

C. Executive Order 12612 (Federalism)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the final rule did not have sufficient Federalism implications to warrant preparation of a Federalism Assessment. No state laws are affected.

D. Executive Order 12778 (Civil Justice Reform)

This final rule does not have any retroactive effect. States are preempted from promulgating laws and regulations contrary to the provisions of this rule. The rule does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

E. National Environmental Policy Act

The agency has considered the environmental implications of this rule in accordance with the National Environmental Policy Act of 1969 and determined that this rule will not significantly affect the human environment.

Comments

Interested persons are invited to submit comments on this document. It is requested but not required that 10 copies be submitted.

All comments must not exceed 15 pages in length (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including the purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the NHTSA Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR Part 512.

All comments received by NHTSA before the close of business on the comment closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments received too late for consideration in regard to this

rulemaking action will be considered as suggestions for further rulemaking action. Comments on the document will be available for inspection in the docket. The NHTSA will continue to file relevant information as it becomes available in the docket after the closing date, and recommends that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

List of Subjects in 49 CFR Part 583

Motor vehicles, Imports, Labeling, Reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR part 583 is amended as follows:

PART 583—AUTOMOBILE PARTS CONTENT LABELING

1. The authority for part 583 continues to read as follows:

Authority: 49 U.S.C. 32304, 49 CFR 1.50, 501.2(f).

2. Section 583.6 is amended by revising paragraph (c)(5) and adding paragraph (c)(6) to read as follows:

§ 583.6 Procedure for determining U.S./Canadian parts content.

* * * * *

(c) * * *

(5) Except as provided in paragraph (c)(6) of this section, if a manufacturer or allied supplier does not receive information from one or more of its suppliers concerning the U.S./Canadian content of particular equipment, the U.S./Canadian content of that equipment is considered zero. This provision does not affect the obligation of manufacturers and allied suppliers to request this information from their suppliers or the obligation of the suppliers to provide the information.

(6) For carlines which are first offered for sale to ultimate purchasers before January 1, 1997, if a manufacturer or allied supplier requests information in a timely manner from one or more of its outside suppliers concerning the U.S./Canadian content of particular equipment, but does not receive that information despite a good faith effort to obtain it, the manufacturer or allied supplier may make its own good faith value added determinations, subject to the following provisions:

(i) The manufacturer or allied supplier shall make the same value

added determinations as would be made by the outside supplier, i.e., whether 70 percent or more of the value of equipment is added in the United States and/or Canada;

(ii) The manufacturer or allied supplier shall consider the amount of value added and the location in which the value was added for all of the stages that the outside supplier would be required to consider;

(iii) The manufacturer or allied supplier may determine that the value added in the United States and/or Canada is 70 percent or more only if it has a good faith basis to make that determination;

(iv) A manufacturer and its allied suppliers may, on a combined basis, make value added determinations for no more than 10 percent, by value, of a carline's total parts content from outside suppliers;

(v) Value added determinations made by a manufacturer or allied supplier under this paragraph shall have the same effect as if they were made by the outside supplier;

(vi) This provision does not affect the obligation of outside suppliers to provide the requested information.

Issued on: August 28, 1996.

Ricardo Martinez,
Administrator.

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

RIN 1018-AD76

1996-97 Refuge-Specific Hunting and Sport Fishing Regulations

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Fish and Wildlife Service (Service) amends certain regulations that pertain to migratory game bird hunting, upland game hunting, big game hunting and sport fishing on individual national wildlife refuges for the 1996-97 seasons. Refuge hunting and fishing programs are reviewed annually to determine whether the individual refuge regulations governing these 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 were established. The Service determines that such use is compatible with the purposes for which these refuges were established. The Service further determines that this action is in accordance with the provisions of all applicable laws, is consistent with principles of sound fish and wildlife management, and is otherwise in the public interest by providing additional recreational opportunities at national wildlife refuges.

EFFECTIVE DATE: This rule is effective September 3, 1996.

FOR FURTHER INFORMATION CONTACT: Stephen R. Vehrs, (703) 358-2397.

SUPPLEMENTARY INFORMATION: 50 CFR part 32 contains provisions governing hunting and fishing on national wildlife refuges. Hunting and fishing are regulated on refuges to:

- Ensure compatibility with refuge purposes;
- Properly manage the fish and wildlife resource;
- Protect other refuge values; and
- 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 may be issued only after a wildlife refuge is opened to migratory game bird hunting, upland game hunting, big game hunting or sport fishing through publication in the Federal Register. These regulations may 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 being promulgated to standardize and clarify the existing language of these regulations.

Text in this final rule is somewhat different than that used in the proposed rule because it reflects conformity to plain English writing standards. In the June 24, 1996, issue of the Federal Register (61 FR 32415-32422) the Service published a proposed rulemaking containing a description of the refuges, their proposed hunting and/

or fishing programs and invited public comment.

The State of New Jersey, Department of Environmental Protection, Division of Fish, Game and Wildlife, commented that the proposed rule did not include any openings for sport fishing in New Jersey. This concern has been forwarded to the Service's Regional Director, having jurisdiction in New Jersey. To open new fishing programs in New Jersey, a separate rulemaking is necessary. The refuge managers, in consultation with other Fish and Wildlife Service offices and the New Jersey Division of Fish, Game and Wildlife, will determine whether to open additional public fishing areas on refuges in New Jersey through a compatible use determination process.

The State of Utah, Department of Natural Resources, Division of Wildlife Resources commented that the proposed regulations for Bear River Migratory Bird Refuge were overly restrictive regarding: (1) The requirement for cased or dismantled firearms while being carried and/or transported on the refuge, since this regulation is more restrictive than State law; (2) refuge closure 90 minutes after hunting hours, where at least two hours should be allowed; and (3) a ten-shell limit for swan hunting could create a significant law enforcement problem.

