

TABLE III—Required Motor Vehicle Lighting Equipment

[All Passenger Cars and Motorcycles, and Multipurpose Passenger Vehicles, Trucks, Buses and Trailers of Less Than 80 (2032) Inches (M) Overall Width]

Item	Passenger cars, multipurpose passenger vehicles, trucks, and buses	Trailers	Motorcycles	Applicable SAE standard or recommended practice (See S5 for subreferenced SAE materials)
Headlamps	See S7	None	See S7.9	J566 January 1960.
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Issued on: August 23, 1996.

Ricardo Martinez,
Administrator.

[FR Doc. 96-22058 Filed 8-28-96; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 32

RIN 1018-AD77

Addition of Ten National Wildlife Refuges to the List of Open Areas for Hunting and/or Sport Fishing in Arkansas, Illinois, Indiana, Louisiana, Missouri, Mississippi, and Nebraska

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) adds the following National Wildlife Refuges (NWRs), to the list of areas open for hunting and/or sport fishing, along with pertinent refuge-specific regulations for such activities: Bald Knob NWR, AR; Cossatot NWR, AR; Emiquon NWR, IL; Potoka NWR, IN; Big Branch Marsh NWR, LA; Grand Cote NWR, LA; Mandalay NWR, LA; Big Muddy NWR, MO; Tallahatchie NWR, MS and Boyer Chute NWR, NE. 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 August 29, 1996.

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

SUPPLEMENTARY INFORMATION: The Service generally closes national wildlife refuges to hunting and sport fishing until opening them 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. This rulemaking opens Bald Knob NWR, AR, Big Branch Marsh NWR, LA, Big Muddy NWR, MO, Cossatot NWR, AR, Emiquon NWR, IL and Potoka River NWR, IN to hunting migratory game birds, upland game, big game and sport fishing. This rulemaking also opens Boyer Chute NWR, NE, Grand Cote NWR, LA, Mandalay NWR, LA and Tallahatchie NWR, MS to sport fishing.

Text in this final rule is different than that used in the proposed rules because it reflects conformity to plain English writing standards. In the June 21, 1996, issue of the Federal Register (61 FR 31888-31910) the Service published ten (10) proposed rulemakings containing a description of the refuges and their proposed hunting and/or fishing programs and invited public comment. Each of these refuges was assigned a separate rule identification number (RIN) number in the proposed rulemaking as follows:

Bald Knob NWR, AR, RIN 1018-AD80;
Cossatot NWR, AR, RIN 1018-AD78;
Emiquon NWR, IL, RIN 1018-AD85;
Potoka NWR, IN, RIN 1018-AD86;
Big Branch Marsh NWR, LA, RIN 1018-AD79;
Grand Cote NWR, LA, RIN 1018-AD77;
Mandalay NWR, LA, RIN 1018-AD82;
Big Muddy NWR, MO, RIN 1018-AD88;
Tallahatchie NWR, MS, RIN 1018-AD81 and

Boyer Chute NWR, NE, RIN 1018-AD89.

The Service combined the proposed rules into this single final rule (RIN 1018-AD77). A description of the refuges and their proposed hunting and/or fishing programs was provided in the proposed rules.

The National Rifle Association (NRA) supports opening designated refuges including Cossatot NWR to migratory game bird, upland game, and/or big game hunting. They note that while hunting at Cossatot is to be permitted in accordance with the State of Arkansas' regulations and licensing requirements, the Service is imposing several exceptions. In cases where the Service is departing from state rules and regulations, it would be helpful to the public for the Service to provide a brief explanation as to why it is posing those exceptions. They would appreciate having the rationale for the listed exceptions included as part of the final rule.

In the case of Cossatot NWR, and several other refuges, the Service requires a refuge specific permit to hunt. This requirement normally exceeds state fish and game regulations, but is employed as a management tool, it: (1) Controls the total number of hunters permitted to be hunting at any one time on the refuge; (2) provides a method for the hunter to receive a copy and understand the refuge specific regulations, which usually contain a hunting area map; and (3) provides special notice of any change to the regulations during the season and (4) assists in lost hunter identity and law enforcement issues.

