS NATIONAL WILDLIFE REFUGE

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*D. Sport Fishing.* Fishermen may fish in salt water year round in accordance with State regulations subject to the following condition:

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3. A 300 foot buffer zone beginning at mean high tide line and extending into the waters around Seahorse Key closed to all public entry from March 1 through June 30.

\* \* \* \* \*

## J. N. "DING" DARLING NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* Fishermen may fish and crab on designated areas of the refuge subject to the following conditions:

1. Fishing permitted in refuge waters except in areas designated as "closed to public entry," and the Mangrove Head Pond, Tower Pond, and Tarpon Bay Slough at the Bailey Tract.

2. Crabbing permitted in refuge waters except in areas designated as "closed to public entry."

3. Fishermen may not take horseshoe crabs, stone crabs, or spider crabs.

4. Fishermen may not take blue crabs for commercial purposes.

5. Sport fishermen may take blue crabs along the Wildlife Drive only with the use of dip nets. Fishermen may not use lines, traps, or bait on or within 150 feet of the Wildlife Drive.

6. Fishermen may use baited lines and traps within refuge waters if such devices are continuously attended/monitored and removed at the end of each day. Attended/monitored means that all devices used in the capture of blue crabs must be within the immediate view of the sport crabber.

7. Daily limit of blue crabs is 20 per person of which no more than 10 shall be females.

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## LOWER SUWANNEE NATIONAL WILDLIFE REFUGE

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*D. Sport Fishing.* Fishermen may fish in accordance with State regulations subject to the following conditions:

1. Fishermen may take game and nongame fish only with pole and line or rod and reel.

2. Fishermen may not take turtles and frogs.

3. Fishermen may not use boats in refuge ponds. Boats may not be left on the refuge overnight.

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## ST. MARKS NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* Hunters may hunt ducks and coots in designated areas of the refuge subject to the following condition: Permits required.

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## TEN THOUSAND ISLANDS NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* Hunters may hunt ducks and coots in designated areas of the refuge subject to the following condition: Permits required.

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* [Reserved]

*D. Sport Fishing.* [Reserved]

11. Section 32.29 *Georgia* is amended by revising paragraph D.1. of Blackbeard Island National Wildlife Refuge; by revising paragraphs D.1. and D.3. of Harris Neck National Wildlife Refuge; and by revising paragraph C. of Piedmont National Wildlife Refuge to read as follows:

## § 32.29 Georgia.

\* \* \* \* \*

## BLACKBEARD ISLAND NATIONAL WILDLIFE REFUGE

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*D. Sport Fishing.* \* \* \*

1. Fishermen may fish in freshwater year-round from sunrise to sunset, except during managed deer hunts.

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## HARRIS NECK NATIONAL WILDLIFE REFUGE

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*D. Sport Fishing.* \* \* \*

1. Fishermen may fish in freshwater year-round from sunrise to sunset, except during managed deer hunts.

\* \* \* \* \*

3. Fishermen may use the Barbour River public boat ramp as public access year-round from 4:00 a.m. to 12:00 p.m.(midnight), daily. However, fishermen may not use the Barbour River public boat ramp as access from 12:00 p.m.(midnight) to 4:00 a.m., daily.

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## PIEDMONT NATIONAL WILDLIFE REFUGE

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*C. Big Game Hunting.* Hunters may hunt white-tailed deer and turkey on designated areas of the refuge subject to the following condition: Permits required.

\* \* \* \* \*

12. Section 32.30 *Hawaii* is amended by revising paragraph C. of Hakalau Forest National Wildlife Refuge to read as follows:

## § 32.30 Hawaii.

\* \* \* \* \*

## HAKALAU FOREST NATIONAL WILDLIFE REFUGE

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*C. Big Game Hunting.* Hunters may hunt feral pigs and feral cattle on designated areas of the refuge subject to the following condition:

1. Hunters must have reservations or permits to access the refuge from Keanakolu Road.

\* \* \* \* \*

13. Section 32.32 *Illinois* is amended by revising paragraphs A. and B., by revising the introductory text of paragraph C., by revising paragraph C. 3, by adding paragraph C.5., by revising the introductory text of paragraph D. and paragraphs D.1., D.2., D.3., D.4. and

D.5. of Crab Orchard National Wildlife Refuge; by revising paragraphs A.1., A.2., A.3. and the introductory text of paragraph B. of Cypress Creek National Wildlife Refuge; by adding paragraphs A.1., A.2., C.1., and D.4. of Emiquon National Wildlife Refuge to read as follows:

## § 32.32 Illinois.

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## CRAB ORCHARD NATIONAL WILDLIFE REFUGE

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*A. Hunting of Migratory Birds.* Hunters may hunt waterfowl on designated areas of the refuge in accordance with posted regulations and subject to the following conditions.