The Humane Society of the United States (HSUS) generally supports the changes made to the refuge regulations, but expressed concern about hunting tundra swans on this refuge and other national wildlife refuges. They were supportive of steps taken by the refuge manager to better regulate the swan hunt. The HSUS further recommends that the number of shotshells used to hunt swans be limited to five shells.

The Fund for Animals Inc. commented on the proposed 1995-96 late season migratory bird hunting frameworks, 60 FR 44463 (August 28, 1995), and the Draft Bear River Refuge Hunt Plan Environmental Assessment (DEA). Both of these documents follow a separate public comment process and therefore will be responded to elsewhere and not addressed in this rulemaking.

The Biodiversity Legal Foundation (BLF) commented that regulations for Bear River Migratory Bird Refuge are insufficient to protect and encourage adequate restoration of the trumpeter swan in Utah. They specifically recommend: (1) The refuge be closed 60 minutes after shooting time to discourage sky-busting and the resultant crippling of swans. They feel this is more than sufficient time to accumulate all equipment and depart from the

refuge; (2) illegal shooting from dikes is well documented and the Service should take all necessary steps to eliminate this activity, particularly on those areas that lie between closed (security) areas where low flying trumpeters are observed; and (3) the Service should consider the kind of regulations and recovery effects that would exist if the trumpeter were listed under the ESA. They suggest that these same recovery goals should be in effect at this time; and refuge regulations clearly allow for an excessive and unreasonable incidental take (mortality) of trumpeters in contradiction to the Migratory Bird Treaty Act.

The Service has reviewed the above comments regarding proposed changes in waterfowl hunting regulations at the Bear River Migratory Bird Refuge. A number of alternatives were considered while trying to improve the swan hunt with a minimum impact to waterfowlers and birdwatchers. The Service considered: assigning blinds; limiting hunter numbers; closing portions of the Refuge to swan hunting; requiring check-in and check-out; limiting shooting hours and requiring swan hunters to pass a special training class.

The requirement for all guns, when not being used in the act of hunting, to be dismantled or cased when in vehicles is a System-wide regulation contained in 50 CFR 27.42(b), therefore, the proposed refuge specific regulation for Bear River is removed from this final rule.

The Service will extend the refuge closing time from the proposed ninety minutes to two hours after shooting time ends. This will allow adequate time for avid hunters with decoys to traverse remote areas of the refuge during darkness. However, we remain concerned with the possibility of increased wildlife disturbance, lost or injured hunters and those who may avoid being checked by enforcement officers. Refuge patrol plans will be made to specifically address these issues.

The Service feels it is important to retain the regulation requiring a 10-shell possession limit for swan hunting. Hunters may reasonably expect to be successful within this 10-shell limit. This technique has worked well at other refuges, along with modified law enforcement techniques, to minimize shooting at out-of-range birds.

In an effort to improve the overall quality of refuge visits for both hunters and birdwatchers, time and space zoning will be used to better separate the two activities.

The Refuge Manager understands the above concerns about hunting at the

Bear River NWR, and will continue to consult with representatives of the Utah Division of Wildlife Resources, The Humane Society of the United States, The Fund for Animals, Inc. and the Biodiversity Legal Foundation. The Refuge Manager will closely monitor this year's hunt program and has ample authority to place greater restrictions, amend, and/or relax these refuge specific hunting requirements during the course of the season with local, public/hunter notice in accordance with 50 CFR, 32.3(f).

This rule is effective upon publication. The Service has determined that any further delay in the implementation of these refuge-specific hunting and sport fishing regulations would not be in the public interest in that it would hinder the effective planning and administration of the hunting and fishing programs. The Service received public comment on these proposals during the 30-day comment period and delay of an additional 30 days would jeopardize holding the hunting and/or fishing programs this year, or shorten their duration and thereby lessen the management effectiveness of this regulation. Therefore, the Service finds good cause to make this rule effective upon publication (5 U.S.C. 553(d)(3)).

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.

The Service develops hunting and sport fishing plans for each existing refuge prior to opening it to hunting or fishing. It also develops refuge-specific

regulations, in many cases, to ensure the compatibility of the programs with the purposes for which the refuge was established. An interim determination of compatibility for hunting and sport fishing on newly acquired refuges, made at the time of acquisition, ensures initial compliance with the NWRSA and the RRA. This process ensures the determinations required by these acts were made prior to the addition of refuges to the lists of areas open to hunting and fishing in 50 CFR part 32.

The Service ensures continued compliance by the development of long-term hunting and sport fishing plans and by annual review of hunting and sport fishing programs and regulations.

The Service determines that this action is in accordance with the provisions of all applicable laws, is consistent with principles of sound fish and wildlife management, helps implement Executive Order 12962 (Recreational Fisheries), and is otherwise in the public interest by providing additional recreational opportunities at national wildlife refuges. Sufficient funds are available within the refuge budgets to operate the hunting and sport fishing programs as proposed.

Paperwork Reduction Act

The Service has examined this regulation under the Paperwork Reduction Act of 1995 and has found it to contain no information collection requirements.

Economic Effect

Service review has revealed that the rulemaking will increase hunter and fishermen visitation to the surrounding area of the refuges before, during or after the recreational uses, compared to closing the refuges to these recreational uses. When the Service acquired these lands, all public use ceased under law until opened to the public in accordance with this rulemaking.

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 and recreational fishing and hunting camps and marinas in the general areas. This rule has 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 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 public use prior to government acquisition; however, friends and relatives of the landowners fished and hunted there and some lands operated under commercial hunting and fishing leases. Many nearby residents also participate in other forms of nonconsumptive 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 overlap. 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, big game hunters averaged spending \$40, small game hunters \$20, and migratory bird hunters \$33.

At these 40 National Wildlife Refuges in 24 states, 816,000 fishermen are expected to spend \$33.5 million annually in pursuit of their sport, while an estimated 203,000 hunters will spend \$6.7 million annually hunting on the refuges. While many of these fishermen and hunters already made expenditures prior to the refuge opening, additional expenditures directly are due to the new recreational opportunities being provided by the land now being open to the general public.

This rulemaking was not subject to Office of Management and Budget review under Executive Order 12866. A review under the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.) has revealed that although the rulemaking would increase visitation and expenditures in the surrounding area of the refuge, it would not have a significant effect on a substantial number of small entities in the area, such as businesses, organizations and governmental jurisdictions.

Environmental Considerations

The Service ensures compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4332(C)) when it develops hunting and sport fishing plans, and the required determinations are made prior to the addition of refuges to the lists of areas open to hunting and fishing in 50 CFR part 32. The Service reviewed the changes in hunting and fishing herein adopted with regard to Section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543) and found them to either have no effect on or not likely to adversely affect listed species or critical habitat. The amendments 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 employs the exclusion found at 516 DM 6, App.1.4 B(5) as these amendments are “[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 revisions to existing regulations qualify or otherwise define an existing 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 and sport fishing activities, and maps of the respective areas are 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; 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.

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 final regulations meet the applicable standards provided in Sections 3(a) and 3(b)(2) of Executive Order 12988.

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 in 50 CFR Part 32

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

Accordingly, Part 32 of Chapter I of Title 50 of the *Code of Federal Regulations* is amended as follows:

PART 32—[AMENDED]

1. 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]

2. Section 32.7 *List of refuge units open to hunting and/or fishing*, is amended by alphabetically adding the listings “Windom Wetland Management District” to the State of Minnesota; “William L. Finley National Wildlife Refuge” to the State of Oregon; “Upper Mississippi River National Wildlife and Fish Refuge” to the State of Wisconsin; and revising the existing name of “Patuxent Wildlife Research Center” to read “Patuxent Research Refuge” in the State of Maryland.

3. Section 32.23 *Arkansas* is amended by adding paragraph D.3. to Cache River National Wildlife Refuge to read as follows:

§ 32.23 Arkansas.

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Cache River National Wildlife Refuge

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D. Sport Fishing. * * *
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3. Fishermen must fish and frog in accordance with refuge regulations and applicable state fishing and frogging regulations.

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4. Section 32.24 *California* is amended by revising paragraph A.7., of Lower Klamath National Wildlife Refuge; and by revising paragraph A.2., of Salton Sea National Wildlife Refuge to read as follows:

§ 32.24 California.

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Lower Klamath National Wildlife Refuge

A. *Hunting of Migratory Game Birds.*

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7. Hunters may only use nonmotorized boats and boats with electric motors on units 4b and 4c from the start of hunting season through November 30. Hunters may use motorized boats on units 4b and 4c from December 1 through the end of hunting season.

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Salton Sea National Wildlife Refuge

A. *Hunting of Migratory Game Birds.*

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2. Hunters must hunt from assigned blinds on the Union Tract and within

100 feet (.9144 meters) of blind sites on the Hazard Tract, except when shooting to retrieve crippled birds.

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5. Section 32.28 *Florida* is amended by revising paragraphs A. and D. of Merritt Island National Wildlife Refuge to read as follows:

§ 32.28 Florida.

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Merritt Island 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 conditions:

1. Hunters must possess a valid refuge hunting permit at all times while hunting on the refuge.

2. Hunters may hunt only on Wednesday, Saturday, Sunday, and the following holidays: Thanksgiving, Christmas, and New Years Day only within the designated state season.

3. Hunters may hunt only in four designated areas of the refuge subject to delineation in the refuge hunting map and brochure, including the open waters of Mosquito Lagoon, Indian River, and designated impoundments outside the NASA security area.

4. Hunting hours are one-half hour before sunrise until 1:00 pm. each hunting day.

5. Hunters in Areas 1, 2 or 4 must complete and carry proof of completing an approved hunter safety training course. Hunters in Area 3 born after June 1, 1975 must complete and carry proof of completing an approved hunter safety training course in accordance with State law.

6. An adult 21 years of age or older must supervise and remain in sight and normal voice contact with hunters under the age of 16.

7. The public must not enter the refuge between sunset and sunrise except: hunters may access the refuge for waterfowl hunting only after 2:00 am each hunting day during waterfowl hunting season; and a valid refuge hunting permit must be in possession during these times.

8. Hunters may not park along Blackpoint Wildlife Drive or Playalinda Beach Road for the purposes of waterfowl hunting.

9. Hunters may not trespass or hunt migratory game birds in refuge areas posted "AREA CLOSED".

10. Vehicles must use only designated public access routes and boat launching areas north and south of Haulover Canal.

11. Hunters must not construct permanent above ground, or pit blinds, nor dig into dikes.

12. Hunters must not shoot from within 10 feet of any dike, roadway, or railroad fill.

13. Hunters must remove decoys, boats, and other personal property from the refuge by 2:00 pm daily.

14. Refuge guides must purchase and have Guide Permits on their person while in the field hunting.

15. Hunters may not launch boats off Black Point Wildlife Drive.

16. Hunters may not use air thrust boats, hovercraft, jetskis or similar craft on refuge waters.

17. Boats must not exceed "Idle Speed" in Bairs Cove nor 8 mph or "Slow speed-Minimum Wake" in Haulover Canal.

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D. Sport Fishing. Fishermen may fish, crab, clam, oyster and shrimp in designated areas of the refuge subject to the following conditions:

1. Fishermen may night fish from a boat only in Mosquito Lagoon, Indian River, Banana River, and Haulover Canal. All fishermen must possess a valid refuge night fishing permit.

2. Fishermen must attend their lines at all times.

3. Vehicles must use only designated public access routes and boat launching areas north and south of Haulover Canal.

4. Fishermen may not launch boats from Black Point Wildlife Drive.

5. Fishermen may not use air thrust boats, hovercraft, jetskis or similar craft on refuge waters.

6. Fishermen may launch or moor boats only between sunset and sunrise at Beacon 42 fish camp and Bairs Cove at Haulover Canal Recreation Area.

7. The public must not use motorized boats in the Banana River Manatee sanctuary (north of KARS Park on the west side of the Barge Channel and north of the Air Force power line on the east side of the Barge Channel). This includes any boat having an attached motor or a non-attached motor that is capable of use (including electric trolling motors). This regulation is in effect throughout the year.

8. Boats must not exceed "Idle Speed" in Bairs Cove and KARS Marina nor 8 mph or "Slow speed-Minimum Wake" in Haulover Canal.

9. The public must not enter the refuge between sunset and sunrise except fishermen may launch boats while fishing from Beacon 42 Fish Camp or Bairs Cove at Haulover Canal. Nighttime fishermen must also possess a valid refuge fishing permit while fishing on the refuge.

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6. Section 32.32 *Illinois* is amended by removing paragraph A.4., and

revising paragraphs D.2. and D.5 of Chautauqua National Wildlife Refuge; by revising paragraphs C.1. and D.1. of Crab Orchard National Wildlife Refuge; by revising Mark Twain National Wildlife Refuge; by revising paragraphs D.1., D.2., D.3., adding paragraph D.4. of Meredosia National Wildlife Refuge; and revising paragraph A.1., adding paragraph A.3., revising paragraphs B.1., B.2. and B.3.; revising paragraphs C.1., C.2., and C.3. of Upper Mississippi River Wildlife and Fish Refuge to read as follows:

§ 32.32 Illinois.

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Chautauqua National Wildlife Refuge

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D. Sport Fishing. * * *

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2. Anglers must not use more than two poles and each pole may not have more than two hooks or lures attached while fishing in the Kikunessa Pool of Chautauqua National Wildlife Refuge.

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5. The public may not enter Weis Lake on the Cameron-Billsbach Unit of Chautauqua National Wildlife Refuge from October 16 through January 14, to provide sanctuary for migratory birds.

Crab Orchard National Wildlife Refuge

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C. Big Game Hunting. * * *

1. Hunters must possess a special permit issued by the Illinois Department of Natural Resources.

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D. Sport Fishing. * * *

1. Fishermen may fish from boats all year west of Wolf Creek Road.

2. From March 15 through September 30 fishermen may fish from boats east of Wolf Creek Road.

3. Fishermen may fish from the bank east of Wolf Creek Road all year, but only at the Wolf Creek and Route 148 causeways.

4. Fishermen must remove trotlines and jugs west of Wolf Creek Road from sunrise to sunset from Memorial Day through Labor Day.

5. Fishermen must remove trotlines and jugs from the entire lake on the last day of use.

6. Fishermen may anchor trotlines only with portable weights that are removed from the water, along with the trotlines and jugs.

7. Fishermen must not use stakes or employ any floatation device which has previously contained any petroleum based materials or toxic substances.

8. Fishermen may use all non-commercial fishing methods except

those requiring underwater breathing apparatus.

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Mark Twain National Wildlife Refuge

A. Hunting of Migratory Game Birds. Hunters may hunt migratory game birds on designated areas of the refuge subject to posted regulations.

B. Upland Game Hunting. Hunters may hunt upland game on designated areas of the refuge subject to posted regulations.

1. Hunters must possess and use only nontoxic shot while hunting all permitted birds, except wild turkeys. 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 subject to posted regulations.

D. Sport Fishing. Fishermen may fish on designated areas of the refuge subject to posted regulations.

Meredosia National Wildlife Refuge

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D. Sport Fishing. * * *

1. Fishermen may sport fish on all refuge waters during daylight hours from January 15 through October 15.

2. From October 16 through January 14, fishermen may fish south of Carver Lake by foot access only.

3. Private boats may not be left in refuge waters overnight.

4. Motorboats must not exceed "slow speed/minimum wake."

Upper Mississippi River National Wildlife and Fish Refuge

A. Hunting of Migratory Game Birds. * * *

1. Hunters may not hunt migratory birds on refuge closed areas posted "Area Closed", on the Goose Island "No Hunting" zone in Pool 8, and on the Upper Halfway Creek Marsh "No Hunting" zone in Pool 7.

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3. Hunters may only use and possess nontoxic shot when hunting for any permitted migratory bird.

B. Upland Game Hunting. * * *

1. Hunters may not hunt or possess firearms between March 15 and the opening of the State fall hunting seasons except that hunters may hunt wild turkeys during the State spring turkey season.

2. Hunters may hunt on refuge areas posted as "Area Closed" beginning the day after the close of the applicable State duck hunting season until season closure or March 15, whichever occurs first, except that hunters may hunt wild turkey during the State spring wild turkey season.

3. Hunters must not hunt at any time within the Goose Island "No Hunting" zone in Pool 8, nor Upper Halfway Creek Marsh "No Hunting" zone in Pool 7.

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C. Big Game Hunting. * * *

1. Hunters may only hunt until season closure or March 15, whichever date occurs first.

2. Hunters may hunt on refuge areas posted "Area Closed" beginning the day after the close of the applicable State duck hunting season until season closure or March 15, whichever date occurs first.

3. Hunters must not hunt at any time on the Goose Island "No Hunting" zone in Pool 8 and Upper Halfway Creek Marsh "No Hunting" zone in Pool 7.

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7. Section 32.34 *Iowa* is amended by removing paragraph C.2., and redesignating paragraphs C.3. and C.4. as paragraphs C.2. and C.3. of Desoto National Wildlife Refuge; and by removing paragraphs C.6. and C.7. of Driftless Area National Wildlife Refuge; and revising the introductory text of paragraph B. and paragraph B.2. of Walnut Creek National Wildlife Refuge to read as follows:

§ 32.34 Iowa.

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DeSoto National Wildlife Refuge

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C. Big Game Hunting. * * *

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2. Hunters must not construct or use permanent blinds, platforms or ladders at any time.

3. Hunters must remove all hunting stands from the refuge by the close of the season.

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Walnut Creek National Wildlife Refuge

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B. Upland Game Hunting. Hunters may hunt ringnecked pheasants, bobwhite quail, cottontail rabbits, and squirrels on designated areas of the refuge subject to the following conditions:

* * * * *

2. Hunters may hunt from the opening of state season until closed on the dates posted by the refuge manager.

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8. Section 32.36 *Kentucky* is amended by revising paragraphs A., B., and C., of Ohio River Islands National Wildlife Refuge to read as follows:

§ 32.36 Kentucky.

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Ohio River Islands 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. Each hunter must have in his possession a current copy of the Ohio River Islands National Wildlife Refuge Hunting Regulations Leaflet while participating in a refuge hunt.

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

1. Hunters must not use dogs for pursuit while rabbit hunting.

2. Hunters may only use shotguns for taking squirrels and rabbits.

3. Each hunter must have in his possession a current copy of the Ohio River Islands National Wildlife Refuge Hunting Regulations Leaflet while participating in a refuge hunt.

4. Hunters will possess and use, while in the field, only nontoxic shot.

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

1. Hunters may only archery hunt.

2. Hunters may not hunt by organized deer drives of two or more hunters. The definition of a drive is: the act of chasing, pursuing, disturbing or otherwise directing deer so as to make the animals more susceptible to harvest.

3. Hunters may not bait deer on refuge lands.

4. Each hunter must have in his possession a current copy of the Ohio River Islands National Wildlife Refuge Hunting Regulations Leaflet while participating in a refuge hunt.

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9. Section 32.37 *Louisiana* is amended by revising paragraph C.1., of D'Arbonne National Wildlife Refuge; by revising paragraph A. of Lake Ophelia National Wildlife Refuge; and revising paragraph C.1. of Upper Ouachita National Wildlife Refuge to read as follows:

§ 32.37 Louisiana.

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D'Arbonne National Wildlife Refuge

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C. Big Game Hunting. * * *

1. Hunters may hunt either-sex deer with firearms during the second and third either-sex firearms seasons for Union Parish.

* * * * *

Lake Ophelia National Wildlife Refuge

A. Hunting of Migratory Game Birds. Hunters may hunt ducks and coots on

designated areas of the refuge subject to the following condition:

1. Hunters must possess a refuge daily permit.

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Upper Ouachita National Wildlife Refuge

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C. Big Game Hunting. * * *

1. Hunters may hunt either-sex deer with firearms during the second and third either-sex firearms seasons for Union Parish.

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10. Section 32.38 *Maine* is amended by revising paragraphs A., B., and C., of Rachel Carson National Wildlife Refuge to read as follows:

§ 32.38 Maine.

* * * * *

Rachel Carson National Wildlife Refuge

A. Hunting of Migratory Game Birds. Hunters may hunt ducks, geese, coots, woodcock and snipe on designated areas of the refuge subject to the following conditions:

1. Hunters must possess a refuge permit.

2. Hunters must remove all personal property from the refuge after each day's hunt.

B. Upland Game Hunting. Hunters may hunt upland game birds, gray squirrel, cottontail rabbit, snowshoe hare, fox and coyote on designated areas of the refuge subject to the following conditions:

1. Hunters must possess a refuge permit.

2. Hunters may hunt fox and coyote only during the State firearm deer season.

3. Hunters during firearms big game season must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches (10.16 square meters) of solid-colored hunter orange clothing or material.

4. Hunters will 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 conditions:

1. Hunters must possess a refuge permit.

2. Hunters during firearms big game season must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches (10.16 square meters) of solid-colored hunter orange clothing or material.

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11. Section 32.39 *Maryland* is amended by revising the refuge heading,

the introductory text of paragraphs A., B., and C.; and revising paragraph D., of Patuxent Research Refuge, to read as follows:

§ 32.39 Maryland.

* * * * *

Patuxent Research Refuge

A. Hunting of Migratory Game Birds. Hunters may hunt migratory game birds on designated areas of the refuge subject to the following conditions:

* * * * *

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

* * * * *

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

* * * * *

D. Sport Fishing. Fishermen may fish in designated waters of the refuge at designated times subject to the following conditions:

1. Fishermen may fish only in delineated areas as shown on a map available at the refuge.

2. Fresh water fishing and boating laws of the State of Maryland apply to include opening/closing of seasons and creel limits.

3. Fishermen may use hook and line tackle and baits permitted by Maryland law, with the exception of live minnows or other fish.

4. Special provisions: Cash Lake, a 54 acre lake located on the South Tract requires a federal permit to fish, and a limit of 25 daily permits will be issued. Persons may request a permit application by contacting: National Wildlife Visitor Center, Laurel, Maryland, during normal working hours. Each request must include the person's name, address, and phone number, and the model, year and license number of the vehicle that will drive to the refuge. You may request a fishing date 1 week prior to when you plan to fish. One licensed angler or up to two children under the age of 16 may accompany the permit holder. Open season is June 15 through October 15: 6 a.m. to legal sunset daily. You may fish for the following species: Bass, pickerel, catfish, and sunfish. Daily creel limits: bass, catch and release only; pickerel, catch and release only except you may keep one pickerel greater than 15 inches in length; sunfish and catfish, 15 per day total fish limit. Permittees may use boats subject to the following conditions: no gasoline motors permitted; You may not trailer boats to

the water; boats other than canoes may not exceed 14 feet; you may not use sailboats or kayaks.

12. Section 32.40 *Massachusetts* is amended by revising paragraph C., of Parker River National Wildlife Refuge to read as follows:

§ 32.40 Massachusetts.

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Parker River National Wildlife Refuge

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

1. Hunters must possess a refuge permit.

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13. Section 32.42 *Minnesota* is amended by revising introductory text of paragraph B., of Rice Lake National Wildlife Refuge; by adding in alphabetical order Windom Wetland Management District to read as follows:

§ 32.42 Minnesota.

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Rice Lake National Wildlife Refuge

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B. Upland Game Hunting. Hunters may hunt ruffed grouse, spruce grouse, grey and fox squirrels, cottontail rabbit and snowshoe hare on designated areas of the refuge.

Windom 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 the Worthington Waterfowl Production Area in Nobles County.

B. Upland Game Hunting. Hunters may hunt upland game throughout the district except that hunters may not hunt on the Worthington Waterfowl Production Area in Nobles County.

C. Big Game Hunting. Hunters may hunt big game throughout the district except that hunters may not hunt on the Worthington Waterfowl Production Area in Nobles County.

D. Sport Fishing. Fishermen may fish throughout the district.

14. Section 32.43 *Mississippi* is amended by revising paragraph D., of Dahomey National Wildlife Refuge to read as follows:

§ 32.43 Mississippi.

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Dahomey National Wildlife Refuge

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

1. Fishermen must possess a refuge permit.

* * * * *

15. Section 32.44 *Missouri* is amended by revising paragraphs B., C., and D., of Mingo National Wildlife Refuge to read as follows:

§ 32.44 Missouri.

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Mingo National Wildlife Refuge

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B. Upland Game Hunting. Hunters may hunt upland game on designated areas of the refuge subject to posted regulations.

C. Big Game Hunting. Hunters may hunt big game on designated areas of the refuge subject to posted regulations.

D. Sport Fishing. Fishermen may fish on designated areas of the refuge subject to posted regulations.

* * * * *

16. Section 32.47 *Nevada* is amended by revising paragraph B., of Ash Meadows National Wildlife Refuge; and by revising paragraphs D.2, D.4., D.5., and D.8. of Ruby Lake National Wildlife Refuge to read as follows:

§ 32.47 Nevada.

* * * * *

Ash Meadows National Wildlife Refuge

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B. Upland Game Hunting. Hunters may hunt quail, cottontail rabbits, and jackrabbits on designated areas of the refuge subject to the following conditions:

1. Hunters may hunt cottontail rabbits and jackrabbits only during the State quail hunting season.

2. Hunters must only use shotguns.

* * * * *

Ruby Lake National Wildlife Refuge

* * * * *

D. Sport Fishing. * * *

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2. Fishermen may only fish on dikes in the areas north of the Brown Dike and east of the Collection Ditch with the exception that you may fish by wading and from personal flotation devices (float tubes) in Unit 21.

* * * * *

4. Fishermen may annually, beginning June 15 and continuing until December 31, only use motorless boats or boats with battery powered electric motors on the South Marsh.

5. Fishermen may annually, beginning August 1 and continuing until December 31, use boats propelled with a motor or combination of motors in the

aggregate, but not to exceed 10 horsepower rating, on the South Marsh.

* * * * *

8. Fishermen may bank fish in the South Marsh only at Brown Dike, the Main Boat Landing, and Narciss Boat Landing.

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17. Section 32.49 *New Jersey* is amended by revising paragraph A. and adding paragraphs A.1., A.2., and A.3., of Cape May National Wildlife Refuge to read as follows:

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§ 32.49 New Jersey.

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Cape May National Wildlife Refuge

A. Hunting of Migratory Game Birds. Hunting of waterfowl, coots, moorhens and rails, common snipe, and woodcock is permitted in designated areas of the refuge subject to State of New Jersey regulations and the following special refuge conditions:

1. All persons while hunting migratory game birds, except waterfowl, must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

2. All hunting blind materials, boats, and decoys must be removed at the end of each hunting day. Permanent and pit blinds are not permitted.

3. The common snipe season on the refuge begins with the early woodcock south zone season. (The refuge common snipe season will continue through the end of the State-set common snipe season.)

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18. Section 32.50 *New Mexico* is amended by revising paragraphs A.1. and D., of Bitter Lake National Wildlife Refuge to read as follows:

§ 32.50 New Mexico.

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Bitter Lake National Wildlife Refuge

A. Hunting of Migratory Game Birds.

* * *

1. Hunters may hunt for migratory game birds only on Tuesdays, Thursdays, and Saturdays of each week until 1 p.m.

* * * * *

D. Sport Fishing. [Reserved]

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19. Section 32.52 *North Carolina* is amended by revising paragraphs C. and D.3., of Mattamuskeet National Wildlife Refuge; and revising introductory language of paragraphs A., B., C. and D., and revising paragraphs B.1., D.1–5; and removing paragraphs B.2–4 of Pee Dee

National Wildlife Refuge to read as follows:

§ 32.52 North Carolina.