Several individuals provided comments opposing additional hunting on national wildlife refuges. It is the policy of the Fish and Wildlife Service to provide wildlife-dependent recreational opportunities on a national wildlife refuge when compatible with the purposes for which that specific refuge was established.

This rule is final upon publication. The Service has determined that any

further delay in the implementation of these refuge 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 Environmental Assessment planning phase as well as the 30-day comment period for these ten rules. Delay of an additional 30 days would jeopardize holding the hunts 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. In many cases, the Service develops refuge-specific regulations to ensure the compatibility of the programs with the purposes for which the refuge was established. The Service ensured initial compliance with the NWRSA and the RRA for hunting and sport fishing on newly acquired refuges through an interim determination of compatibility made at the time of acquisition. This process ensures the determinations required by these acts 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 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/or sport fishing programs as proposed.

Paperwork Reduction Act

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

Economic Effect

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

These refuges generally are distant 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 final 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 natural resources of the areas. 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.

The Service calculates economic impacts of refuge fishing and hunting programs on local communities from

average expenditures in the "1991 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation". In 1996, the Service projects that 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 overage. 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.

Applying these national averages to projected visitation at these ten refuges results in the following: 26,500 fishermen are expected to spend \$1,081,700 annually in pursuit of their sport, while an estimated 4,300 hunters will spend \$159,900 annually hunting on the refuges. While many of these hunters and fishermen already made expenditures prior to the refuge opening, additional expenditures directly are due to these new recreational opportunities provided by the land now open to the general public. The proposed rules for these ten refuges listed each economic contribution separately, and the final rule combines these contributions.

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.) reveals 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

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), the Service prepared environmental assessments for nine refuge openings. At Cossatot NWR, the Service did not prepare an environmental assessment but invoked a categorical exclusion as provided by 516

DM6 Appendix 1 with respect to this opening. Based upon the remaining Environmental Assessments, the Service issued a Finding of No Significant Impact with respect to the remaining nine openings. The Service conducted a Section 7 evaluation pursuant to the Endangered Species Act on all refuges and determined that these actions will not affect any Federally listed or proposed for listing threatened or endangered species or their critical habitats. These documents are on file at the offices of the Service and available for review by contacting the primary author.

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 “Bald Knob National Wildlife Refuge” and “Cossatot National Wildlife Refuge” to the State of Arkansas; “Emiquon National Wildlife Refuge” to the State of Illinois; “Patoka River National Wildlife Refuge and Management Area” to the State of Indiana; “Big Branch Marsh National Wildlife Refuge”, “Grand Cote National Wildlife Refuge”, and “Mandalay National Wildlife Refuge” to the State of

Louisiana; “Big Muddy National Wildlife Refuge” to the State of Missouri; “Tallahatchie National Wildlife Refuge” to the State of Mississippi; and “Boyer Chute National Wildlife Refuge” to the State of Nebraska.

3. Section 32.23 *Arkansas* is amended by adding the alphabetical listing of Bald Knob National Wildlife Refuge and Cossatot National Wildlife Refuge to read as follows:

§ 32.23 Arkansas.

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Bald Knob 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 condition:

1. Hunters must possess a refuge permit.

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

1. Hunters must possess a refuge permit.

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

1. Fishermen may fish and frog only during published refuge open seasons and in accordance with refuge regulations.

2. Fishermen must adhere to all applicable state fishing and frogging regulations.

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Cossatot National Wildlife Refuge

A. Hunting of Migratory Game Birds. Hunters may hunt ducks, geese, coots, woodcock, snipe, and 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, rabbit, squirrel, raccoon, opossum and beaver 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-tail deer and turkey on designated areas of the refuge subject to the following condition:

1. Hunters must possess a refuge permit.

D. Sport Fishing. Fishermen may fish, take frogs, turtles and crawfish on designated areas of the refuge subject to the following conditions:

1. Fishermen must take turtles and crawfish in accordance with applicable state regulations.

2. Trotlines must be reset when exposed by receding water levels. Trotline ends must consist of a length of cotton line that extends from the point of attachment into the water.