1. Hunters may hunt waterfowl, by daily permit drawing, on the controlled areas of Grassy Point, Carterville, and Greenbriar land areas, plus Orchard, Sawmill, Turkey, and Grassy islands, from one-half hour before sunrise to posted closing times each day during the goose season. Hunters may hunt waterfowl in these areas, including the lake shoreline, only from existing refuge blinds during the goose season.

2. Waterfowl hunters outside the controlled goose hunting areas may use only portable or temporary blinds. Blinds must be a minimum of 200 yards apart and removed or dismantled at the end of each day's hunt.

3. Goose hunters outside the controlled goose hunting area on Crab Orchard Lake must hunt from a blind that is on shore or anchored a minimum of 200 yards away from any shoreline.

4. Hunters may possess and use only nontoxic shot while hunting migratory game bird species.

*B. Upland Game Hunting.* Hunters may hunt upland game on designated areas of the refuge in accordance with posted regulations and subject to the following conditions:

1. Upland game hunting prohibited in the controlled goose hunting areas during the goose hunting season, except furbearer hunting permitted from sunset to sunrise.

2. Hunters may not use rifles or handguns with ammunition larger than .22 caliber rim fire, except they may use black powder firearms up to and including .40 caliber.

3. Hunters may possess and use only nontoxic shot while hunting all permitted species except wild turkey. Hunters may possess and use lead shot for hunting wild turkey.

*C. Big Game Hunting.* Hunters may hunt white-tailed deer on designated areas of the refuge in accordance with posted regulations and subject to the following conditions:

\* \* \* \* \*

3. Hunters may not hunt deer in the controlled goose hunting areas during the goose hunting season.

\* \* \* \* \*

5. Permitted hunters may use center fire ammunition for handgun deer hunting during the handgun deer season.

*D. Sport Fishing.* Fishermen may fish on designated areas of the refuge in accordance

with posted regulations and subject to the following conditions:

1. Crab Orchard Lake—west of Wolf Creek Road—Fishermen may fish from boats all year. Fishermen must remove trot-lines/jugs from sunrise until sunset from Memorial Day through Labor Day; east of Wolf Creek Road—fishermen may fish from boats March 15 through September 30. Fishermen may fish all year at the Wolf Creek and Route 148 causeway areas. Fishermen must check and remove fish from all jugs and trot lines daily. It is illegal to use stakes to anchor any trot-lines; they must be tagged with angler's name and address. Fishermen may use all noncommercial fishing methods except they may not use underwater breathing apparatus. Fishermen may not use jugs or trot-lines with any flotation device that has previously contained any petroleum-based materials or toxic substances. Fishermen must attach a buoyed device that is visible on the water's surface to all trot-lines.

2. A-41, Bluegill, Blue Heron, Managers, Honkers, and Visitors Ponds: Fishermen may fish only from sunrise to sunset March 15 through September 30. Fishermen may not use boats or flotation devices.

3. Fishermen may not submerge any pole or similar object to take or locate any fish.

4. Organizers of all fishing events must possess a refuge-issued permit.

5. Fishermen may not fish within 250 yards of an occupied waterfowl hunting blind.

\* \* \* \* \*

#### CYPRESS CREEK NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.* \* \* \*

1. Site specific regulations apply to dove hunting on sunflower fields.

2. Duck hunters may not hunt on the Bellrose Waterfowl Reserve.

3. Only goose hunters allowed in Bellrose Waterfowl Reserve following the closure of the regular duck hunting season. Special site regulations apply.

\* \* \* \* \*

*B. Upland Game Hunting.* Hunters may hunt bob-white quail, rabbit, squirrel, raccoon, opossum, coyote, red fox, grey fox and turkey (spring) on designated areas of the refuge subject to the following conditions:

\* \* \* \* \*

#### EMIQUON NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.* \* \* \*

1. Only temporary structures or blinds constructed of native materials are permitted.

2. Hunters must remove boats, decoys, and portable blinds at the end of each day's hunt.

\* \* \* \* \*

##### *C. Big Game Hunting.* \* \* \*

1. Hunters must remove hunting stands at the end of each day's hunt.

##### *D. Sport Fishing.* \* \* \*

\* \* \* \* \*

4. Fishermen may not sportfish in areas open to hunting during hunting seasons.

\* \* \* \* \*

14. Section 32.35 *Kansas* is amended by removing paragraph C.2., and by revising paragraph D. of Flint Hills National Wildlife Refuge; by revising

paragraph D., of Kirwin National Wildlife Refuge; and by revising paragraph D. Of Quivira National Wildlife Refuge to read as follows:

\* \* \* \* \*

#### § 32.35 *Kansas.*

\* \* \* \* \*

#### FLINT HILLS NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* Fishermen may sportfish on designated portions of the refuge subject to State regulations and any refuge specific regulations as listed in the refuge brochure.

#### KIRWIN NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* Fishermen may sportfish on designated areas of the refuge subject to the following conditions:

1. Fishermen may fish in accordance with the Kirwin National Wildlife Refuge Visitor's Map and Guide.

2. Fishermen may not use motorized vehicles on the ice.

#### QUIVIRA NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* Fishermen may sportfish on designated portions of the refuge subject to State regulations and any refuge specific regulations as listed in the refuge brochure.

15. Section 32.37 *Louisiana* is amended by adding the alphabetical listing of Black Bayou Lake National Wildlife Refuge; by revising paragraph D.3., of Catahoula National Wildlife Refuge; by revising paragraphs A., B., and C. of D'Arbonne National Wildlife Refuge; and by revising paragraphs A., B., and C. of Upper Ouachita National Wildlife Refuge to read as follows:

#### § 32.37 *Louisiana.*

\* \* \* \* \*

#### BLACK BAYOU LAKE NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.*

[Reserved]

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* [Reserved]

*D. Sport Fishing.* Fishermen may fish on designated areas of the refuge subject to the following conditions:

1. Fishermen may fish from sunrise to sunset.

2. Fishermen may not leave boats or other personal equipment on the refuge overnight. Fishermen may launch boats only at designated sites. Fishermen may not use boat motors greater than 50 horsepower.

3. Fishermen may not use trotlines, limb lines, yo-yos, traps or nets.

4. Fishermen may not take frogs, turtles and mollusks.

\* \* \* \* \*

#### CATAHOULA NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

##### *D. Sport Fishing.* \* \* \*

\* \* \* \* \*

3. Cowpen Bayou and the HWY 28 borrow pits open to fishing all year.

\* \* \* \* \*

#### D'ARBONNE NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.*

Hunters may hunt ducks, coots, and woodcock on designated areas of the refuge subject to the following condition: Permits required.

*B. Upland Game Hunting.* Hunters may hunt quail, squirrel, rabbit, raccoon and opossum on designated areas of the refuge subject to the following condition: Permits required.

*C. Big Game Hunting.* Hunters may hunt white-tailed deer on designated areas of the refuge subject to the following condition: Permits required.

\* \* \* \* \*

#### UPPER OUACHITA NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.*

Hunters may hunt ducks, coots, and woodcock on designated areas of the refuge subject to the following condition: Permits required.

\* \* \* \* \*

*B. Upland Game Hunting.* Hunters may hunt quail, squirrel, rabbit, raccoon and opossum on designated areas of the refuge subject to the following condition: Permits required.

\* \* \* \* \*

*C. Big Game Hunting.* Hunters may hunt white-tailed deer on designated areas of the refuge subject to the following condition: Permits required.

\* \* \* \* \*

16. Section 32.42 *Minnesota* is amended by revising paragraphs A., B., and adding paragraph C.4. of Minnesota Valley National Wildlife Refuge; by revising paragraphs A., B., C., and D. of Morris Wetland Management District; by removing paragraph C.3. and redesignating paragraphs C.4. and C.5. as paragraphs C.3. and C.4., respectively, of Rydell National Wildlife Refuge to read as follows:

#### § 32.42 *Minnesota.*

\* \* \* \* \*

#### MINNESOTA VALLEY NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.*

Hunters may hunt geese, ducks, and coots on designated areas of the refuge. Permits are required for special hunts.

*B. Upland Game Hunting.* Hunters may hunt upland game, except for furbearers and crows, on designated areas of the refuge consistent with state regulations, subject to the following conditions:

1. Hunters may only use shotguns and bows and arrows in designated areas.

2. Hunters may only use or possess non-toxic shot.

##### *C. Big Game Hunting.* \* \* \*

\* \* \* \* \*

4. Hunters may not use or possess single shot projectiles (shotgun slugs, or bullets) on the Soberg Waterfowl Production Area.

\* \* \* \* \*

#### MORRIS WETLAND MANAGEMENT DISTRICT

##### *A. Hunting of Migratory Game Birds.*

Hunting of migratory game birds is permitted throughout the district subject to the following condition:

1. Hunters may not hunt on designated portions of the Edwards-Long Lake Waterfowl Production Area in Stevens County.

*B. Upland Game Hunting.* Upland game hunting is permitted throughout the district subject to the following condition:

1. Hunters may not hunt on designated portions of the Edwards-Long Lake Waterfowl Production Area in Stevens County.

*C. Big Game Hunting.* Big game hunting is permitted throughout the district subject to the following condition:

1. Hunters may not hunt on designated portions of the Edwards-Long Lake Waterfowl Production Area in Stevens County.

*D. Sport Fishing.* Sport fishing is permitted throughout the district subject to the following condition:

1. Fishermen may not fish on designated portions of the Edwards-Long Lake Waterfowl Production Area in Stevens County.

\* \* \* \* \*

#### RYDELL NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

##### *C. Big Game Hunting.* \* \* \*

\* \* \* \* \*

3. Hunters may not construct or use permanent blinds, permanent platforms, or permanent ladders. Hunters may use portable stands, but must remove them from the refuge at the end of each day's hunt.

4. Hunters who harvest deer in the Special Permit Area must take their deer to the refuge check station.

\* \* \* \* \*

17. Section 32.43 *Mississippi* is amended by revising paragraphs A., B., C., and D., of Noxubee National Wildlife Refuge; by revising paragraph A. of St. Catherine Creek National Wildlife Refuge; by revising paragraphs A., B., and C. of Tallahatchie National Wildlife Refuge; and by revising paragraph A. of Yazoo National Wildlife Refuge to read as follows:

##### **§ 32.43 Mississippi.**

\* \* \* \* \*

#### NOXUBEE NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.*

Hunters may hunt waterfowl, coots, and woodcock on designated areas of the refuge subject to the following condition: Permits required.

*B. Upland Game Hunting.* Hunters may hunt quail, squirrel, rabbit, beaver, raccoon and opossum on designated areas of the

refuge subject to the following condition: Permits required.

*C. Big Game Hunting.* Hunters may hunt white-tailed deer and turkey on designated areas of the refuge subject to the following condition: Permits required.

*D. Sport Fishing.* Fishermen may fish on designated areas of the refuge subject to the following condition: Permits required.

\* \* \* \* \*

#### ST. CATHERINE CREEK NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.*

Hunters may hunt ducks, geese and coots on designated areas of the refuge subject to the following condition: Permits required.

\* \* \* \* \*

#### TALLAHATCHIE NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.*

Hunters may hunt mourning doves, migratory waterfowl, coots, snipe and woodcock on designated areas of the refuge subject to the following condition: Permits required.

*B. Upland Game Hunting.* Hunters may hunt quail, squirrel, rabbit, beaver, raccoon and opossum on designated areas of the refuge subject to the following condition: Permits required.

*C. Big Game Hunting.* Hunters may hunt deer and turkey on designated areas of the refuge subject to the following condition: Permits required.

\* \* \* \* \*

#### YAZOO NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.*

Hunters may hunt mourning doves and waterfowl on designated areas of the refuge subject to the following condition: Permits required.

\* \* \* \* \*

18. Section 32.45 *Montana* is amended by revising paragraphs A., B., and D., of Charles M. Russell National Wildlife Refuge; by revising paragraph B. of Hailstone National Wildlife Refuge; by removing and reserving the text of paragraphs A., B., and C. of Halfbreed Lake National Wildlife Refuge; by revising paragraph C. of Lake Mason National Wildlife Refuge; by revising paragraph D. of Swan River National Wildlife Refuge; by revising paragraph B. of UL Bend National Wildlife Refuge; and by revising paragraph D. of War Horse National Wildlife Refuge to read as follows:

##### **§ 32.45 Montana.**

\* \* \* \* \*

#### CHARLES M. RUSSELL NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.*

Refuge open to hunting of migratory game birds in accordance with state law.

*B. Upland Game Hunting.* Hunting of upland game birds, turkey and coyote is permitted on designated areas of the refuge subject to the following condition:

1. Coyote hunting allowed from the first day of antelope rifle season through March 1 annually.

\* \* \* \* \*

*D. Sport fishing.* Refuge open to sport fishing in accordance with state law, and as specifically designated in refuge publications.

\* \* \* \* \*

#### HAILSTONE NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*B. Upland Game Hunting.* Hunters may hunt upland game birds on designated areas of the refuge subject to the following conditions:

1. Hunters shall possess and use, while in the field, only nontoxic shot.

\* \* \* \* \*

#### HALFBREED LAKE NATIONAL WILDLIFE REFUGE

##### *A. Hunting of Migratory Game Birds.*

[Reserved]

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* [Reserved]

\* \* \* \* \*

#### LAKE MASON NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*C. Big Game Hunting.* Refuge open to big game hunting in accordance with state law.

\* \* \* \* \*

#### SWAN RIVER NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* Refuge open to sport fishing in accordance with state law, and as specifically designated in refuge publications.

#### UL BEND NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*B. Upland Game Hunting.* Refuge is open to upland game hunting in accordance with state laws, regulations and the following condition:

1. Coyote hunting allowed from the first day of antelope rifle season through March 1 annually.

\* \* \* \* \*

#### WAR HORSE NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* Refuge open to sport fishing in accordance with state law, and as specifically designated in refuge publications.

19. Section 32.46 *Nebraska* is amended by revising paragraph C. of Crescent Lake National Wildlife Refuge; by adding alphabetically Fort Niobrara National Wildlife Refuge; by revising paragraph D. of Valentine National Wildlife Refuge to read as follows:

##### **§ 32.46 Nebraska.**

\* \* \* \* \*



## CRESCENT LAKE NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*C. Big Game Hunting.* Hunters may hunt white-tailed deer and mule deer on designated areas of the refuge pursuant to State law.

\* \* \* \* \*

## FORT NIOBRARA NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* [Reserved]

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* [Reserved]

*D. Sport Fishing.* Fishermen may fish on designated portions of the refuge subject to state regulations and any specific regulations as listed in refuge publications.

## VALENTINE NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* Fishermen may fish on designated portions of the refuge subject to state regulations and any specific regulations as listed in refuge publications.

20. Section 32.47 *Nevada* is amended by revising paragraphs D.1., D.2., and removing paragraph D.3., of Sheldon National Wildlife Refuge to read as follows:

\* \* \* \* \*

**§ 32.47 Nevada.**

\* \* \* \* \*

## SHELDON NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* \* \* \*

1. Fishermen may only bank fish, fish by wading, use nonmotorized boats, float tubes and similar flotation devices in Big Springs Reservoir, Dufurrena Ponds, and Catnip Reservoir. Fishermen may not fish from motorized boats.

2. Only individuals 12 years of age or under, or 65 years of age or older, or individuals who are disabled are permitted to fish in McGee Pond.

\* \* \* \* \*

21. Section 32.49 *New Jersey* is amended by revising paragraphs A., C., and D. of Wallkill River National Wildlife Refuge to read as follows:

**§ 32.49 New Jersey.**

\* \* \* \* \*

## WALLKILL RIVER NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.*

Hunters may hunt migratory game birds on designated areas of the refuge subject to the following conditions:

1. Hunters must sign and be in possession of refuge hunting permits at all times while hunting on the refuge.

2. Refuge hunting regulations, as listed in the hunting leaflet for Wallkill River National Wildlife Refuge, will be in effect.

3. Shotgun hunters may use or possess only nontoxic shot while hunting migratory game birds.

\* \* \* \* \*

*C. Big Game Hunting.* Hunters may hunt white-tailed deer and wild turkeys on designated areas of the refuge subject to the following conditions:

1. Hunters must sign and be in possession of refuge hunting permits at all times while hunting on the refuge.

2. Refuge hunting regulations, as listed in the hunting leaflet for Wallkill River National Wildlife Refuge, will be in effect.

*D. Sport Fishing.* Fishermen may sportfish on designated areas of the refuge subject to the following conditions:

1. Fishermen may fish from canoes or cartop boats on the Wallkill River.

2. Anglers must park in designated parking areas if accessing the Wallkill River through refuge land.

3. Fishermen may not take frogs and/or turtles.

4. Fishermen may not fish at night.

22. Section 32.55 *Oklahoma* is amended by revising paragraph B. of Deep Fork National Wildlife Refuge; by revising paragraphs A., B., and C. of Little River National Wildlife Refuge; by removing paragraph B.3. of Optima National Wildlife Refuge; by revising the introductory text of paragraph B., by adding paragraph B.4., by removing paragraphs C.3. and C.4., and redesignating paragraph C.5. as paragraph C.3. of Tishomingo National Wildlife Refuge; by removing paragraph B.2., by revising paragraph D.1. of Washita National Wildlife Refuge; and by revising paragraph D.4. of Wichita Mountains National Wildlife Refuge to read as follows:

**§ 32.55 Oklahoma.**

\* \* \* \* \*

## DEEP FORK NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*B. Upland Game Hunting.* Hunters may hunt rabbits and squirrels on portions of the refuge in accordance with state hunting regulations subject to the following exceptions and conditions:

1. Hunters may hunt squirrels on portions of Deep Fork National Wildlife Refuge during the state season except it is closed during the first half of archery deer season.

2. Hunters may hunt rabbits on portions of Deep Fork National Wildlife Refuge during the state season except it is closed from the beginning of the archery deer season until after rifle deer season.

3. Hunters may only use shotguns with non-toxic shot.

4. The refuge leaflet designates all hunting and parking areas.

\* \* \* \* \*

## LITTLE RIVER NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.*

Hunters may hunt waterfowl (ducks) in Units 2 and 4 of the refuge subject to the following conditions:

1. The season will open not earlier than November 15 and close not later than December 20 each year.

2. Prohibited off-road vehicle use.

3. Hunters may not build permanent blinds.

4. Hunters may hunt only from one-half hour before sunrise until noon each day.

*B. Upland Game Hunting.* Hunters may hunt squirrel, rabbit, turkey and raccoon on designated areas of the refuge subject to the following conditions:

1. Turkey hunters must obtain permits and pay fees.

2. Prohibited off-road vehicle use.

3. Hunters may hunt raccoons only from October 1 through December 20 annually.

4. Shotgun hunters may not possess or use lead shot.

*C. Big Game Hunting.* Hunters may hunt deer on designated portions of the refuge subject to the following conditions:

1. Hunters must obtain permits and pay fees.

2. Prohibited off-road vehicle use.

\* \* \* \* \*

## TISHOMINGO NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*B. Upland Game Hunting.* Hunters may hunt quail, squirrel, turkey and rabbits on the Tishomingo Wildlife Management Unit of the refuge subject to the following conditions:

\* \* \* \* \*

4. Turkey hunters may only hunt during the statewide spring shotgun season and during the fall archery season.

\* \* \* \* \*

## WASHITA NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* \* \* \*

1. Fishermen may fish and frog only from March 15 through October 14 on the Washita River and Foss Reservoir. Fishermen may bank fish from the Lakeview Recreation Area to the Pitts Creek Recreation Area all year.

\* \* \* \* \*

## WICHITA MOUNTAINS NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* \* \* \*

\* \* \* \* \*

4. Fishermen may only catch largemouth and smallmouth bass between 13–16 inches in length, but there is no size limit on spotted bass, with a daily creel limit of 6 (aggregate) at Lake Elmer Thomas.

\* \* \* \* \*

23. Section 32.56 *Oregon* is amended by adding paragraph A.6. of Cold Springs National Wildlife Refuge; by revising paragraphs A.2., B.1., B.2., B.3., and D.1. of Malheur National Wildlife Refuge; by adding paragraph A.7. of McKay Creek National Wildlife Refuge; by adding paragraph A.6 and revising paragraph C of Umatilla National Wildlife Refuge to read as follows:

**§ 32.56 Oregon.**

\* \* \* \* \*



## COLD SPRINGS NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* \* \* \*

6. Snipe hunters shall possess and use, while in the field, only nontoxic shot.

## MALHEUR NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* \* \* \*

2. Hunters shall possess and use, while in the field, only nontoxic shot.

*B. Upland Game Hunting.* \* \* \*

1. Hunters may hunt pheasant, quail, partridge, and rabbit from the third Saturday in November to the end of the pheasant season in designated areas of the Blitzen Valley east of Highway 205, and on designated areas open to waterfowl hunting.

2. Hunters may hunt all upland game species during authorized State seasons on the refuge area west of Highway 205 and south of Foster Flat Road.

3. Hunters shall possess and use, while in the field, only nontoxic shot when hunting on designated areas east of Highway 205.

*D. Sport Fishing.* \* \* \*

1. Fishermen may fish year-round in the Blitzen River, East Canal, and Mud Creek upstream from and including Bridge Creek. Fishermen may fish in Krumbo Reservoir during the State season from the fourth Saturday in April to the end of October.

## McKAY CREEK NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* \* \* \*

7. Snipe hunters shall possess and use, while in the field, only nontoxic shot.

## UMATILLA NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* \* \* \*

6. Snipe hunters shall possess and use, while in the field, only nontoxic shot.

*C. Big Game Hunting.* Hunters may hunt deer on designated areas of the refuge subject to the following condition:

1. Hunting by permit only.

24. Section 32.57 *Pennsylvania* is amended by adding paragraph A.3., by revising the introductory text of paragraph B., by revising paragraphs B.3. and B.5., and by revising paragraphs C.1., C.2., and C.3. of Erie National Wildlife Refuge to read as follows:

**§ 32.57 Pennsylvania.**

\* \* \* \* \*

## ERIE NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* \* \* \*

\* \* \* \* \*

3. No dog training.

*B. Upland Game Hunting.* Hunters may hunt grouse, squirrel, rabbit, woodchuck, pheasant, quail, raccoon, fox, skunk, opossum and coyote on designated areas of the refuge subject to the following conditions:

3. Upland game hunters must wear on head, chest and back, a minimum of 400 square inches of blaze orange material.

5. Dog trainers must obtain permits.

*C. Big Game Hunting.* \* \* \*

1. Hunters may hunt only from March 1 through August 31 except for spring turkey season.

2. Hunters must remove blinds, platforms, scaffolds, and/or tree stands from the refuge daily.

3. All deer hunters must wear on head, chest and back, a minimum of 400 square inches of blaze orange material during antlered, antlerless and muzzleloader seasons.

25. Section 32.61 *South Dakota* is amended by revising paragraph D. of Waubay National Wildlife Refuge to read as follows:

**§ 32.61 South Dakota.**

\* \* \* \* \*

## WAUBAY NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* Sport fishermen may fish on the refuge in accordance with state law, and as specifically designated in refuge publications.

26. Section 32.62 *Tennessee* is amended by revising paragraphs A., and D.2., and adding paragraph D.3. of Chickasaw National Wildlife Refuge; by revising paragraphs A. and D. of Lower Hatchie National Wildlife Refuge to read as follows:

**§ 32.62 Tennessee.**

\* \* \* \* \*

## CHICKASAW NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* Hunters may hunt ducks, coots, mourning doves, woodcock, and snipe on designated areas of the refuge subject to the following condition: Permits required.

*D. Sport Fishing.* \* \* \*

\* \* \* \* \*

2. Fishermen may fish only from sunrise to sunset.

3. Fishermen may not frog or turtle on the refuge.

\* \* \* \* \*

## LOWER HATCHIE NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* Hunters may hunt ducks, coots, mourning doves, woodcock, and snipe on designated areas of the refuge subject to the following condition: Permits required.

\* \* \* \* \*

*1D. Sport Fishing.* Fishermen may fish on designated areas of the refuge and Sunk Lake Public Use Natural Area subject to the following conditions:

1. Only with pole and line or rod and reel.

2. Only from sunrise to sunset.

3. Fishermen may not frog or turtle.

4. Fishermen may not fish in the sanctuary areas or Sunk Lake Public Use Natural Area from November 15 through March 15 annually.

27. Section 32.63 *Texas* is amended by revising paragraphs A.1., A.2., A.4., removing paragraph A.6 and redesignating paragraph A.7. as paragraph A.6. of Anahuac National Wildlife Refuge; by adding alphabetically the listing of Balcones Canyonlands National Wildlife Refuge; by revising paragraphs B.2., B.3, and C. of Hagerman National Wildlife Refuge; by revising paragraphs A.1., A.2., A.6. and adding paragraph A.7. of McFaddin National Wildlife Refuge; and by revising paragraphs A.1., A.2., A.5., and adding paragraph A.6. of Texas Point National Wildlife Refuge to read as follows:

**§ 32.63 Texas.**

\* \* \* \* \*

## ANAHUAC NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* \* \* \*

1. Permits and payment of a fee required to hunt on portions of the refuge.

2. Hunters may hunt only on designated days of the week during the general waterfowl hunting season. Hunters may hunt on designated areas during all days of the September teal season. Notice of hunting days and maps depicting areas open to hunting are issued annually in the refuge hunting brochure.

\* \* \* \* \*

4. Hunters must use and be in possession of federally-approved non-toxic shot only.

\* \* \* \* \*

## BALCONES CANYONLANDS NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Game Birds.* [Reserved]

*B. Upland Game Hunting.* Hunters may hunt turkey on designated areas of the refuge subject to the following conditions:

1. Hunting will take place in December and/or January.

2. Hunters must check in and out of a hunt area.

3. Hunters may use only bows and arrows or shotguns and rifles.

4. Hunters shall be at least 12 years of age. Hunters between the ages of 12 and 17 (inclusive) must hunt under the supervision of an adult 21 years of age or older.

5. Bag limit must be in accordance with annual state regulations.

6. Hunters must visibly wear 400 square inches of hunter orange above the waist. Wearing a hunter orange hat or cap mandatory.

7. Hunters must obtain a refuge permit and pay a hunt fee.

*C. Big Game Hunting.* Hunters may hunt white-tailed deer and feral hogs on designated areas of the refuge subject to the following conditions:

1. Hunting will take place in December and/or January.

2. Hunters must check in and out of a hunt area.

3. Hunters may use only bows and arrows, or shotguns and rifles.

4. Hunters shall be at least 12 years of age. Hunters between the ages of 12 and 17 (inclusive) must hunt under the supervision of an adult 21 years of age or older.

5. Bag limit must be in accordance with annual state regulations.

6. Hunters must visibly wear 400 square inches of hunter orange above the waist. Wearing a hunter orange hat or cap mandatory.

7. Hunters must obtain a refuge permit and pay a hunt fee.

*D. Sport Fishing.* [Reserved]

\* \* \* \* \*

#### HAGERMAN NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*B. Upland Game Hunting.* \* \* \*

\* \* \* \* \*

2. Only shotguns permitted.

3. No shot larger than No. 4 shot may be brought onto the area.

\* \* \* \* \*

*C. Big Game Hunting.* Hunters may hunt white-tailed deer and feral hogs on designated areas of the refuge subject to the following conditions:

1. Hunters may archery hunt as listed in the refuge hunt information sheet. Hunters must obtain a refuge permit and pay a hunt fee.

2. Firearms hunting utilizing shotguns, 20 gauge or larger, loaded with rifled slug, permitted during a special youth hunt as listed in the refuge hunt information sheet. Permits required.

\* \* \* \* \*

#### MCFADDIN NATIONAL WILDLIFE REFUGE

A. Hunting of Migratory Game Birds. \* \* \*

1. Hunters must obtain a refuge permit and pay a hunt fee to hunt on portions of the refuge.

2. Hunters may hunt only on designated days of the week during the general waterfowl hunting season. Hunters may hunt on designated areas during all days of the September teal season. Notice of hunting days and maps depicting areas open to hunting issued annually in the refuge hunting brochure.

\* \* \* \* \*

6. Hunters must use and be in possession of federally-approved non-toxic shot only.

7. Hunters may use only airboats in accordance with guidelines issued in the refuge hunting brochure.

\* \* \* \* \*

#### TEXAS POINT NATIONAL WILDLIFE REFUGE

A. Hunting of Migratory Game Birds. \* \* \*

1. Hunters may hunt only on designated days of the week during the general waterfowl hunting season and the September teal season. Notice of hunting days and maps depicting areas open to hunting issued annually in the refuge hunting brochure.

2. Hunting permitted until noon.

\* \* \* \* \*

5. Hunters must use and be in possession of federally-approved non-toxic shot only.

6. Hunters may use only airboats in accordance with guidelines issued in the refuge hunting brochure.

\* \* \* \* \*

28. Section 32.64 *Utah* is amended by revising paragraph D. of Ouray National Wildlife Refuge to read as follows:

#### § 32.64 Utah.

\* \* \* \* \*

#### OURAY NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

*D. Sport Fishing.* The refuge is open to sport fishing in accordance with state law, and as specifically designated in refuge publications.

29. Section 32.66 *Virginia* is amended by revising paragraph C.6. and adding paragraph C.7. of Great Dismal Swamp National Wildlife Refuge to read as follows:

#### § 32.66 Virginia.

\* \* \* \* \*

#### GREAT DISMAL SWAMP NATIONAL WILDLIFE REFUGE

\* \* \* \* \*

C. Big Game Hunting. \* \* \*

\* \* \* \* \*

6. Hunters may not possess a loaded firearm (ammunition in the chamber, magazine, or clip), or loaded bow on or within 50 feet of a refuge road, including roads closed to vehicles.

7. Hunters may not shoot onto or across a refuge road, including roads closed to vehicles.

\* \* \* \* \*

30. Section 32.67 *Washington* is amended by revising paragraphs A.1., A.3. A.4., A.5., A.6. and removing paragraph A.7. of McNary National Wildlife Refuge; and by adding paragraph A.5., and revising paragraph B.1. of Toppenish National Wildlife Refuge; by adding paragraph A.6., by removing and reserving the text of paragraph C. of Umatilla National Wildlife Refuge to read as follows:

#### § 32.67 Washington.

\* \* \* \* \*

#### M McNARY NATIONAL WILDLIFE REFUGE

A. Hunting of Migratory Game Birds. \* \* \*

1. Hunting is by permit only on the McNary Division.

\* \* \* \* \*

3. Snipe hunters shall possess and use, while in the field, only nontoxic shot.

4. Hunters may not possess more than 25 shells while in the field.

5. On the first Saturday in December, only youth aged 10–17 and an accompanying adult aged 18 or over may hunt.

6. The furthest downstream island (Columbia River mile 341–343) in the Hanford Islands Division closed to hunting.

\* \* \* \* \*

#### TOPPENISH NATIONAL WILDLIFE REFUGE

A. Hunting of Migratory Game Birds. \* \* \*

\* \* \* \* \*

5. Snipe hunters will possess and use, while in the field, only nontoxic shot.

B. Upland Game Hunting. \* \* \*

1. Hunters may not hunt upland game birds until noon of each hunt day.

\* \* \* \* \*

#### UMATILLA NATIONAL WILDLIFE REFUGE

A. Hunting of Migratory Game Birds. \* \* \*

\* \* \* \* \*

6. Snipe hunters shall possess and use, while in the field, only nontoxic shot.

\* \* \* \* \*

*C. Big Game Hunting.* [Reserved]

\* \* \* \* \*

31. Section 32.69 *Wisconsin* is amended by adding the alphabetical listing of Leopold Wetland Management District to read as follows:

#### § 32.69 Wisconsin.

\* \* \* \* \*

#### LEOPOLD WETLAND MANAGEMENT DISTRICT

*A. Hunting of Migratory Game Birds.*

Hunters may hunt migratory game birds throughout the District except that hunters may not hunt on designated portions of the Blue-wing Waterfowl Production Area in Ozaukee County or the Wilcox Waterfowl Production Area in Waushara County.

*B. Upland Game Hunting.* Hunters may hunt upland game throughout the district except that hunters may not hunt on designated portions of the Blue-wing Waterfowl Production Area in Ozaukee County or the Wilcox Waterfowl Production Area in Waushara County.

*C. Big Game Hunting.* Hunters may hunt big game throughout the District except that hunters may not hunt on designated portions of the Blue-wing Waterfowl Production Area in Ozaukee County or the Wilcox Waterfowl Production Area in Waushara County.

*D. Sport Fishing.* [Reserved]

\* \* \* \* \*

32. Section 32.70 *Wyoming* is amended by revising the introductory text of paragraph C. and revising paragraph D. of National Elk Refuge; and by revising paragraphs A., C., and D. of Seedskaadee National Wildlife Refuge to read as follows:

#### § 32.70 Wyoming.

\* \* \* \* \*

#### NATIONAL ELK REFUGE

\* \* \* \* \*

*C. Big Game Hunting.* Hunters may hunt elk and bison on designated areas of the refuge subject to the following conditions:

\* \* \* \* \*

*D. Sport Fishing.* Fishermen may sport fish on the refuge in accordance with State law, as specifically designated in refuge publications.

\* \* \* \* \*

SEEDSKADEE NATIONAL WILDLIFE  
REFUGE

*A. Hunting of Migratory Game Birds.* Hunters may hunt migratory game birds only on designated areas of the refuge.

\* \* \* \* \*

*C. Big Game Hunting.* Hunters may hunt pronghorn antelope, mule deer and moose only on designated areas of the refuge.

*D. Sport Fishing.* Fishermen may sport fish on the refuge only in accordance with State law, and as specifically designated in refuge publications.

Dated: July 9, 1997.

**Donald J. Barry,**

*Acting Assistant Secretary for Fish and  
Wildlife and Parks.*

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