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Mattamuskeet National Wildlife Refuge

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

1. Hunters must possess a refuge permit.

D. Sport Fishing. * * *

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3. Fishermen may not dip herring (alewife).

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Pee Dee National Wildlife Refuge

A. Hunting of Migratory Game Birds. Hunters may hunt mourning doves on designated areas of the refuge subject to the following condition:

1. Hunters must possess a refuge permit.

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

1. Hunters must possess a refuge permit.

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

1. Hunters always must possess a refuge permit and a special quota permit for gun deer hunts.

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

1. Fishermen may fish with a pole and line or rod and reel from March 15 to October 15 during daylight hours only.

2. Fishermen may use boats in Andrews Pond, Beaver Ponds, and Arrowhead Lake only.

3. Fishermen may only use electric motors in refuge waters.

4. Fishermen may not possess or use of trotlines, set hooks, gigs, yo-yo's, jug-lines, limblines, nets, seines, fish traps, and other similar equipment on the refuge.

5. Fishermen may not possess or use minnows as bait on the refuge.

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

7. The refuge may close certain fishing areas at anytime for management purposes.

* * * * *

20. Section 32.55 *Oklahoma* is amended by revising paragraphs B. and C., of Deep Fork National Wildlife

Refuge; and by revising paragraphs A., B.1., B.2., C. and D.1.; adding paragraphs B.3, B.4., B.5. and D.4., of Sequoyah National Wildlife Refuge to read as follows:

§ 32.55 Oklahoma.

* * * * *

Deep Fork National Wildlife Refuge

A. Hunting of Migratory Game Birds. [Reserved]

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

1. Hunters may not hunt squirrels on the refuge during the first half of the archery deer season.
2. Hunters may use only shotguns with non-toxic shot.
3. The refuge leaflet designates parking and hunting areas.

C. Big Game Hunting. Hunters may hunt white-tailed deer on designated portions of Deep Fork NWR subject to the following conditions:

1. Hunters must pay fees and obtain a refuge permit.
2. Hunters must not drive off designated refuge roads.
3. Each hunter entering the refuge must possess a refuge permit.

* * * * *

Sequoyah National Wildlife Refuge

A. Hunting of Migratory Game Birds. Hunters may hunt waterfowl, dove, coots, rail, snipe and woodcock on designated areas of the refuge subject to the following conditions:

1. The Sequoyah National Wildlife Refuge is open during seasons, dates, and times as posted by signs and/or indicated on refuge leaflets, special regulations, permits, and maps.
2. All hunters shall possess and use, while in the field, only nontoxic shot.
3. Hunters may not build pits or permanent blinds.

4. Neither hunters nor dogs may enter closed areas to retrieve game.
5. Hunters may not hunt or shoot within 50 ft. (15.24 meters) of designated roads or parking areas.
6. Hunters may only hunt with shotguns and bows with arrows (excluding broadhead arrows).
7. Hunters must remove decoys, boats and other personal property from the refuge following each day hunt.

B. Upland Game Hunting. * * *

1. The Sequoyah National Wildlife Refuge is open during seasons, dates, and times as posted by signs and/or indicated on refuge leaflets, special regulations, permits, and maps.
2. All hunters shall possess and use, while in the field, only nontoxic shot.

3. Neither hunters nor dogs may enter closed areas to retrieve game.

4. Hunters may not shoot or hunt within 50 ft. (15.24 meters) of designated roads or parking areas.

5. Hunters may only hunt with shotguns and bows with arrows (excluding broadhead arrows).

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

1. Hunters must pay fees and obtain a refuge permit.
2. All hunters must attend a hunter orientation briefing prior to each hunt.

D. Sport Fishing. * * *

1. The Sequoyah National Wildlife Refuge is open to fishing as specified on refuge leaflets, special regulations, permits, maps, or as posted on signs.

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4. Fishermen may not take turtles or mussels.

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21. Section 32.56 *Oregon* is amended by revising paragraphs B.3, of Cold Springs National Wildlife Refuge; by revising paragraph B.3. of McKay Creek National Wildlife Refuge, and by revising paragraph B.3. of Umatilla National Wildlife Refuge to read as follows:

§ 32.56 Oregon.

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Cold Springs National Wildlife Refuge

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B. Upland Game Hunting. * * *

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

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McKay Creek National Wildlife Refuge

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B. Upland Game Hunting. * * *

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

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Umatilla National Wildlife Refuge

A. Hunting of Migratory Game Birds. * * *

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B. Upland Game Hunting. * * *

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

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22. Section 32.57 *Pennsylvania* is amended by revising paragraphs A., B. and C., of Ohio River Islands National Wildlife Refuge to read as follows:

§ 32.57 Pennsylvania.

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Ohio River Islands 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. Each hunter must have in his possession a current copy of the Ohio River Islands National Wildlife Refuge Hunting Regulations Leaflet while participating in a refuge hunt.

B. Upland Game Hunting. Hunters may hunt rabbits and squirrels on designated areas of the refuge subject to the following conditions:

1. Hunters may not use dogs for pursuit while rabbit hunting.
2. Hunters may only use shotguns for hunting squirrels and rabbits.

3. Each hunter must have in his possession a current copy of the Ohio River Islands National Wildlife Refuge Hunting Regulations Leaflet while participating in a refuge hunt.

4. Hunters will possess and use, while in the field, only nontoxic shot.

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

1. Hunters may only archery hunt.
2. Hunters may not hunt deer with organized deer drives by two or more hunters. A drive hereby is defined as the act of chasing, pursuing, disturbing or otherwise directing deer so as to make the animals more susceptible to harvest.
3. Hunters must not bait deer on refuge lands.

4. Each hunter must have in his possession a current copy of the Ohio River Islands National Wildlife Refuge Regulations Leaflet while participating in a refuge hunt.

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23. Section 32.64 *Utah* is amended by revising paragraphs A., B. and D. of Bear River Migratory Bird Refuge to read as follows:

§ 32.64 Utah.

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Bear River Migratory Bird Refuge

A. Hunting of Migratory Game Birds. Hunters may hunt geese, ducks, coots, and tundra swan on designated areas of the refuge subject to the following conditions:

1. Hunters may not shoot or hunt within 100 yards (30.48 meters) of principal refuge roads (the tour route).
2. While in the field, hunters shall possess and use only nontoxic shot.

3. Hunters may not use pits or permanent blinds.

4. Airboats are permitted only in Unit 9 and in Block C of the Refuge.

5. Refuge closes two (2) hours after sunset (end of shooting hours), including parking sites, decoys, boats, vehicles and other personal property may not be left on the refuge overnight.

6. Hunters may only park in designated parking sites.

7. Hunters who take or attempt to take tundra swans must possess a Utah State Swan Permit and may not possess or use more than 10 shells per day while hunting swans.

8. Any person entering, using or occupying the refuge for waterfowl hunting must abide by all the terms and conditions in the Refuge Hunting Brochure.

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

1. While in the field, hunters shall possess and use only nontoxic shot.

C. Big Game Hunting. * * *

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

1. Fishermen may fish year-round in designated areas of the Refuge.

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24. Section 32.65 *Vermont* is amended by revising introductory text of paragraph B., and revising paragraph B.2. of Missisquoi National Wildlife Refuge to read as follows:

§ 32.65 Vermont.

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Missisquoi National Wildlife Refuge

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B. Upland Game Hunting. Hunters may hunt rabbits, ruffed grouse and squirrels on designated areas of the refuge subject to the following conditions:

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2. Hunters may not use rifles on that portion of the refuge lying east of the *Missisquoi River*.

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25. Section 32.66 *Virginia* is amended by revising paragraph C., of Chincoteague National Wildlife Refuge to read as follows:

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§ 32.66 Virginia.

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Chincoteague National Wildlife Refuge

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C. Big Game Hunting. Hunters may hunt white-tailed deer and sika in designated areas of the refuge subject to the following conditions:

1. Hunters must possess a refuge permit.

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26. Section 32.67 *Washington* is amended by revising paragraph A., of Ridgefield National Wildlife Refuge; and by revising paragraph B.2., of Toppenish National Wildlife Refuge to read as follows:

§ 32.67 Washington.

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Ridgefield National Wildlife Refuge

A. Hunting of Migratory Game Birds. Hunters may hunt geese, ducks, and coots on designated areas of the refuge subject to the following condition:

1. Hunting is by permit only.

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Toppenish National Wildlife Refuge

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B. Upland Game Hunting. * * *

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

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27. Section 32.69 *Wisconsin* is amended by revising paragraphs B.1., B.2., C.4. and D., of Necedah National Wildlife Refuge; and adding Upper Mississippi River National Wildlife and Fish Refuge alphabetically to read as follows:

§ 32.69 Wisconsin.

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Necedah National Wildlife Refuge

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B. Upland Game Hunting. * * *

1. Hunters must unload or case guns in the retrieval zone of Refuge Area 7 during the State waterfowl hunting season.

2. During the spring turkey hunting season only, persons with an unexpired State spring turkey permit in possession may enter and hunt wild turkeys in all open refuge areas.

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C. Big Game Hunting. * * *

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4. Refuge Areas 1, 2, 4, 5, 6 and 7 are open to deer hunting.

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D. Sport Fishing. Fishermen may fish in designated waters of the refuge at designated times subject to the following conditions:

1. Fishermen may use non-motorized boats in Sprague-Goose Pools only when these pools are open to fishing. Fishermen may use motorized boats in Suk Cerney Pool.

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Upper Mississippi River National Wildlife and Fish Refuge Refer to 32.32 Illinois for regulations.

28. Section 32.71 *Pacific Islands Territory* is amended by revising paragraphs D.1., D.3., D.4., removing paragraph D.5., and redesignating paragraph D.6 as paragraph D.5. of Johnson Atoll National Wildlife Refuge to read as follows:

§ 32.71 Pacific Islands Territory.

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Johnson Atoll National Wildlife Refuge

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D. Sport Fishing. * * *

1. Fishermen may take lobsters of 3¼-inch carapace length or more in the lagoon area from September 1 through May 31, but not by spearing, traps, or the use of pry bars or related methods destructive to coral; fishermen may not take female lobsters bearing eggs at any time.

* * * * *

3. Fishermen or divers may not take fish by the use of a spear "gun", either above or below the water. Hand-propelled spears or "Hawaiian Slings" consisting of a single shaft propelled by a rubber tube are permitted for underwater fishing.

4. The public may not, by any means, collect, export or take any form of live or dead coral.

* * * * *

Dated: August 27, 1996.

George T. Frampton, Jr.,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96-22507 Filed 8-30-96; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 960502124-6190-02; I.D. 082796E]

Fisheries of the Exclusive Economic Zone Off Alaska; Scallop Fishery; Closure in Registration Area H

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is closing the scallop fishery in the Kamishak Bay District of Registration Area H (Cook Inlet). This action is necessary to prevent exceeding