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4. Section 32.32 *Illinois* is amended by adding the alphabetical listing of Emiquon National Wildlife Refuge to read as follows:

§ 32.32 Illinois.

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Emiquon National Wildlife Refuge

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

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

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

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

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

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

3. Fishermen must restrict motorboats to slow speed/minimum wake.

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5. Section 32.33 *Indiana* is amended by adding the alphabetical listing of Patoka River National Wildlife Refuge and Management Area to read as follows:

§ 32.33 Indiana.

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Patoka River National Wildlife Refuge and Management Area

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.

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 in designated waters of the refuge subject to posted regulations.

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6. Section 32.37 *Louisiana* is amended by adding the alphabetical listing of Big Branch Marsh National Wildlife Refuge, Grand Cote National Wildlife Refuge and Mandalay National Wildlife Refuge to read as follows:

§ 32.37 Louisiana.

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Big Branch Marsh National Wildlife Refuge

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

1. Hunters must possess a refuge permit.

B. Upland Game Hunting. [Reserved]

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.

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

1. Fishermen may fish during daylight hours only.

2. Fishermen must only use rods and reel or pole and lines while fishing.

3. Fishermen must not use trotlines, slat traps or nets while fishing.

4. Fishermen must not use boats with motors larger than 25 horsepower.

5. Fishermen must not use air-thrust boats, motorized pirogues, go-devils, or mud boats in refuge waters.

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Grand Cote 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 and take crawfish in designated waters of the refuge subject to the following conditions:

1. Fishermen must have refuge permits to take crawfish.

2. Boats may not be left on the refuge overnight.

3. Fishermen may use yo-yos during daylight hours only.

4. Fishermen may not take frogs.

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Mandalay 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 sport fish subject to the following conditions:

1. Fishermen must possess a "free" refuge permit.

2. All persons entering, using or occupying the refuge must abide by all terms and conditions set forth in the appropriate refuge permit and brochure.

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7. Section 32.43 *Mississippi* is amended by adding the alphabetical listing of Tallahatchie National Wildlife Refuge to read as follows:

§ 32.43 Mississippi.

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Tallahatchie 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 in designated waters of the refuge subject to the following conditions:

1. Fishermen may not commercial fish.

2. Daylight use only.

3. The public may not camp.

4. Fishermen may use vehicles only on designated roads.

5. Fishermen must not litter on the refuge.

6. Fishermen must not build fires on the refuge.

7. Fishermen must not use all terrain vehicles on the refuge.

8. All State regulations governing seasons, licenses, and creel limits apply.

9. Fishermen must not use nets, seines, trot lines, or any similar device for taking fish.

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8. Section 32.44 *Missouri* is amended by adding the alphabetical listing of Big Muddy National Wildlife Refuge to read as follows:

§ 32.44 Missouri.

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Big Muddy 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.

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.

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9. Section 32.46 *Nebraska* is amended by adding the alphabetical listing of

Boyer Chute National Wildlife Refuge to read as follows:

§ 32.46 Nebraska.

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Boyer Chute National Wildlife Refuge

A. Hunting of Migratory Game Birds. [Reserved]

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. [Reserved]

D. Sport Fishing. Designated areas of the refuge are open in accordance with State fishing regulations and the special conditions that follow:

1. Fishermen may hook and line fish during daylight hours with closely attended poles.

2. Fishermen may use only non-motorized vessels in the Chute, but must not leave vessels on the refuge overnight.

3. Fishermen must not use floating, limb, or trot lines on the refuge.

4. Fishermen must not use bow, crossbow, snagging devices, or spears while fishing.

5. Fishermen must not dig bait, net, frog, or collect mussels (clams).

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Dated: August 13, 1996.

George T. Frampton, Jr.,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96-22041 Filed 8-28-96; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[I.D. 080296B]

Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Closure; Correction

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

ACTION: Correction to a Closure Notification.

SUMMARY: This document contains a correction to a closure notification (I.D. 080296B), which was published Thursday, August 8, 1996 (61 FR 41363).

EFFECTIVE DATE: 1200 hours, Alaska local time (A.l.t.), August 6, 1996, until 2400 hours, A.l.t., December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: